

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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| Case No. | CV 06-6165-GW(CWx) ✓ CV 07-8314-GW(CWx) | Date | February 25, 2010 |
| Title | <i>Amity Rubberized Pen Company v. Market Quest Group Incorporated, et al.</i> ✓ <i>Amity Rubberized Pen Company v. Jacqueline Morovati, et al.</i> | | |

Present: The Honorable GEORGE H. WU, UNITED STATES DISTRICT JUDGE

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|----------------------|---------------------------|----------|
| <u>Andrea Keifer</u> | <u>Wil Wilcox</u> | |
| Deputy Clerk | Court Reporter / Recorder | Tape No. |

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| Attorneys Present for Plaintiffs: | Attorneys Present for Defendants: |
| Frederick M. Douglas | Gary A. Brenner |
| | William Breneman (via telephonic appearance) |
| | Douglas A. Frymer (via telephonic appearance) |

PROCEEDINGS: HEARING RE ATTORNEY'S FEES

PLAINTIFF'S MOTION TO PRECLUDE EVIDENCE OF OR RELATING TO JIMOR, INC. AND ANY EVIDENCE THAT UNIVERSAL PLASTICS IS NOT A FICTITIOUS BUSINESS NAME OF DEFENDANTS MOROVATI AND JIMENEZ [234]

PLAINTIFF'S MOTION IN LIMINE NO. 7 RE CLAIM CONSTRUCTION

PLAINTIFF'S MOTION IN LIMINE NO. 3 RE AMITY ASSIGNMENTS

PRETRIAL CONFERENCE

Hearing is held. The tentative ruling circulated on January 21, 2010 is adopted as the Court's final ruling. Plaintiff's Motion for Summary Judgment of Invalidity of U.S. Patent Number 7,066,349 [166] is **Granted**. Plaintiff is ordered to submit a proposed order.

The Court takes the award of attorney's fees to plaintiff **under submission** and an order will issue.

For the reasons stated on the record and outlined in defendants' opposition [62], Plaintiff's Motion to

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Preclude Evidence of or Relating to Jimor, Inc. and Any Evidence that Universal Plastics is Not a Fictitious Business Name of Defendants Morovati and Jimenez is **Denied**.

For the reasons also stated on the record, Plaintiff's Motion in Limine No. 3 re Assignment is **Granted** and Plaintiff's Motion in Limine No. 7 re Claim Construction is **Granted in part** as to the issue of designing around. The Court allows the parties to file a response to the ruling on Motion in Limine No. 7 and sets the following:

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| Plaintiff's response (limit 5 pages): | February 26, 2010 |
| Defendant's reply (limit 5 pages): | March 2, 2010 |
| Hearing on Motion in Limine No. 7: | March 4, 2010 at 8:30 a.m. |

The **Trial**, currently set for March 2, 2010, is **continued** to **April 13, 2010 at 9:00 a.m.**

IT IS SO ORDERED.

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