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11	Attorneys for Plaintiff Sundesa, LLC		
12	UNITED STATES DISTRICT COURT		
13	DISTRICT OF NEVADA		
14	SUNDESA, LLC, a Utah limited liability		
15	company,	CASE NO.: 2:14-cv-00368-MMD-NJK	
16	Plaintiff,	[PROPOSED] CONSENT JUDGMENT OF	
17	v.	INFRINGEMENTAND ORDER FOR	
18	MUSCLE NUTRITION LLC, a Nevada limited liability company,	PERMANENT INJUNCTION	
19	Defendant.		
20			
21	WHEREAS Plaintiff Sundesa, LLC ("Sundesa") and Defendant Muscle Nutrition LLC		
22	("Muscle Nutrition") have agreed to settlement of the matter in issue between them and to entry		
23	of this consent judgment of infringement and order for permanent injunction, it is hereby		
24	ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:		
25	STIPULATED FINDINGS OF FACT AND CONCLUSIONS OF LAW		
26	1. Plaintiff Sundesa is a Utah limited liability company having its principal place of		
27	business in Lehi, Utah.		
28			

2. Defendant Muscle Nutrition is a Nevada limited liability company with its principle 1 2 place of business in Carson City, Nevada. Sundesa is the exclusive licensee of United States Patent No. 6,379,032 (the '032 3 3. Patent"). 4 5 4. Sundesa is the exclusive licensee of United States Design Patent No. D510,235 (the '235 Design Patent"). 6 7 5. Muscle Nutrition has imported and used Muscle Nutrition Shaker Cups in the United States that fall within the scope of one or more of the claims of Sundesa's '032 Patent. 8 Muscle Nutrition has imported and used Muscle Nutrition Shaker Cups in the United 9 6. States that fall within the scope of one or more of the claims of Sundesa's '235 Design Patent. 10 Sundesa filed a complaint in the United States District Court for the District of 7. 11 Nevada, Case No.: 14-cv-00368-MMD-NJK, against Muscle Nutrition for infringement of the 12 '032 Patent and the '235 Design Patent. 13 14 8. The Muscle Nutrition Shaker Cups infringe at least one valid claim of the '032 Patent and at least one valid claim of the '235 Design Patent. 15 **STIPULATION** 16 To resolve the dispute by settlement and agreement, without the necessity of extensive 17 litigation and the expenses and inconveniences incident thereto, Sundesa and Muscle Nutrition 18 19 have agreed to enter into a settlement agreement, wherein Muscle Nutrition agrees to cease using, and importing into the United States, any Muscle Nutrition Shaker Cups, or any other 20 21 product that falls within the scope of one or more claims of the '032 Patent or the '235 Design 22 Patent. Muscle Nutrition further agrees to destroy any remaining Muscle Nutrition Shaker Cups 23 in its possession. Sundesa and Muscle Nutrition have also agreed that this Court shall retain subject matter 24 jurisdiction, and personal jurisdiction over Muscle Nutrition, to enforce the Consent Judgment 25 26 and Permanent Injunction. 27 28

1	ORDER	
2	Pursuant to 35 U.S.C. § 283, Muscle Nutrition, its agents, officers, servants, employees,	
3	and attorneys, and all persons in active concert and participation with them who receive actual	
4	notice of this Order by personal service or otherwise, are hereby permanently enjoined from	
5	making, using, selling, offering for sale, and importing into the United States, Muscle Nutrition	
6	Shaker Cups or any other product falling within the scope of one or more valid claim of either	
7	the '032 Patent or the '235 Design Patent.	
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9	IT IS SO ORDERED.	
10	1 (l.m)	
11	Dated:United States District JUDGE	
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