

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

OMEGA PATENTS, LLC,

Plaintiff,

v.

Case No: 6:13-cv-1950-Orl-40DCI

CALAMP CORP.,

Defendant.

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ORDER

This cause comes before the Court upon Plaintiff Omega Patents, LLC's, Motion for Entry of Final Judgment (Doc. 316 (the "**Motion**")), filed October 29, 2019. Defendant CalAmp Corp. opposes. (Doc. 319). On September 30, 2019, a jury returned a verdict in favor of Omega. (Doc. 310). Therefore, and upon consideration of the parties' briefs, the Motion is due to be granted.

After a trial of this cause, the jury found CalAmp's LMU 3000, LMU 3030, LMU 30502 infringed Omega's '278 patent. Damages for this infringement were calculated at \$4,586,110.00, or \$5.00 per infringing device. The jury also awarded \$1.00 for a single unit infringing the '727 patent, for a total damage award of \$4,586,111.00. The jury determined the royalty rate—as of 2011 just before infringement began—should be \$5.00 and calculated that the number of units infringing was 917,222. (Doc. 310).

The Court finds that Omega should be awarded pre-judgment interest on its jury award. 35 U.S.C. § 284; *Gen. Motors Corp. v. Devex Corp.*, 461 U.S. 648, 657 (1983) (“[A]bsent some justification for withholding such an award,” pre-judgment interest should be awarded for patent infringement.). Pre-judgment interest generally runs from the date

of infringement to the date of judgment. (*Id.*). Omega suggests the amount of pre-judgment interest is \$778,315.40 as of the verdict date. (Doc. 316-1). In addition, the *per diem* rate is \$734.00 for each day after September 30, 2019. (Doc. 316). CalAmp does not disagree with the interest calculations presented by Omega. (Doc. 319).

Accordingly, the Motion is **GRANTED**. The Clerk shall enter judgment by separate order reflecting Plaintiff's entitlement in the amount of \$4,586,111.00, together with pre-judgment interest in the amount of \$778,315.40 through September 30, 2019, and \$734.00 *per diem* after that date.

Thereafter, the Clerk shall close the case. The Court retains jurisdiction to resolve post-trial motions.

DONE AND ORDERED in Orlando, Florida on November 25, 2019.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties