IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MHL CUSTOM, INC.,

Plaintiff,

v.

WAYDOO USA, INC. and SHENZHEN WAYDOO INTELLIGENCE TECHNOLOGY CO., LTD.,

Defendants.

Civil Action No. 21-91-RGA

MEMORANDUM ORDER

Before me is Plaintiff's "Motion for Entry of a Permanent Injunction or Alternative Motion to Alter or Amend the Prior Order Denying Plaintiff's Motion for a Permanent Injunction." (D.I. 272).

Plaintiff filed several post-verdict motions, including a motion for permanent injunction (D.I. 230) and a motion for supplemental and/or ongoing damages (D.I. 233). On September 7, 2023, I issued an order denying the former and granting the latter motion. (D.I. 260; *see* D.I. 259). I further instructed the parties to reach an agreement on an ongoing royalty. (D.I. 260).

On January 19, 2024, Plaintiff filed this motion following a lack of cooperation from Defendants in engaging in royalty negotiations that largely stemmed from Defendants' unresponsiveness to their own counsel. (*See* D.I. 272 at 6–9; *see also* D.I. 273; D.I. 274). On February 2, 2024, Defendants filed a Notice of Substitution of Counsel (D.I. 281), along with an answering brief to the present motion (D.I. 277). The parties subsequently resumed discussions (*see* D.I. 285, 287, 290, 293), eventually leading to a stipulation on ongoing royalties (D.I. 292) that I granted on June 17, 2024 (D.I. 295). As the parties have now reached an agreement on a

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royalty rate, I no longer see a need to adjudicate the present motion.[1] Plaintiff's argument for a permanent injunction was based on Defendants' "refusal to cooperate and to pay an ongoing royalty." (D.I. 272 at 11). Defendants have now cooperated and agreed to pay an ongoing royalty. The motion (D.I. 272) is DISMISSED AS MOOT.

IT IS SO ORDERED.

Entered this 1st day of July, 2024

Richard G. Andrews
United States District Judge

[1] Plaintiff never filed a reply brief, which is further indication the motion has been rendered moot.

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