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Case/T

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

P3 INTERNATIONAL CORP. and
Daniel LIU,

Plaintiffs,

v.

UPM MARKETING, INC.,
UPM TECHNOLOGY (USA), INC., and
SMARTLABS, INC., d/b/a/ Smarthome,

Defendants.

Case No. 08-CIV-5086 DLC

ECF CASE

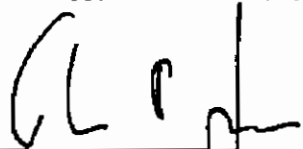
STIPULATION AND ORDER

It is hereby stipulated and agreed by and between plaintiff P3 International Corp. and defendant Smartlabs, Inc., through their respective counsel, that defendant SmartLabs, Inc., its officers, agents, employees and all those acting in concert with it ("SmartLabs"), be and hereby are enjoined *pendente lite*, including all appeals, from making, importing into the United States, selling or offering for sale the energy meter that was offered for sale as the Save-A-Watt and that has been alleged to infringe United States Patent No. 6,095,850 in this action (the "Save-A-Watt"), and that all issues regarding infringement of that patent (the "'850 patent") by SmartLabs' manufacture, importation, sale or offer for sale of the Save-A-Watt energy meter, are hereby severed from this case.

It is further stipulated and agreed that defendant SmartLabs' counterclaim for a declaration that the Save-A-Watt does not infringe the '850 patent be and hereby is dismissed with prejudice.

It is further stipulated and agreed that, once this case is finally terminated by order, judgment, decree, dismissal, settlement or otherwise, if any one of claims 1, 4, 5,

6, 7, 10 or 11 of United States Patent No. 6,095,850 has not been adjudged to be invalid or unenforceable, SmartLabs shall be permanently enjoined, by this Stipulation and Order, from making, importing into the United States, selling or offering for sale the Save-A-Watt during the term of that patent, along with any other injunction that may issue or result from the final disposition of this case.



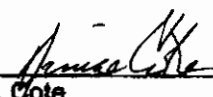
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~~October 30, 2008~~

SO ORDERED:



Denise L. Cote
United States District Judge

December 1, 2008