

RUSS, AUGUST & KABAT

1 RUSS AUGUST & KABAT  
 2 Brian D. Ledahl (SBN 186579)  
*bledahl@raklaw.com*  
 3 Neil A. Rubin (SBN 250761)  
*nrubin@raklaw.com*  
 4 Jacob R. Buczko (SBN 269408)  
*jbuczko@raklaw.com*  
 5 Paul A. Kroeger (SBN 229074)  
*pkroeger@raklaw.com*  
 6 Minna Chan (SBN 305941)  
*mchan@raklaw.com*  
 7 12424 Wilshire Boulevard, 12FL  
 8 Los Angeles, California 90025  
 9 310/826-7474 – Telephone  
 10 310/826-6991 – Facsimile  
 11 Attorneys for Plaintiff  
 12 *Document Security Systems, Inc.*

13 **UNITED STATES DISTRICT COURT**  
 14 **CENTRAL DISTRICT OF CALIFORNIA**

16 DOCUMENT SECURITY SYSTEMS,  
 17 INC.,

18 *Plaintiff,*

19 v.

21 EVERLIGHT ELECTRONICS CO.,  
 22 LTD., and EVERLIGHT AMERICAS,  
 23 INC.,

24 *Defendants.*

Case No. 2:17-cv-04273-JVS-JCG

**[PROPOSED] ORDER GRANTING  
 JOINT MOTION FOR DISMISSAL  
 WITHOUT PREJUDICE OF  
 WILLFUL INFRINGEMENT  
 CLAIMS AGAINST DEFENDANTS  
 EVERLIGHT ELECTRONICS CO.,  
 LTD., AND EVERLIGHT  
 AMERICAS, INC.**

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1 On this day, pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff Document Security  
2 Systems, Inc. (“DSS”) and Defendants Everlight Electronics Co., Ltd. and Everlight  
3 Americas, Inc. (“collectively, “Everlight”) jointly moved to dismiss DSS’s willful  
4 infringement claims against Everlight without prejudice to reinstate and with no  
5 award of fees or costs, pursuant to Everlight’s agreement that it will not assert that  
6 this dismissal precludes or otherwise bars any possible future willful infringement  
7 claims by DSS against Everlight, including willful infringement claims involving  
8 any of the same patents or claims underlying the instant action.

9 The Court, having considered this request, hereby GRANTS the parties’ joint  
10 motion and ORDERS that DSS’s willful infringement claims be dismissed against  
11 Everlight without prejudice to reinstate and with no award of fees or costs. It is  
12 further ORDERED that this dismissal does not preclude or otherwise bar any  
13 possible future willful infringement claims by DSS against Everlight.

14 **IT IS SO ORDERED.**

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19 Hon. James V. Selna  
20 United States District Court Judge  
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### CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on the date of filing.

DATED: May 11, 2018

By:           /s/ Brian D. Ledahl            
Brian D. Ledahl

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