

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STRETCHTECH, LLC,

Plaintiff,

v.

ANKI, INC.

Defendant.

Case No. 19-CV-5379 (WHP)

**DEFAULT JUDGMENT**

WHEREAS Plaintiff StretchTech, LLC (“StretchTech”) has filed an application for a default judgment against Defendant Anki, Inc. (“Anki”);

WHEREAS the Summons and Complaint in this Action were duly served on Anki via Anki’s registered agent for service, and Anki having failed to plead or otherwise defend in this Action, and said default having been duly noted by the Clerk of the Court on July 18, 2019; and

WHEREAS the Court has considered the submissions on StretchTech’s application, including the Declaration of David Moore, Declaration of Jason C. Spiro, and StretchTech’s Memorandum of Law; and good cause being found;

It is hereby **ORDERED** and **ADJUDGED**:

1. Judgment is hereby entered in favor of StretchTech and against Anki for directly and indirectly infringing on StretchTech’s United States Patent Numbers 9,913,054, 9,042,563, and 8,704,070 (collectively, the “Asserted Patents”).

2. Defendant, its officers, agents, employees, servants, managing agents, assignees, successors, and attorneys, are hereby permanently enjoined from infringing any of the claims of the Asserted Patents in any manner, by making, using, or selling any products that fall within the claims of the Asserted Patents, and particularly from, in any manner, directly or indirectly:


- a. distributing, circulating, exporting, selling, offering for sale, moving or otherwise disposing of, any product incorporating the elements claimed in the Asserted Patents;
- b. using any simulation, reproduction, copy, colorable imitation of the elements claimed in the Asserted Patents;
- c. destroying or otherwise disposing of any of the hereinabove mentioned products, or any documents pertaining to them or their acquisition or the sales thereof made;
- d. assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs a through c;

3. ~~Defendant, its officers, agents, employees, warehousemen, attorneys, assignees, successors, trustees, or liquidators promptly, upon presentation of this Order, deliver up to StretchTech's representative, the following property in their possession, custody, or control:~~

- a. ~~all products which infringe on the Asserted Patents, including, without limitation, all Anki products containing the elements of the Asserted Patents;~~
- b. ~~all documents relating to the manufacture, acquisition, importation, distribution, and sale of the products delivered pursuant to the preceding subparagraph;~~

4. That StretchTech shall have the right to petition this Court for such additional and further relief as may be warranted as a result of Defendant's infringement of the Asserted Patents, including, without limitation, damages and attorneys' fees.

SO ORDERED on this 4 day of November, 2019

  
Hon. William H. Pauley III  
United States District Judge