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Sent: Tuesday, September 23, 2008 7:53 AM
To: cmecf_flmd_notices@flmd.uscourts.gov
Subject: Activity in Case 6:07-cv-01962-PCF-DAB E-Z Load Gate, Inc. v. American Moto Products, Inc. et al Judgment - consent

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U.S. District Court

Middle District of Florida

Notice of Electronic Filing

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Case Name: E-Z Load Gate, Inc. v. American Moto Products, Inc. et al

Case Number: 6:07-cv-1962

Filer:

WARNING: CASE CLOSED on 08/08/2008

Document Number: 44

Docket Text:

AMENDED FINAL CONSENT JUDGMENT AND PERMANENT INJUNCTION. Signed by Senior Judge Patricia C. Fawsett on 9/22/2008. (IGC)

6:07-cv-1962 Notice has been electronically mailed to:

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**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

FILED
SEP 23 10 37
CLERK OF COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO

E-Z LOAD GATE, INC.,
a Florida corporation,

Plaintiff,

vs.

CASE NO. 6:07-CV-1962-ORL-19DAB

AMERICAN MOTO PRODUCTS,
INC., a California corporation,
and 89908, INC., a California
corporation,

Defendant.

AMENDED FINAL CONSENT JUDGMENT AND PERMANENT INJUNCTION

Pursuant to the Joint Motion for Entry of Final Consent Judgment and Permanent Injunction (Doc. No. 41, filed September 10, 2008), it is

ORDERED and ADJUDGED that said Motion is **GRANTED**. It is further **ORDERED** that:

This Court has subject matter jurisdiction over this action as well as personal jurisdiction over the parties.

Venue is proper in this judicial district.

89908, Inc. d/b/a AMP Research is the owner of the following United States Patents:

U.S. Patent No. 6,402,215 issued June 11, 2002;

U.S. Patent No. 6,805,392 issued October 19, 2004;

U.S. Patent No. 7,063,366 issued June 20, 2006;

U.S. Patent No. Des. 417,859 issued December 21, 1999;

and

U.S. Patent No. Des. 418,106 issued December 28, 1999

(collectively, the "Leitner Patents").

The Leitner Patents are valid and enforceable.

E-Z Load has offered for sale and sold in the United States bed extender products, marketed under the model numbers EZ 7875 and EZ 8545, and the trademarks E-Z LOAD GATE, E-Z LOAD REVERSIBLE BED EXTENDER, CARGO GATE AND BED EXTENDER, and depicted at Figures 2 and 5 of U.S. Patent No. 7, 195,432, and in the photographs attached hereto as Exhibit A, ("Accused Devices").

E-Z Load's Accused Devices infringe the Leitner Patents.

E-Z Load, its agents and employees, and those persons in active concert or participate with them who receive actual notice of this Order are hereby permanently enjoined from making, using, selling, offering for sale, or importing the Accused Devices and any merely colorable variations thereof.

E-Z Load is permitted to sell its remaining units of infringing Accused Devices in its inventory and such sales will not be a violation of this Order provided that:

- a. E-Z Load sells no more than 300 remaining units of Accused Devices;
and
- b. Within 60 days hereof E-Z Load will remit to AMP a royalty of 5% of the gross amount of those sales, which is estimated to be approximately 120 units at \$78.00 and 150 units at \$66.00.

Final Judgment is hereby entered in favor of AMP on all causes of action.

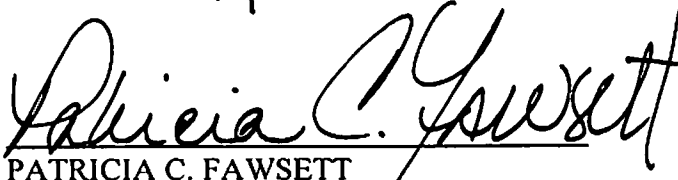
Each party will bear its own costs and attorneys' fees for this action.

No other or further relief is granted to any party.

The parties advise that they affirmatively waive any and all rights to appeal this Final Consent Judgment and Permanent Injunction.

The Court retains jurisdiction over this Amended Final Consent Judgment and Permanent Injunction for the purpose of ensuring compliance with the terms hereof.

DONE AND ORDERED at Orlando, Florida, this 22nd day of September, 2008.


PATRICIA C. FAWSETT
UNITED STATES DISTRICT JUDGE

Copies to:

All Counsel of Record

E-Z Load Bed Extender

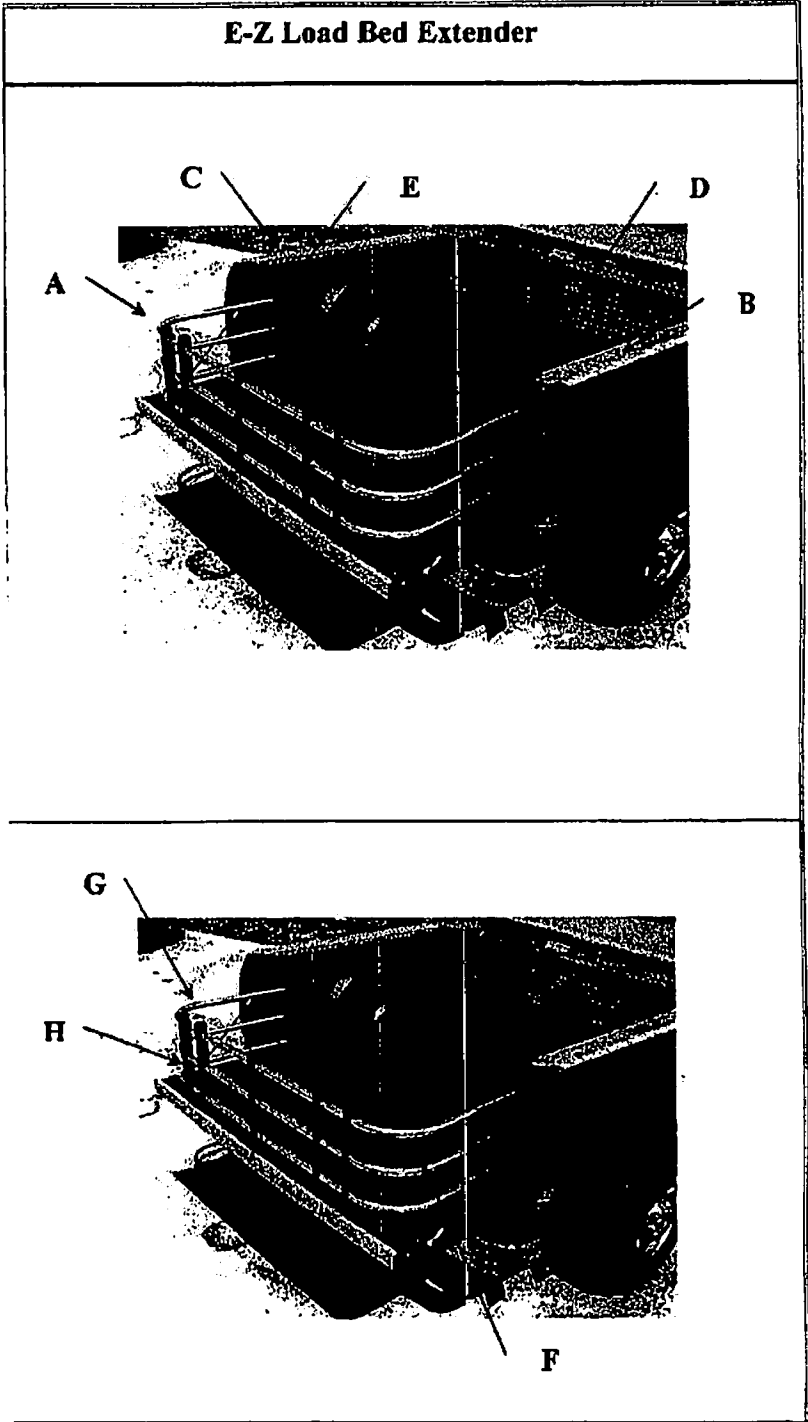
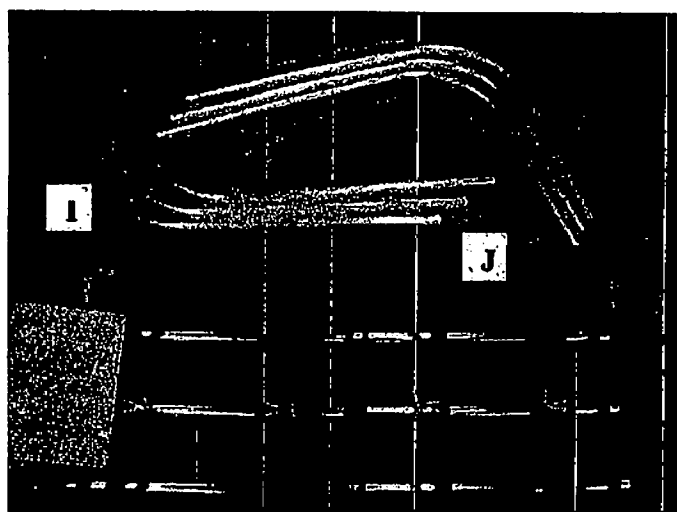
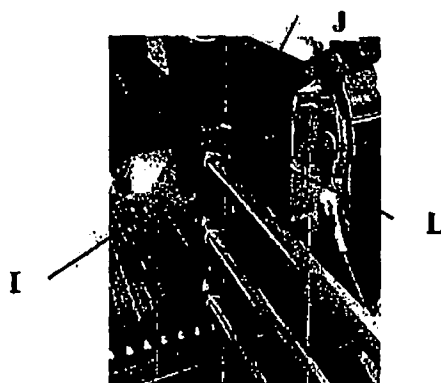
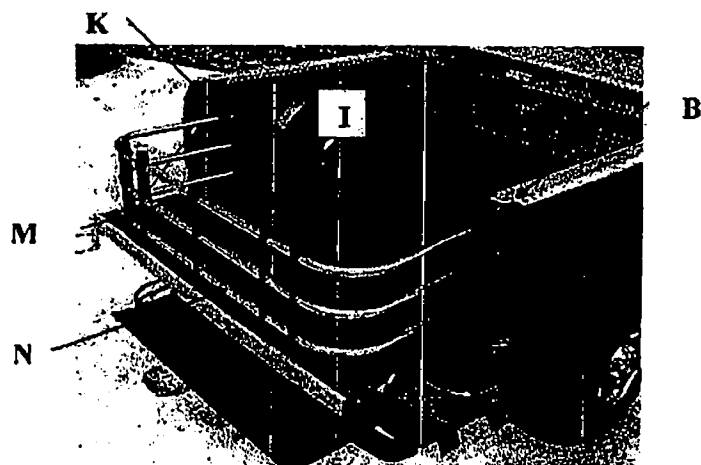


EXHIBIT A

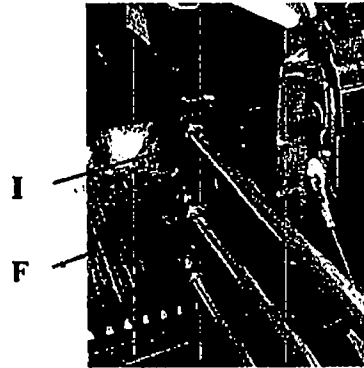
E-Z Load Bed Extender

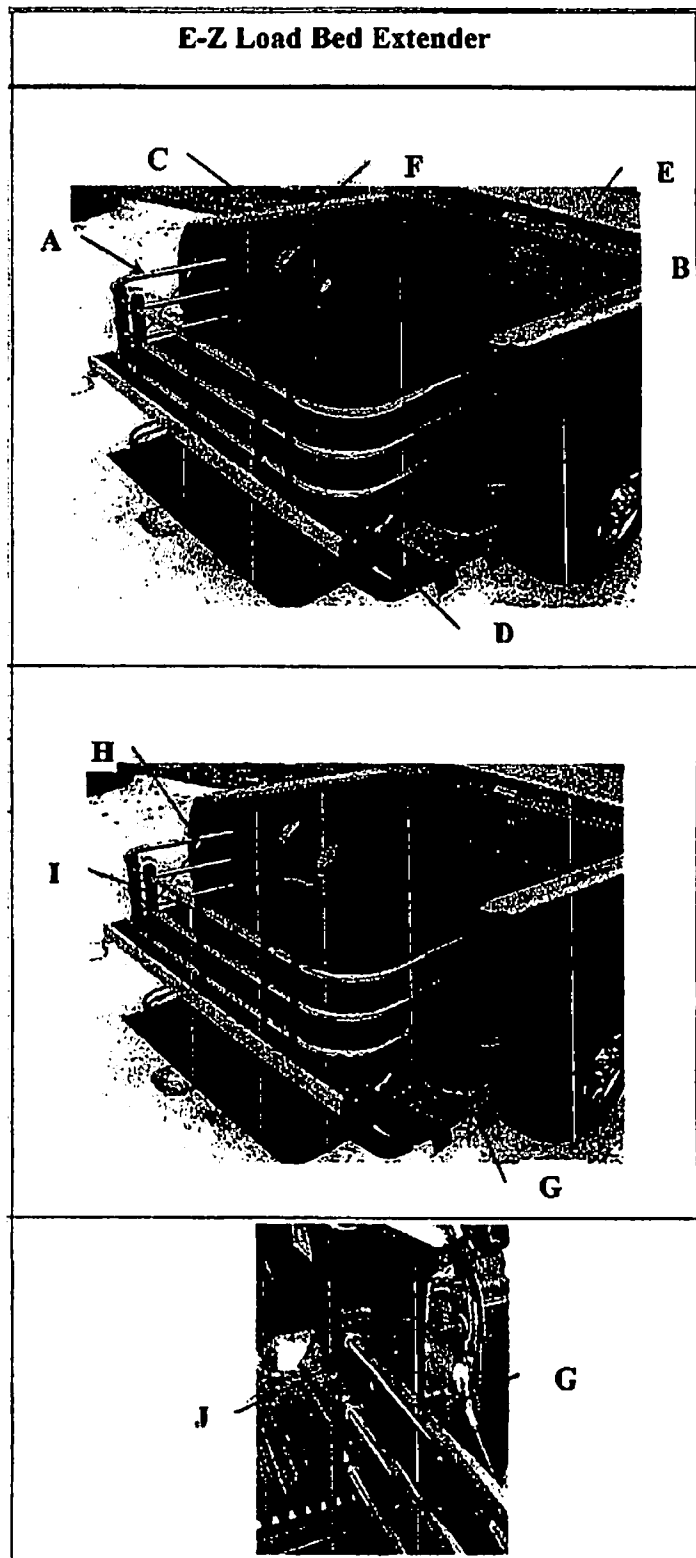


(E-Z Load Bed Extender Unassembled in Box)

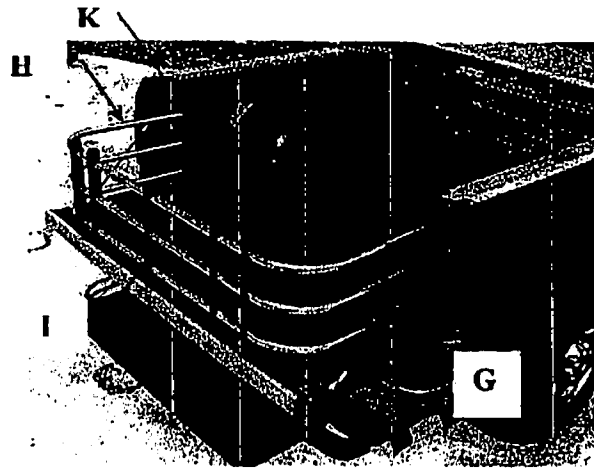


E-Z Load Bed Extender

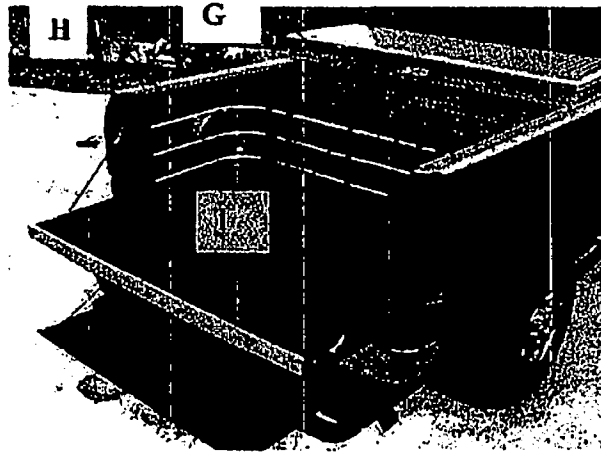




E-Z Load Bed Extender

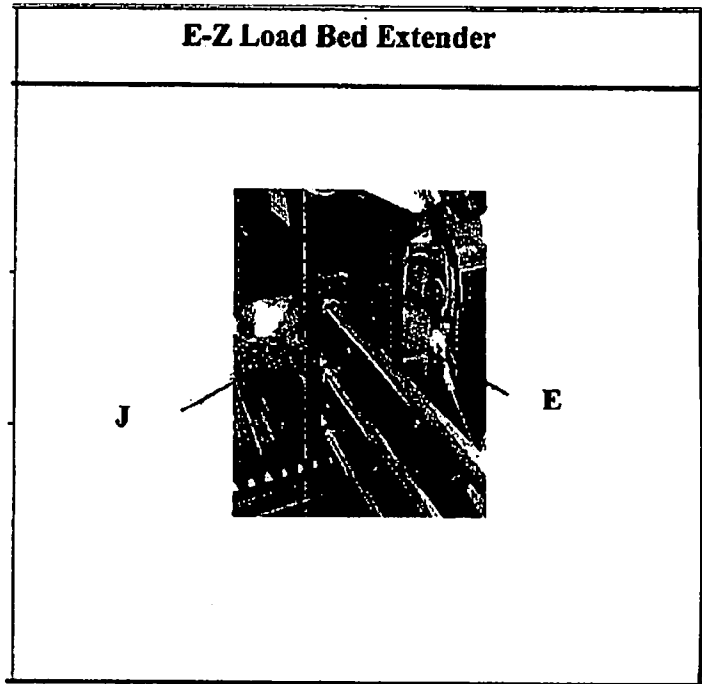


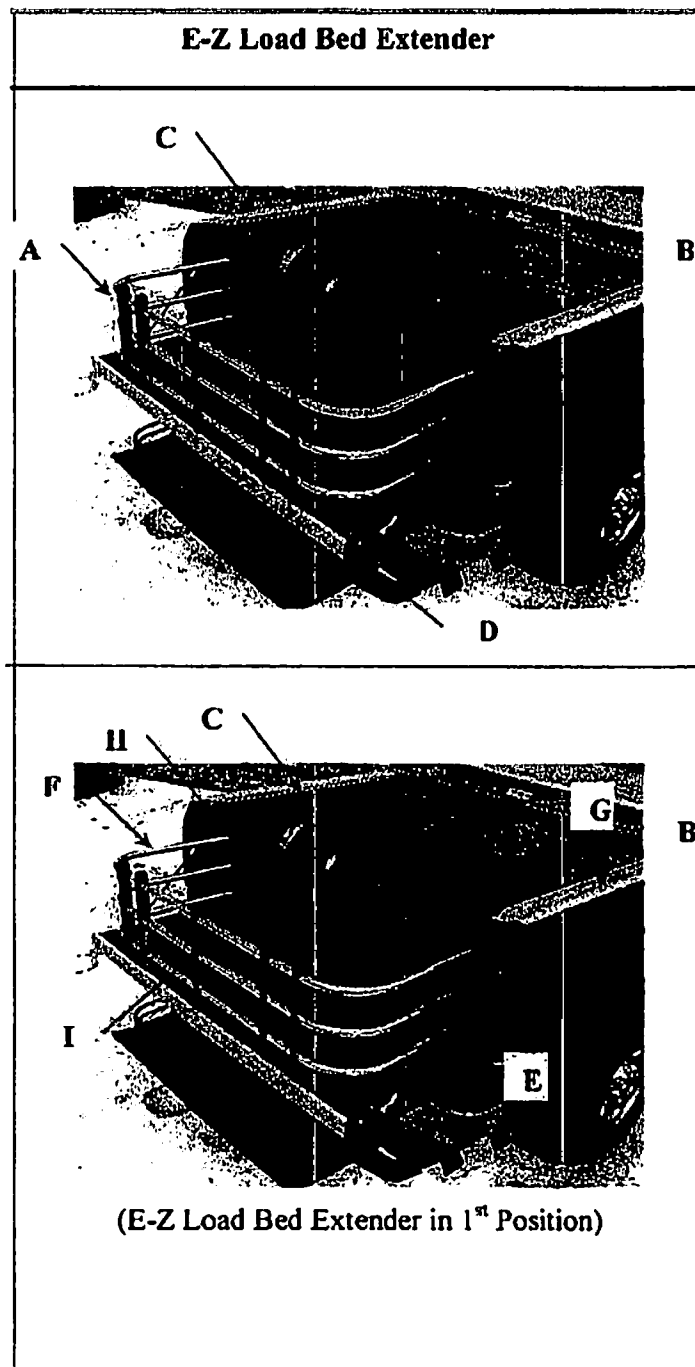
(E-Z Load Bed Extender in 1st Position)



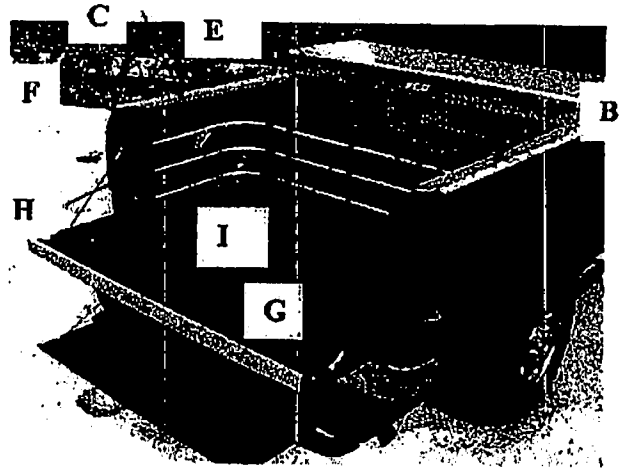
(E-Z Load Bed Extender in 2nd Position)

See 1st mount position and 2nd mount position above





E-Z Load Bed Extender



(E-Z Load Bed Extender in 2nd Position)