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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

COLUMBIA SPORTSWEAR NORTH
AMERICA, INC., an Oregon
corporation,

Plaintiff,

v.

SEIRUS INNOVATIVE
ACCESSORIES, INC., a Utah
corporation

Defendants.

Case No. 3:17-cv-01781

JUDGMENT

Judge: Marco A. Hernandez

Courtroom:

Date:

Time:

Date Action Filed: January 12, 2015

Trial Date: September 18, 2017

1 This action came before the Court for trial before a duly impaneled and sworn
2 jury, and the Court presided over the jury trial from September 18-29, 2017. The
3 parties to this action are plaintiff Columbia Sportswear North America, Inc.
4 (“Columbia”) and defendant Seirus Innovative Accessories, Inc. (“Seirus”). On
5 September 29, 2017, the jury returned a verdict. The verdict was accepted by the
6 Court and filed by the Clerk.

7 Therefore, pursuant to Fed. R. Civ. P. 58, and prior to rulings on post-trial
8 motions pursuant to Fed. R. Civ. P. 50 and 59, judgment is entered in this matter as
9 follows:

10 1. IT IS ORDERED AND ADJUDGED that judgment is hereby entered
11 in favor of Columbia and against Seirus that Seirus’ total profit from sales of the
12 relevant article of manufacture that Columbia is entitled to receive for Seirus’
13 infringement of the U.S. Patent No. D657,093 (“Design Patent”) is \$3,018,174.00.

14 2. IT IS FURTHER ORDERED AND ADJUDGED that judgement is
15 hereby entered in favor of Seirus and against Columbia that Seirus did not willfully
16 infringe the Design Patent.

17 3. IT IS FURTHER ORDERED AND ADJUDGED that judgment is
18 hereby entered in favor of Seirus and against Columbia that Seirus proved by clear
19 and convincing evidence that Claim 2 of Columbia’s U.S. Patent No. 8,453,270
20 (“Utility Patent”) is invalid as anticipated by Fottinger.

21 4. IT IS FURTHER ORDERED AND ADJUDGED that judgment is
22 hereby entered in favor of Seirus and against Columbia that Seirus proved by clear
23 and convincing evidence that Claim 23 of Columbia’s Utility Patent is invalid as
24 anticipated by Fottinger.

25 5. IT IS FURTHER ORDERED AND ADJUDGED that judgment is
26 hereby entered in favor of Seirus and against Columbia that Seirus proved by clear
27 and convincing evidence that Claim 2 of Columbia’s Utility Patent is invalid as
28 obvious.

1 6. IT IS FURTHER ORDERED AND ADJUDGED that judgment is
2 hereby entered in favor of Seirus and against Columbia that Seirus proved by clear
3 and convincing evidence that Claim 23 of Columbia’s Utility Patent is invalid as
4 obvious.

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7 Dated: _____

HONORABLE MARCO A. HERNANDEZ

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