

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT6497892

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT	
EFFECTIVE DATE:	08/20/2019	
CONVEYING PARTY DATA		
Name		Execution Date
WHITEWATER WEST INDUSTRIES, LTD.		01/14/2021
RECEIVING PARTY DATA		
Name:	PACIFIC SURF DESIGNS, INC.	
Street Address:	3266 VIA BARTOLO	
City:	SAN DIEGO	
State/Country:	CALIFORNIA	
Postal Code:	92111	
PROPERTY NUMBERS Total: 3		
Property Type	Number	
Patent Number:	9044685	
Patent Number:	9302189	
Patent Number:	9592433	
CORRESPONDENCE DATA		
Fax Number:	(760)809-5520	
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	7608095520	
Email:	manny@delacerralaw.com	
Correspondent Name:	MANUEL DE LA CERRA	
Address Line 1:	7040 AVENIDA ENCINAS, SUITE 104-341	
Address Line 4:	CARLSBAD, CALIFORNIA 92011	
ATTORNEY DOCKET NUMBER:	PSD	
NAME OF SUBMITTER:	MANUEL DE LA CERRA	
SIGNATURE:	/Manuel de la Cerra/	
DATE SIGNED:	01/14/2021	
Total Attachments: 3		
source=210 - Judgment#page1.tif		
source=210 - Judgment#page2.tif		
source=210 - Judgment#page3.tif		

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9
10 WHITEWATER WEST INDUSTRIES,
LTD., a Canadian corporation,

11 Plaintiff,

12 v.

13 RICHARD ALLESHOUSE, an individual,
14 YONG YEH, an individual, and PACIFIC
SURF DESIGNS, INC., a Delaware
corporation,

15 Defendants.
16

Case No. 3:17-CV-00501-DMS(NLS)

JUDGMENT

Judge: Hon. Dana M. Sabraw

17 From February 4, 2019 through February 7, 2019, this matter was tried by this
18 Court without a jury. This Court entered a Judgment on April 4, 2019 (ECF No. 167).
19 Defendants Richard Alleshouse, Yong Yeh, and Pacific Surf Designs, Inc. appealed the
20 Judgment to the Court of Appeals for the Federal Circuit, which reversed the Judgment in
21 its entirety. Consistent with this reversal, the Court now enters **JUDGMENT** as follows:

22
23 1. On Plaintiff Whitewater West Industries's First Cause of Action for Breach of
24 Contract, in favor of Defendant Richard Alleshouse and against Plaintiff Whitewater West
25 Industries;

26
27 2. On Plaintiff Whitewater West Industries's Second Cause of Action for
28 Intentional Interference with Contract, in favor of Defendants Yong Yeh and Pacific Surf

1 Designs, Inc. and against Plaintiff Whitewater West Industries;

2 3. On Plaintiff Whitewater West Industries's Third Cause of Action for Breach of
3 California's Unfair Competition Law, Business and Professions Code section 17200, et
4 seq, in favor of Defendant Pacific Surf Designs, Inc. and against Plaintiff Whitewater
5 West Industries;
6

7 4. On Plaintiff Whitewater West Industries's Fourth Cause of Action for
8 Declaratory Relief, in favor of Defendants Richard Alleshouse, Yong Yeh, and Pacific
9 Surf Designs, Inc. and against Plaintiff Whitewater West Industries;
10

11 5. On Plaintiff Whitewater West Industries's Fifth Cause of Action for Correction
12 of Inventorship under 35 U.S.C. § 256 of United States Patent Number 9,044,685 entitled,
13 "Water Attractions Involving A Flowing Body of Water" (the " '685 Patent") in favor of
14 Defendants Richard Alleshouse, Yong Yeh, and Pacific Surf Designs, Inc. and against
15 Plaintiff Whitewater West Industries;
16

17 6. On Plaintiff Whitewater West Industries's Sixth Cause of Action for Correction
18 of Inventorship under 35 U.S.C. § 256 of United States Patent Number 9,302,189 entitled,
19 "Water Attractions Involving A Flowing Body of Water" (the '189 Patent"), in favor of
20 Richard Alleshouse, Yong Yeh, and Pacific Surf Designs, Inc. and against Plaintiff
21 Whitewater West Industries; and
22

23 7. On Plaintiff Whitewater West Industries's Seventh Cause of Action for
24 Correction of Inventorship under 35 U.S.C. § 256 of United States Patent Number
25 9,592,433 entitled, "Nozzle Shapes and Configurations For Water Attractions Involving A
26 Flowing Body of Water" (the "433 Patent"), in favor of Richard Alleshouse, Yong Yeh,
27
28

1 and Pacific Surf Designs, Inc. and against Plaintiff Whitewater West Industries.

2 The Court further **ORDERS, ADJUDGES, and DECREES** as follows:

3 1. The records of the United States Patent and Trademark Office (“USPTO”) are to
4 be corrected to restore, nunc pro tunc, Defendant Yong Yeh as an inventor of United
5 States Patents 9,044,685, 9,302,189, and 9,592,433;

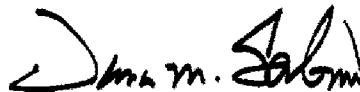
6 2. The assignment ordered by this Court transferring ownership of United States
7 Patents 9,044,685, 9,302,189, and 9,592,433 from Defendant Pacific Surf Designs, Inc. to
8 Plaintiff Whitewater West Industries (“the Assignment”), executed by the parties and
9 dated August 20, 2019 (the effective date of the assignments currently on file with the
10 USPTO), was and is void ab initio;
11

12 3. Because the Assignment was void ab initio, the records of the USPTO shall be
13 corrected to reassign United States Patents 9,044,685, 9,302,189, and 9,592,433 to
14 Defendant Pacific Surf Designs, Inc, effective nunc pro tunc as of August 20, 2019.
15

16 4. Plaintiff Whitewater West Industries’s requests for monetary damages,
17 attorney’s fees, other fees, costs, and all other relief is denied; and
18

19 5. Defendants Richard Alleshouse, Yong Yeh, and Pacific Surf Designs, Inc. may
20 file a separate motion for attorney’s fees and costs pursuant to Federal Rule of Civil
21 Procedure 54(d).
22

23 Dated: January 14, 2021

24 

25 Hon. Dana M. Sabraw
26 United States District Judge
27
28