

NO 120 (Rev. 3/04)

TO: <b>Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450</b>	<b>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District on the following  Patents or  Trademarks:

<del>06880</del> <b>ABC (MAN)</b>	DATE FILED October 23, 2007	U.S. DISTRICT COURT Central District of California, Southern Division
PLAINTIFF KIWO Inc.	DEFENDANT PlanetB Technologies, Inc.	

  

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 5,156,089	October 20, 1992	KIWO Inc.
2		
3		
4		
5		

4:37  
 RECEIVED  
 CLERK OF COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 DEPUTY

In the above-entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
1	
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In the above-entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK <b>TERRY NAFISI</b>	(BY) DEPUTY CLERK 	DATE NOV 12 2008
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

1 JAMES D. SLOAN (State Bar No. 220176) JS-6  
2 CASONDRA K. RUGA (State Bar No. 237597)  
3 **ALSTON & BIRD LLP**  
4 333 South Hope Street, Sixteenth Floor  
5 Los Angeles, California 90071  
6 Telephone: (213) 576-1000  
7 Facsimile: (213) 576-1100  
8 james.sloan@alston.com  
9 casondra.ruga@alston.com

10 WILLIAM H. FRANKEL (admitted *pro hac vice*)  
11 JAMES P. NAUGHTON (admitted *pro hac vice*)  
12 STEPHANIE J. FELICETTY (admitted *pro hac vice*)  
13 BENJAMIN C. FINDLEY (admitted *pro hac vice*)  
14 **BRINKS HOFER GILSON & LIONE**  
15 NBC Tower - Suite 3600  
16 455 N. Cityfront Plaza Drive  
17 Chicago, Illinois 60611  
18 Telephone: (312) 321-4200  
19 Facsimile: (312) 321-4299

20 Attorneys for Plaintiff  
21 **KIWO INC.**

22 UNITED STATES DISTRICT COURT  
23 CENTRAL DISTRICT OF CALIFORNIA  
24 WESTERN DISTRICT

25 **KIWO INC.,**

26 Plaintiff,

27 v.

28 **PLANETB TECHNOLOGIES, INC.,**

Defendant.

CASE NO. CV07-06880 ABC (MANx)

**STIPULATED CONSENT JUDGMENT**

The parties to this lawsuit, Plaintiff KIWO Inc. ("KIWO") and Defendant PlanetB Technologies, Inc. ("PlanetB") have agreed to settlement of the matters in dispute between them and have stipulated to the entry of this Consent Judgment.

PlanetB acknowledges that it has not retained new counsel since the Court granted the motion of its prior counsel, Snell & Wilmer, to withdraw as counsel on

1 September 15, 2008.

2 PlanetB acknowledges that KIWO encouraged PlanetB to consult with  
3 independent counsel before signing this Consent Judgment and a Confidential  
4 Settlement Agreement resolving the above-captioned case, but that PlanetB elected  
5 not to do so.

6  
7 **IT IS THEREFORE ORDERED THAT:**

8 1. United States Patent No. 5,156,089 (“’089 Patent”) is valid and  
9 enforceable.

10 2. PlanetB infringes one or more claims of the ’089 patent by making,  
11 using and selling its Computer-to-Screen products including, but not limited to, its  
12 Sprite, Nova and Galaxy families of products.

13 3. Pursuant to 35 U.S.C. § 283, PlanetB, its subsidiaries, officers,  
14 directors, agents, servants, employees, attorneys, predecessors or successors in  
15 interest or assigns, and those persons in active concert or participation with them  
16 are permanently enjoined and restrained, from the date of entry of this Consent  
17 Judgment and for the entire term of the ’089 patent, from making, using, offering  
18 for sale, selling, transferring ,distributing, delivering, shipping, or importing into  
19 the United States Computer-to-Screen products that directly infringe the ’089  
20 patent, or otherwise directly infringing, indirectly infringing, contributorily  
21 infringing, or inducing infringement of the ’089 patent.

22 4. The provisions of this Consent Judgment shall be binding upon and/or  
23 applicable to PlanetB, its subsidiaries, officers, directors, agents, servants,  
24 employees, attorneys, and their predecessors or successors in interest or assigns,  
25 and to all other persons or entities in active concert or participation with them who  
26 receive actual notice of this Consent Judgment by personal service or otherwise.

27 5. All pending claims of KIWO against PlanetB are resolved by this  
28 Consent Judgment and are hereby dismissed with prejudice.

1 6. All pending counterclaims by PlanetB against KIWO are resolved by  
2 this Consent Judgment and are hereby dismissed with prejudice.

3 7. This Consent Judgment concludes all proceedings between KIWO and  
4 PlanetB.

5 8. This Court shall retain personal jurisdiction over all of the parties and  
6 subject matter jurisdiction, for the purpose of enforcement, of this Consent  
7 Judgment and the Confidential Settlement Agreement entered into between the  
8 parties.

9  
10 **SO ORDERED**

11 Dated: November 10, 2008

By: Audrey B. Collins  
Hon. Audrey B. Collins  
United States District Judge

14 **AGREED TO BY:**

16 KIWO, Inc.  
17 Dated: \_\_\_\_\_

PlanetB Technologies, Inc.  
Dated: \_\_\_\_\_

19 **AGREED AS TO FORM:**

21 WILLIAM H. FRANKEL  
22 JAMES P. NAUGHTON  
23 STEPHANIE J. FELICETTY  
BENJAMIN C. FINDLEY  
BRINKS HOFER GILSON & LIONE

PlanetB Technologies, Inc.  
(pro se)

24 JAMES D. SLOAN  
25 CASONDRA K. RUGA  
ALSTON & BIRD LLP

26 Attorneys for Plaintiff  
27 KIWO Inc.  
28 Dated: \_\_\_\_\_

Dated: \_\_\_\_\_