

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

OMNIGEN RESEARCH, et al,

Plaintiffs,

v.

YONGQIANG WANG, et al,

Defendants,



Civ. No. 6:16-cv-00268-MC

PRELIMINARY INJUNCTION

MCSHANE, Judge:

For the following reasons, Plaintiffs’ Motion for Preliminary Injunction (ECF No. 12) is **GRANTED** as follows:

1. Wang and Zheng (including Bioshen), and his or her agents, servants, employees and all persons and entities acting in privity, concert or participation with Wang or Zheng (including

Bioshen), shall not retain or use OmniGen Research or Prince Agri confidential information or trade secrets.

2. Wang and Zheng (including Bioshen) shall (1) account for the location and format of all material in its, his or her possession, custody or control containing or reflecting OmniGen Research and Prince Agri confidential information or trade secrets, and (2) provide to OmniGen Research and Prince Agri all originals and all copies (in whatever format they currently exist) of any material in its, his or her possession, custody or control containing or reflecting OmniGen Research and Prince Agri confidential information or trade secrets.

3. Wang and Zheng shall execute all papers necessary to assign to OmniGen Research any and all interest they have in the '822 Chinese patent application and the resulting '822.6 Chinese patent, and all other patents and patent applications in any jurisdiction resulting from any work performed on behalf of OmniGen Research, pursuant to a suggested research project by OmniGen Research, relating in any manner to the existing or stated contemplated business of OmniGen Research or that resulted from the use of OmniGen Research's time, material, employment or facilities. In the alternative, Wang, Zheng, Bioshen and any entity subject to the control of any of them shall retain and not encumber all interests in those patents and patent applications pending a final resolution of this action.

4. Wang and Zheng (including Bioshen), and his or her agents, servants, employees and all persons and entities acting in privity, concert or participation with Wang or Zheng (including

Bioshen), shall not use in any manner any of OmniGen Research's copyrighted materials, including any derivative works.

5. Wang, and his agents, servants, employees and all persons and entities acting in privity, concert or participation with him, shall not falsify any of his credentials, or the credentials of any entity or person affiliated with him, when competing with either Plaintiff.

6. Wang and Zheng (including Bioshen) and his or her agents, servants, employees and all persons and entities acting in privity, concert or participation with Wang or Zheng (including Bioshen) shall make corrective disclosures regarding their articles and presentations that contain Plaintiffs' work, confidential information or copyrighted materials, including but not limited to corrective disclosures in Engineering Sciences, on the Bioshen website, and to all identifiable organizers, presenters and attendees of "The First 'International Animal and Intestinal Ecology and Health in China Summit Forum' (IAIEH)."

7. Wang and Zheng (including Bioshen), and his or her agents, servants, employees and all persons and entities acting in privity, concert or participation with Wang or Zheng (including Bioshen) shall report and account to Plaintiffs and the Court as to the whereabouts, publication and distribution of any confidential information belonging to either of the Plaintiffs, and Bioshen, Wang and Zheng (including Bioshen) shall undertake best efforts to return any such confidential information to Plaintiffs.

8. Wang and Zheng (including Bioshen) shall immediately produce to Plaintiffs all electronic media in their custody, possession or control for purposes of verifying that they do not contain Plaintiffs' confidential and/or copyrighted material.

9. Wang and Zheng (including Bioshen) shall notify all persons to whom they provided Plaintiffs' confidential information identified herein that such information was misappropriated, may not be used and should be returned to Plaintiffs.

10. Wang and Zheng (including Bioshen) shall no longer have any involvement with or (direct or indirect) ownership interest in Mirigen.

11. Wang and Zheng (including Bioshen) and any entity subject to the control of him or her shall retain and not encumber any interests in real property, including their residence at 6255 SW Chestnut Drive, Corvallis, Oregon 97333, pending a final resolution of this action.

12. Wang and Zheng (including Bioshen) shall within 30 days of entry of the Court's preliminary injunction, report in detail to Plaintiffs and the Court on their efforts undertaken to comply with the Court's Orders.

DATED this 12th day of May, 2016.

/s/ Michael J. McShane
Michael J. McShane
United States District Judge