

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

CATHETER CONNECTIONS, INC., a
Delaware corporation,

Plaintiff,

vs.

IVERA MEDICAL CORPORATION, a
California corporation,

Defendant.

**PRELIMINARY INJUNCTION
ORDER REGARDING ‘825
PATENT**

Case No. 2:14-CV-70-TC

After having fully considered Plaintiff Catheter Connections, Inc.'s (Catheter Connections) Motion and Memorandum for Preliminary Injunction on ‘825 Patent,¹ including the memoranda, various declarations and exhibits submitted by the parties, and oral argument presented by the parties, the court issued an order on April 24, 2015, finding that the balance of equities favors granting Catheter Connections’ request for injunctive relief. Now, the court further finds and orders as follows:

1. Catheter Connections has met its burden of establishing likelihood of success on the merits of its claims that Defendant Ivera Medical Corporation (Ivera) has infringed claims 1, 2, 5, 6, and 7 of U.S. Patent 8,172,825 by making, using, selling and offering for sale its accused Curos Tips™, male disinfectant caps, model Rev. H.

¹Doc. No. 371.

Further, Ivera has not raised a substantial question about whether claims 1, 2, 5, 6, and 7 of U.S. Patent 8,172,825 are invalid.

2. Catheter Connections is likely to be irreparably harmed if Ivera is allowed to continue making, using, selling, offering for sale, and/or importing the accused Curot Tips™ Rev. H male disinfectant caps because such conduct will result in Catheter Connections' loss of sales, loss of market share, and price erosion. Catheter Connections also did not unreasonably delay in filing a motion for injunctive relief.
3. The balance of hardships favors Catheter Connections, a company that has invested time and resources into its patented technology, and, without an injunction, Catheter Connections will still be competing with another version of its own patented product. Ivera has presented no evidence that harm from being prevented from selling and marketing Rev. H outweighs the damage that would be done to Catheter Connections if no injunctive relief is provided; and
4. The public interest will be served by enforcing Catheter Connections' patent rights and granting Catheter Connections' Motion for Preliminary Injunction.

* * *

In view of the foregoing, Catheter Connections' Motion is GRANTED and a PRELIMINARY INJUNCTION IS ORDERED AND ENTERED AS FOLLOWS:

Ivera, and its officers, agents, servants, employees, attorneys, and other persons who are in active concert or participation with Ivera, who receive actual notice of this Order by personal service or otherwise, are immediately enjoined during the pendency of this litigation from making, using, selling, offering for sale, or importing into the United States Ivera's accused Curot

Tips™ Rev. H device or any device no more than colorably different from Ivera's accused Curo
Tips™ Rev. H device, pending entry of a final judgment in this action.

This injunction shall become effective upon receipt of notice by the parties to the above-captioned action, through the court's electronic filing system or other actual notice, of the posting by Plaintiff of a bond in the amount of \$250,000.

SO ORDERED this 24th day of April, 2015.

BY THE COURT:

A handwritten signature in black ink, reading "Tena Campbell", written over a horizontal line.

TENA CAMPBELL
United States District Judge