

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOY MM DELAWARE, INC., ET AL.,)

Plaintiffs,)

v.)

Civil Action No. 09-1415

CINCINNATI MINE MACHINERY, CO.,)

Defendant.)

ORDER ENTERING FINAL JUDGMENT

AND NOW, this 4th day of January, 2012, upon consideration of the parties'

Joint Motion for Entry of Final Judgment [document #86], IT IS HEREBY ORDERED

that the motion is GRANTED and in accordance with the Court's Memorandum and Order of

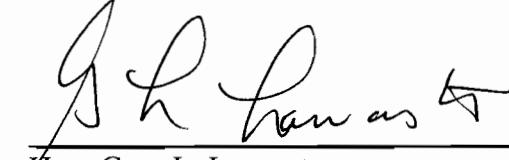
December 5, 2011, FINAL JUDGMENT is entered in that:

- (1) Cincinnati Mine Machinery's DA-350 product does not infringe Claim 2 of U.S. Patent No. 6,662,932 ("the '932 patent");
- (2) Claim 2 of the '932 patent is invalid due to a violation of the best mode requirement;
- (3) The '932 patent is not unenforceable due to inequitable conduct;
- (4) Claim 2 of the '932 patent is not invalid as anticipated.

IT IS FURTHER ORDERED that all remaining claims, counterclaims, and defenses are dismissed, without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court shall mark the instant CASE CLOSED.

BY THE COURT:


_____, C.J.
Hon. Gary L. Lancaster,
Chief United States District Judge

cc: All Counsel of Record