

Trial Cancelled. Sanctions Ordered.

APRIL 12, 2021

After [canceling the trial and ordering a preliminary injunction](#), Judge Albright granted plaintiff Performance Chemical Company's (PCC) motion for "death penalty sanctions" against defendant True Chemical Solutions (True Chem) for its egregious discovery abuses. The Court struck True Chem's noninfringement defense and invalidity counterclaims, found that True Chem willfully infringed, entered a permanent injunction to prevent True Chem from continuing its infringing activity, and awarded attorneys' fees to PCC. But rather than accepting PCC's damages figure, the Court ordered a trial solely on the question of damages. During the hearing, Judge Albright previously explained that since PCC had already successfully challenged True Chem's damages expert, PCC's own damages expert could serve as the sole witness for this damages trial.

The case is *Performance Chemical Company v. True Chemical Solutions, LLC* WDTX-6-21-cv-00222.

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