

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

H.I.S.C., INC. and DEPALMA  
ENTERPRISES, INC.,  
  
Plaintiffs,  
  
v.  
  
FRANMAR INTERNATIONAL  
IMPORTERS, LTD. et al.,  
  
Defendants.

Case No.: 3:16-cv-00480-BEN-WVG  
  
**FINAL JUDGMENT**

FRANMAR INTERNATIONAL  
IMPORTERS, LTD.,  
  
Counterclaimant,  
  
v.  
  
H.I.S.C., INC. and DEPALMA  
ENTERPRISES, INC.,  
  
Counterclaim Defendants.

Appearing for Plaintiffs/Counterclaim-Defendants H.I.S.C., Inc. and DePalma Enterprises, Inc., were Anton N. Handal and Gabriel G. Hedrick of Greenspoon Marder

1 LLP, and appearing for Defendants/Counterclaimant Franmar International Importers,  
2 Ltd., and Maria Rajanayagam were Raquel Flyer and David Flyer of Flyer & Flyer, PLC.

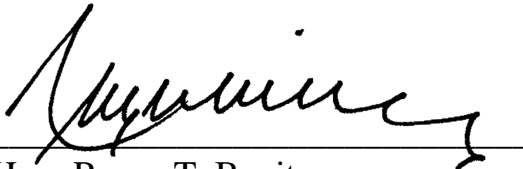
3 According to the Court's Order on Plaintiffs' Motion for Partial Summary Judgment,  
4 on Plaintiffs' Complaint, judgment is entered for Plaintiffs on Count One for Declaratory  
5 Judgment of Invalidity and Unenforceability of the '664 Patent, Count Two for Declaratory  
6 Judgment of Non-Infringement of the '664 Patent, Count Three for Declaratory Judgment  
7 of Invalidity and Non-Infringement of Copyright, and Count Four for Declaratory  
8 Judgment of Unenforceability and Non-Infringement of Trademark.

9 Following a jury trial, a verdict was returned as follows: On Plaintiffs' Count Five  
10 for Declaratory Judgment of Unenforceability and Non-Infringement of Trade Dress, on  
11 Count Six for Unfair Competition (B&P Code § 17200, *et seq.*), and on Count Seven for  
12 Tortious Interference with Prospective Economic Advantage, Plaintiffs shall recover  
13 nothing.

14 On Defendants' Counterclaim Count One for Unfair Competition: Trade Dress  
15 Infringement, 15 U.S.C. §1125(a), Counterclaimant shall recover the sum of \$265,977.00  
16 against Counterclaim-Defendants H.I.S.C., Inc. and DePalma Enterprises, Inc., jointly and  
17 severally; and there shall be no additional recovery of damages on Count Two for Unfair  
18 Competition, 15 U.S.C. §1125(a), on Count Three for Common Law Unfair Competition,  
19 nor on Count Four for Unfair Competition, California Business & Professions Code  
20 §§17200, *et seq.*

21 **IT IS SO ORDERED.**

22  
23 DATED: February 22, 2019

24   
25 Hon. Roger T. Benitez  
26 United States District Court  
27  
28