

RUSS, AUGUST & KABAT

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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

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

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

IT IS SO ORDERED.

Dated: May 15, 2018



Hon. James V. Selna
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 15, 2018

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

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