



United States District Court
SOUTHERN DISTRICT OF CALIFORNIA

THERMOLIFE INTERNATIONAL,
LLC,

Plaintiff,

v.

MYOGENIX CORP.; GNC
CORPORATION; GENERAL
NUTRITION CENTERS, INC.; and
GENERAL NUTRITION
CORPORATION.

Defendant.

Civil Action No. 13cv0651-JLS(MDD)

JUDGMENT IN A CIVIL CASE

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED:

that the Court finds Defendants have met their burden of proving by clear and convincing evidence that: (1) claim 1 of the '459 Patent is invalid as anticipated; (2) claims 1, 4, 5, 7, 8, and 10 of the '872 Patent are invalid as obvious; (3) claims 1, 2, 3, 4, 5, 8, and 14 of the '006 Patent are invalid as obvious; and (4) claims 1, 2, and 6 of the '916 Patent are invalid as obvious. Consequently, all patents-in-suit were found to be invalid. This concludes the litigation in this matter.

Date: 9/28/16

CLERK OF COURT

JOHN MORRILL, Clerk of Court

By: s/ K. Martin-Brown

K. Martin-Brown, Deputy