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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

NEUROVISION MEDICAL
PRODUCTS, INC.,

Plaintiff,

vs.

NUVASIVE INC.,

Defendant.

Case No. 09-CV-6988 DSF (JEMx)

Hon. Dale S. Fischer

PERMANENT INJUNCTION

1 For the reasons stated in the Court’s August 5, 2014 Order GRANTING
2 Plaintiff’s Motion for Permanent Injunction and Cancellation of Trademark
3 Registrations, and based on the parties’ Stipulation re: Permanent Injunction, the
4 Court hereby Orders the following:

5 NuVasive and each of its officers, agents, servants and employees, and all
6 those persons in active concert or participation with them are hereby forever
7 enjoined from using the mark NEUROVISION in the sale, offering for sale,
8 distribution, lending, marketing or advertising of medical devices or related
9 merchandise and services at any locality in the United States, provided, however,
10 that the following shall not be considered a violation of this injunction:

- 11 ○ Use of or reference to the NEUROVISION mark for
- 12 truthful informational purposes with investors and
- 13 regulatory agencies, including without limitation, the
- 14 Securities and Exchange Commission or FDA, to
- 15 refer to historic products, historic product sales,
- 16 and/or this lawsuit;
- 17 ○ In response to a customer inquiry, NuVasive can
- 18 truthfully explain that it formerly marketed products
- 19 under the name NEUROVISION.

19 IT IS SO ORDERED.

20 9/2/14



21 Dated: _____

22 _____
23 The Hon. Dale S. Fischer
24 Judge of the United States District Court

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Respectfully Submitted:

Dated: August 25, 2014

BROWNE GEORGE ROSS LLP
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Keith J. Wesley

By s/ Keith J. Wesley
Keith J. Wesley

Attorneys for Plaintiff
Neurovision Medical Products, Inc.

Dated: August 25, 2014

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Attorneys for Defendant NuVasive, Inc.