

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MOBIUS MEDICAL SYSTEMS, LP

PLAINTIFF,

V.

SUN NUCLEAR CORPORATION

DEFENDANT.

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C.A. NO. 4:13-CV-03182

ORDER OF PERMANENT INJUNCTION

It is hereby **ORDERED** that

1. Sun Nuclear is permanently enjoined from promoting, marketing, advertising, selling, and offering for sale any TG-142 QA software product having the trade name ImagePro or a confusingly similar name.

2. Sun Nuclear is permanently enjoined from promoting, marketing, advertising, selling, and offering for sale any TG-142 QA product in which the algorithms and formulas for performing TG-142 QA functions are derived from information provided in DoseLab user manual Versions 5.0 through 6.5, DoseLab software Versions 5.0 through 6.5, or any reference images, sample images, or example files accompanying DoseLab Versions 5.0 through 6.5. For the avoidance of doubt, Sun Nuclear is not enjoined from promoting, marketing, advertising, selling, or offering for sale any TG-142 QA product in which the algorithms and formulas for performing TG-142 QA functions are derived from (a) sources other than the DoseLab user manual Versions 5.0 through 6.5, DoseLab software Versions 5.0 through 6.5, or any reference images, sample images, or example files accompanying DoseLab Versions 5.0 through 6.5, (b)

information in the public domain through no wrongful act of Sun Nuclear, or (c) information received by Sun Nuclear from a third party who was free to disclose it.

3. Sun Nuclear is permanently enjoined from promoting, marketing, advertising, selling, and offering for sale any TG-142 QA product that has an outward appearance that is confusingly similar to the outward appearance of Mobius Medical's DoseLab product, as such product exists as of September 23, 2014, such that a person to whom such products are customarily marketed or who are customary users of such products would believe that the products were identical or originate from the same source.

SIGNED this 2nd day of December, 2014.


UNITED STATES DISTRICT JUDGE
HON. MELINDA HARMON

Nanci Mohr

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U.S. District Court

SOUTHERN DISTRICT OF TEXAS

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[ORDER OF PERMANENT INJUNCTION \(Signed by Judge Melinda Harmon\) Parties notified.\(rhawkins, 4\)](#)

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