

United States District Court
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EKO BRANDS, LLC,

Plaintiff,

v.

ADRIAN RIVERA MAYNEZ
ENTERPRISES, INC., and ADRIAN
RIVERA, an individual,

Defendants.

JUDGMENT IN A CIVIL CASE

Case No. C15-522-JPD

X **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 Decision by Court. This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED:

Based upon the jury's unanimous verdict of June 8, 2018, the Court amends the original judgment entered on June 14, 2018, Dkt. 253, as follows:

1. Plaintiff is awarded damages against Defendant Adrian Rivera Maynez Enterprises, Inc. ("ARM") for defendants' infringement of the United States Patent No. 8,707,855 ("DeMiglio 855 patent") in the amount of \$192,801.00.
2. Plaintiff is awarded judgment against ARM in the amount of \$68,955.79, representing the attorney's fees ordered to be paid to plaintiff by ARM pursuant to the Honorable Robert S. Lasnik's Order dated February 2, 2018 (Dkt. 182) with accrued prejudgment interest to the June 14, 2018 date of the original judgment.
3. Pursuant to 35 U.S.C § 285 and Fed. R. Civ. P. 11, plaintiff is awarded judgment in the amount of \$63,093.00, as set forth in the Court's Order dated July 13, 2018. Dkt. 271.

4. Plaintiff is also awarded post-judgment interest on the monetary awards from June 14, 2018, the date of the original judgment, at the federal judgment rate.
5. Defendant ARM's infringement of the DeMiglio 855 patent was not willful.
6. Claim 5 of U.S. Patent No. 8,720,320 ("Rivera 320 Patent") is invalid as obvious to a person of ordinary skill in the art at the time of the claimed invention.
7. Claim 18 of the Rivera 320 Patent is invalid as obvious to a person of ordinary skill in the art at the time of the claimed invention.
8. Claim 8 of the Rivera 320 Patent is invalid as obvious to a person of ordinary skill in the art at the time of the claimed invention.
9. Claim 19 of the Rivera 320 Patent is invalid as obvious to a person of ordinary skill in the art at the time of the claimed invention.
10. Defendants, their officers, agents and assigns are permanently enjoined from infringing, directly or indirectly, the DeMiglio 855 patent, as set out in more detail in the Court's Order dated July 13, 2018. Dkt. 272.
11. Plaintiff is awarded its costs.
12. The Clerk is directed to send a copy of this judgment to the United States Patent and Trademark Office.

Dated this 13th day of July, 2018.

WILLIAM M. McCOOL
Clerk

s/ Tim Farrell
Deputy Clerk