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# 收錄內容(法律研究)

- 美國聯邦和州判例法、法規、規章條例、法律新聞、 法律評論、法律資訊
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  - 。也可以查找法學論文或法律評論等二手資料。
- ▶ 收錄從1789年至今美國最高法院案例的Sheppard's Citations
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Asian fans cheer 'Linsanity' CNN.com, August 24, 2012 Friday 8:58 AM EST, WORLD, 513 words, By Madison Park, CNN

Olympic Homecoming

GOP Convention Braces for Isaac; Feds Warn of Anarchist Bombers; New Book on Osama bin Laden Raid; □ 2. Former Penn State President Denies Cover-Up; Akin's "Legitimate Rape" Flap; Romney's Energy Independence by 2000; Taylor Swift, Wedding Crasher?; Bad Dog CNN, August 23, 2012 Thursday, NEWS; International, 6674 words, Carol Costello, A.J. Hammer, Jeanne

□ 3.

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⊕ Company

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CNN, August 21, 2012 Tuesday, NEWS; International, 7097 words, Soledad O'Brien, Christine Romans, John Berman, Dana Bash, Rob Marciano, Margaret Hoover, Ron Brownstein The Real Paul Ryan; Pawlenty on Romney's Running Mate; Inside the Ryan Budget; Interview With Spike П 4. Lee CNN, August 13, 2012 Monday, NEWS; Domestic, 7516 words, Piers Morgan

Republicans Urge Todd Akin to Leave Senate Race; Augusta National Inducts First Women Members;

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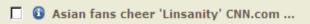
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August 24, 2012 Friday 8:58 AM EST

#### Asian fans cheer 'Linsanity'

BYLINE: By Madison Park, CNN

SECTION: WORLD

LENGTH: 513 words

DATELINE: Hong Kong

Jeremy Lin, the undrafted Cinderella of the last NBA season, got peppered with questions by adoring fans and children in Hong Kong.

What's it like seeing your name on a jersey? In short: "Weird."

Did your parents want you to be a lawyer or doctor? No.

Can you speak Mandarin? Some.



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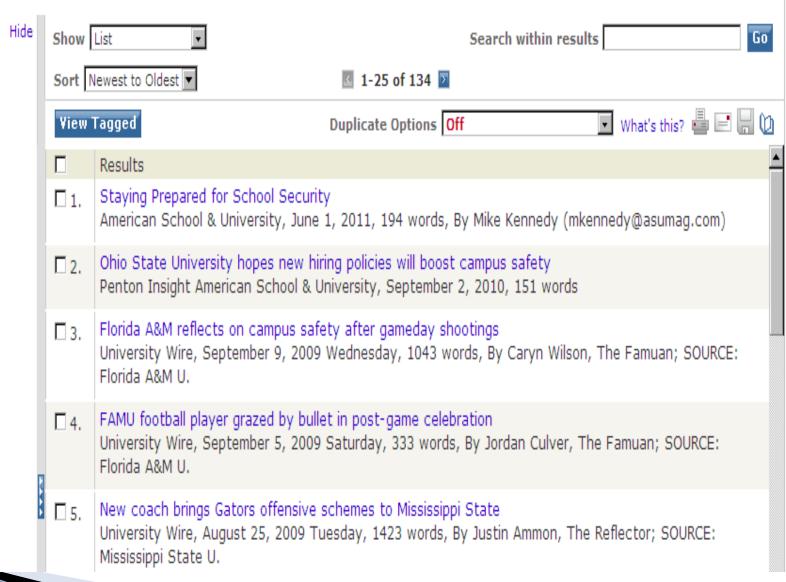
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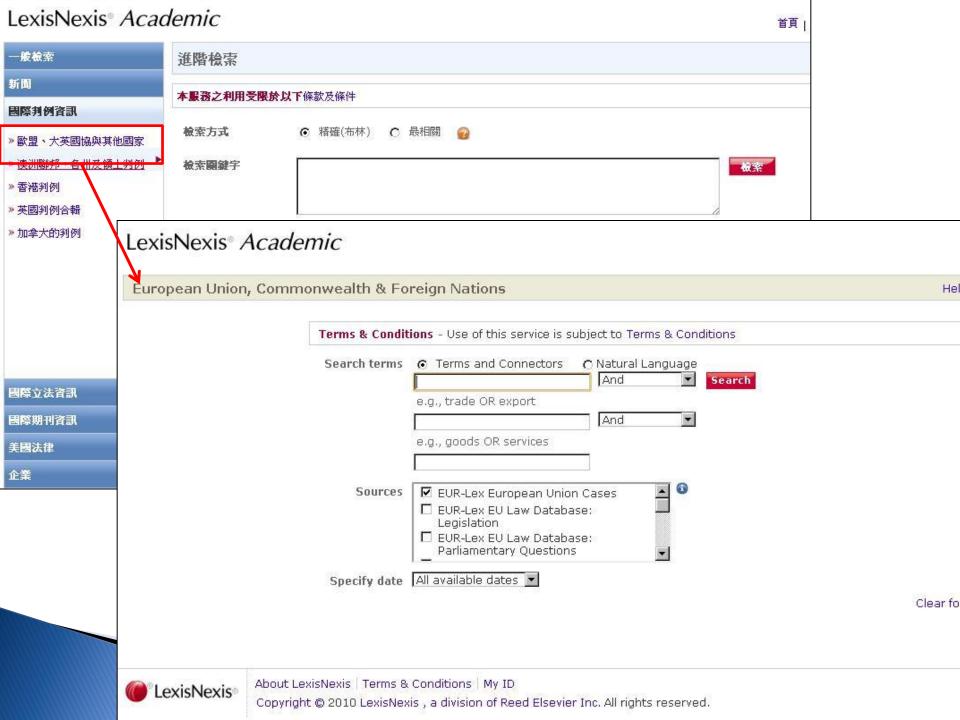
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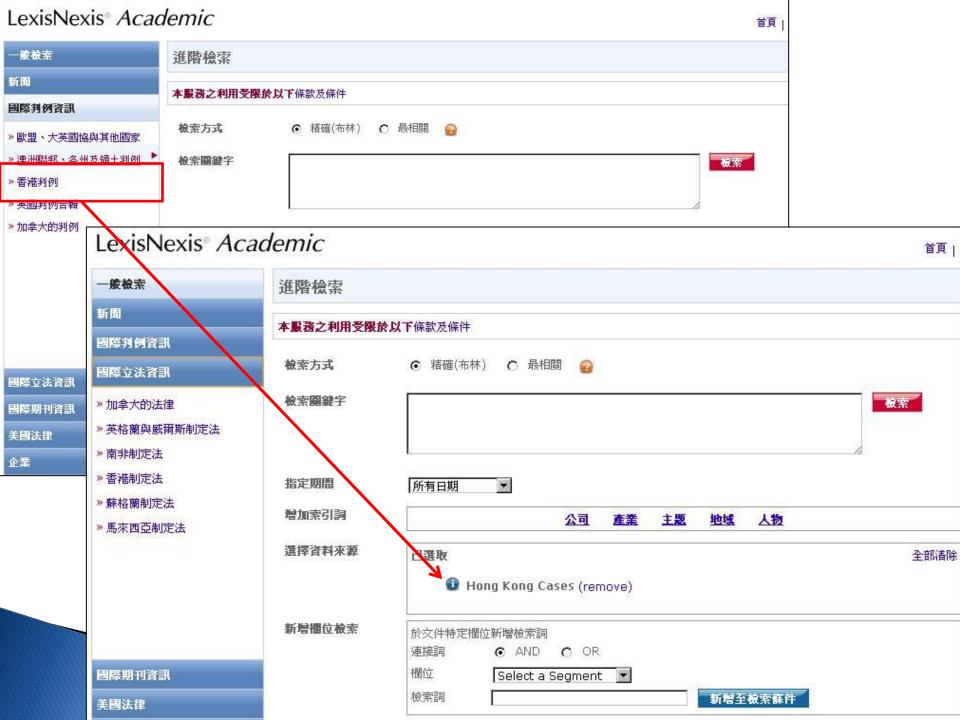
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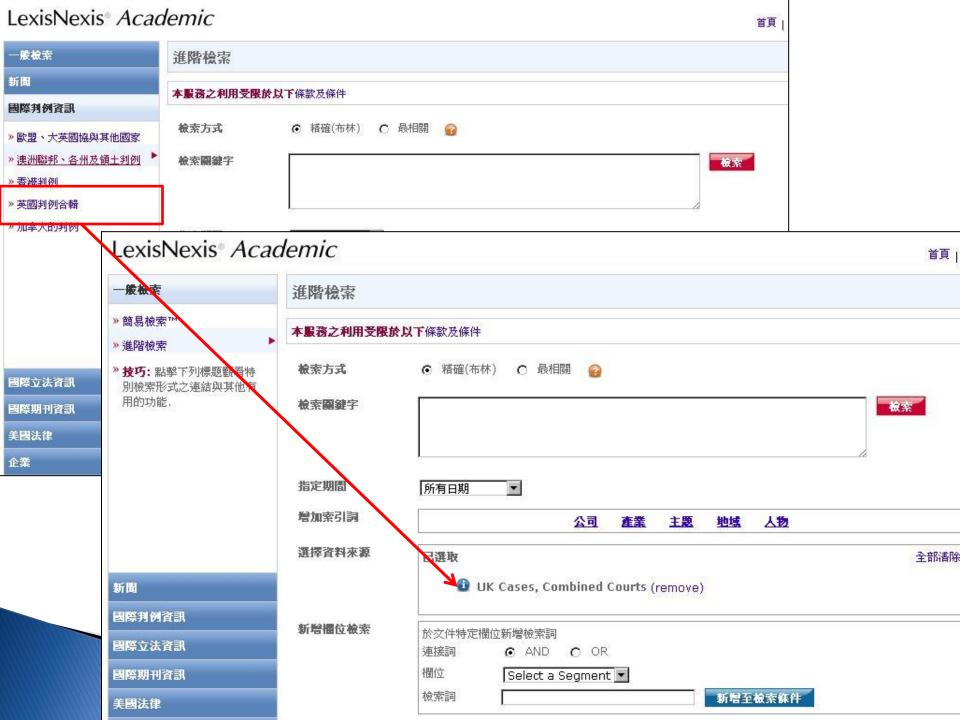
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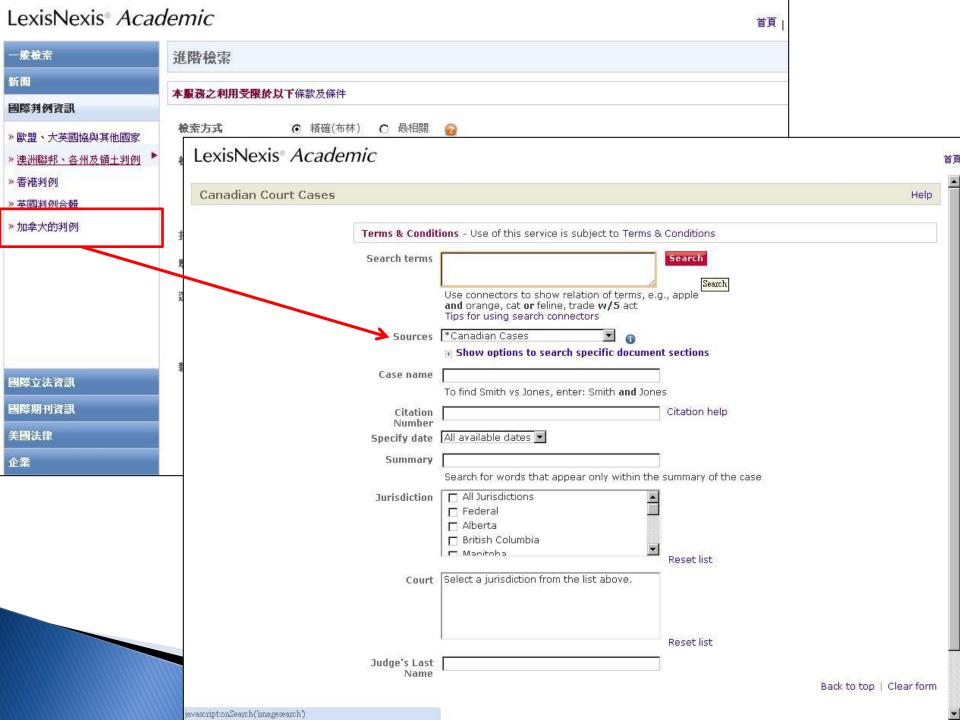
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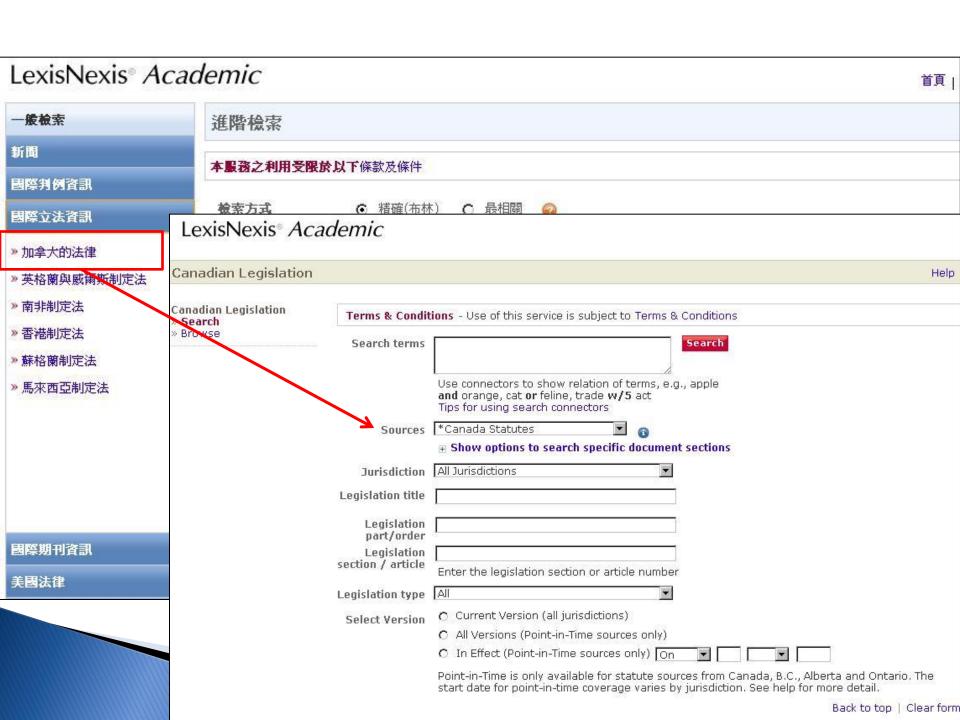
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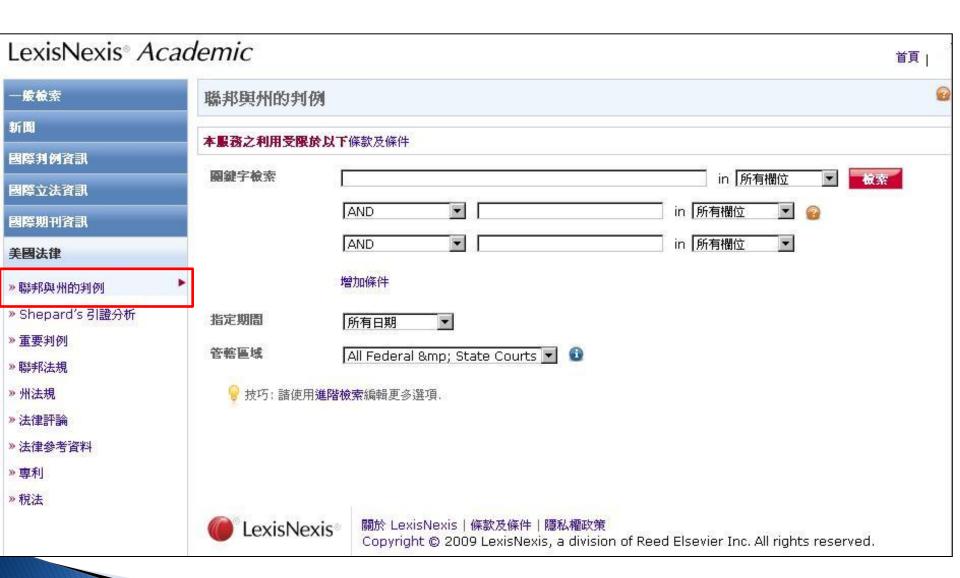


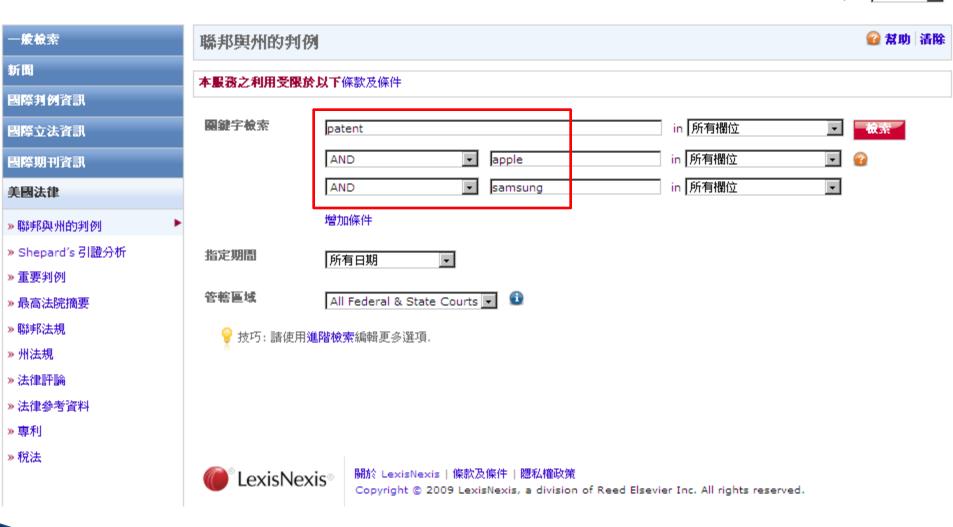
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Sources by Category  Law Reviews & Journals (9)  The New Law Journal (UKNLJ) (6  Journal of International Econom  Journal of International Crimina  Magazines & Journals (1)  Publication Name  Language	nomic Law (2)	1.	325, International Crime of Medicine Counterfeiting, Why and How to Make an International Crime of Medicine Counterfeiting, Amir Attaran, Associate Professor in the Faculties of Law and Medicine, University of Ottawa, Canada. [aattaran@uottawa.ca] Roger Bate, Legatum Fellow in Global Prosperity, American Enterprise Institute, Washington DC, USA. [rbate@aei.org] Megan Kendall, Faculty of Law, University of Ottawa, Canada., All three authors contributed to the work equally. The authors would like to thank the editorial staff and peer reviewers of the Journal for their exemplary help, ideas and advice throughout the publishing process. Their energy and thoughtfulness went far beyond the call of duty, and thanks to them, this paper is clearer and stronger. As authors we are grateful, and needless to say, any remaining problems with the paper are our own.
elp		□ 2.	Journal of International Economic Law, 1 March 2007, J Int Economic Law (2007) 10 (1): 189, JIEL Website Survey, Website Survey 2006, Marylin Johnson Raisch n1, International & Foreign Law Librarian at the John Wolff International & Comparative Law Library of the Georgetown Law Center, E-mail: mailto:mjr47@law.georgetown.edu.
		□3.	Journal of International Economic Law, 1 December 2006, J Int Economic Law (2006) 9 (4): 779, From Progressive Liberalization to Progressive Regulation, From Progressive Liberalization To Progressive Regulation In WTO Law, Thomas Cottier n1, Of the Board of Editors. Professor of European and International Economics Law at the University of Berne; and Director of the World Trade Institute, a National Centre of Competence and Research at the University of Berne, Switzerland.
	- F	□4.	New Law Journal, 26 October 2001, 151 NLJ 1579, Features Information Technology, Internet domain names: an easier way to get your own back?, David Barker, is an assistant solicitor in the Information & Technology Group at Masons. Email: david.barker@masons.com

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		Results
	□1.	Apple, Inc. v. Samsung Elecs. Co., 2012-1105, UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 678 F.3d 1314; 2012 U.S. App. LEXIS 9720; 102 U.S.P.Q.2D (BNA) 1633, May 14, 2012, Decided, On remand at, Injunction granted at Apple, Inc. v. Samsung Elecs. Co., 2012 U.S. Dist. LEXIS 88436 (N.D. Cal., June 26, 2012)
<i>A</i> (1	□ 2.	In re Shared Memory Graphics LLC, Miscellaneous Docket No. 978, UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 659 F.3d 1336; 2011 U.S. App. LEXIS 19414; 100 U.S.P.Q.2D (BNA) 1251, September 22, 2011, Decided
***	□3.	Schumer v. Lab. Computer Sys., 02-1100 , UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 308 F.3d 1304; 2002 U.S. App. LEXIS 22062; 64 U.S.P.Q.2D (BNA) 1832, October 22, 2002, Decided , Rehearing and Rehearing En Banc Denied December 27, 2002, Reported at: 2002 U.S. App. LEXIS 27512. Rehearing denied by, Rehearing, en banc, denied by Schumer v. Lab. Computer Sys., 2002 U.S. App. LEXIS 27512 (Fed. Cir., Dec. 27, 2002)
	□ 4.	Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 95-1066 , UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, 234 F.3d 558; 2000 U.S. App. LEXIS 29979; 56 U.S.P.Q.2D (BNA) 1865, November 29, 2000, Decided , Certiorari Granted June 18, 2001, Reported at: 2001 U.S. LEXIS 4495.
	□ 5.	TruePosition, Inc. v. LM Ericsson Tel. Co., CIVIL ACTION No. 11-4574, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, 2012 U.S. Dist. LEXIS 117744, August 21, 2012, Decided, August 21, 2012, Filed
	□ 6.	Apple Inc. v. Samsung Elecs. Co., Case No.: 11-CV-01846-LHK, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION, 2012 U.S. Dist. LEXIS 118426, August 21, 2012. Decided, August 21, 2012. Filed

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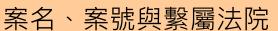
☐ 678 F.3d 1314, \*2012 U.S. App. LEXIS ...



APPLE, INC., Plaintiff-Appellant, v. SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., AND SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, Defendants-Appellees.



2012-1105



UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

678 F.3d 1314; 2012 U.S. App. LEXIS 9720; 102 U.S.P.Q.2D (BNA) 1633

May 14, 2012, Decided

SUBSEQUENT HISTORY: On remand at, Injunction granted at Apple, Inc. v. Samsung Elecs. Co., 2012 U.S. Dist. LEXIS 88436 (N.D. Cal., June 26, 2012)

PRIOR HISTORY: [\*\*1]

Appeal from the United States District Court for the Northern District of California in Case No. 11-CV-1846, Judge Lucy H. Koh.

Apple, Inc. v. Samsung Elecs. Co., 2011 U.S. Dist. LEXIS 139049 (N.D. Cal., Dec. 2, 2011)

**DISPOSITION:** AFFIRMED IN PART, VACATED IN PART, and REMANDED.

#### CASE SUMMARY

PROCEDURAL POSTURE: Plaintiff patent owner had earlier moved for a preliminary injunction to block the importation into and sale within the United States of the accused devices of defendants, alleged infringers. The U.S. District Court for the Northern District of California denied the patent owner's motion with respect to each of the accused devices and all four asserted patents. The patent owner appealed.

**OVERVIEW:** The patents pertained to smartphones and tablet computers. While the appeal presented substantial issues of law and

fact, the decision whether to issue a preliminary injunction was one that was committed to the discretion of the district court, which made the patent owner's task in overturning that decision a difficult one. As to three of the four patents at issue in this appeal, the court concluded that the patent owner had not satisfied its burden of demonstrating an abuse of discretion, and it therefore affirmed the denial of preliminary injunctive relief. As to the fourth patent, the court concluded that the district court committed legal error in one important respect. Specifically, in the absence of a qualifying primary reference, the district court erred in concluding that there was likely to be a substantial question as to the validity of the D'889 patent. Because the district court had not yet weighed the balance of hardships to the parties and the public interest factors, the court did not have a sufficient basis for concluding that the failure to enter an injunction was an abuse of discretion. Thus, the court vacated that portion of the order.

remanded the case to the district court for further proceedings on that portion of the patent owner's motion for preliminary relief. CORE TERMS: patent, irreparable harm, tablet, preliminary injunction, injunction, front, infringement, smartphone, injunctive relief, screen, public

OUTCOME: Affirmed in part, vacated in part, and remanded. In particular, the court affirmed the denial of a preliminary injunction with respect to the D'087, D'677, and '381 patents. It vacated the order denying an injunction with respect to the D'889 patent and

interest, infringing, visual, patented, flat, surface, phone, nexus, balance of hardships, edge, impression, display, substantial questions, market share, brand, consumer, user, rectangular, infringed, electronic

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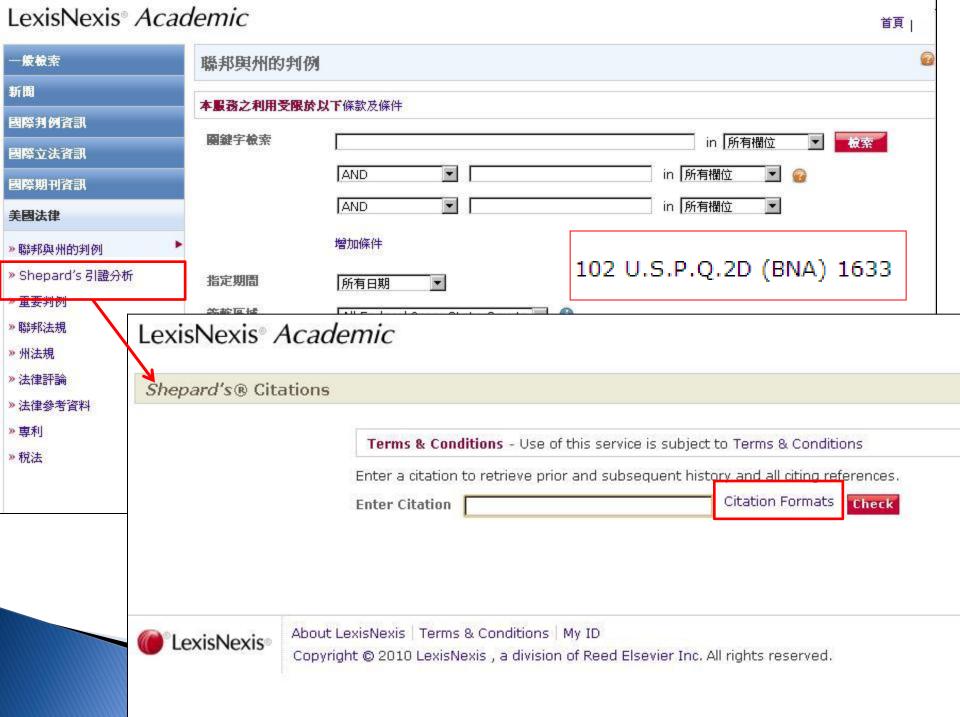
Civil Procedure > Remedies > Injunctions > Preliminary & Temporary Injunctions

Civil Procedure > Appeals > Standards of Review > Abuse of Discretion

HN1 ★ A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest. The decision to grant or deny a preliminary injunction lies within the sound discretion of the district court, and an appellate court will not reverse its judgment absent an abuse of that discretion.

Civil Procedure > Remedies > Injunctions > Preliminary & Temporary Injunctions Patent Law > Remedies > Equitable Relief > Injunctions

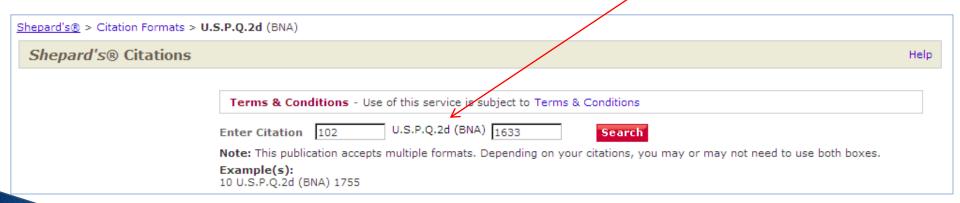
HN2 \*\* To show irreparable harm, it is necessary to show that the infringement caused harm in the first place. Sales lost to an infringing product cannot irreparably harm a patentee if consumers buy that product for reasons other than the patented feature. If the patented feature does not drive the demand for the product, sales would be lost even if the offending feature were absent from the accused product. Thus, a likelihood of irreparable harm cannot be shown if sales would be lost regardless of the infringing conduct.



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Yale Journal of Health Policy, Law & Ethics	Yale J. Health Pol'y L. & Ethics
Yale Journal of International Law	Yale J. Int'l L.
Yale Journal of Law & Feminism	Yale J.L. & Feminism
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Yale Journal of Law and the Humanities	Yale J.L. & Human.
Yale Journal on Regulations	Yale J. On Reg.
Yale Law & Policy Review	Yale L. & Pol'y Rev.
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BOOK REVIEW: Metaprocedure. Procedure..., 98 Yale L.J. 945 (1989)

PRIOR HISTORY ( 0 citing references ) Hide Prior History

(CITATION YOU ENTERED):

BOOK REVIEW: Metaprocedure. Procedure. By Robert M. Cover, \* Owen M. Fiss \*\* & Judith Resnik. \*\*\*, 98 Yale L.J. 945 (1989)

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- 1. ARTICLE: Evolving Views of Civil Litigation: Future Civil Procedure Courses, 31 Ariz. St. L.J. 945 (1999)
- 2. ARTICLE: The History of the Civil Procedure Course: A Study In Evolving Pedagogy, 30 Ariz. St. L.J. 397 (1998)
- ARTICLE: LON FULLER'S THEORY OF ADJUDICATION AND THE FALSE DICHOTOMY BETWEEN DISPUTE RESOLUTION AND PUBLIC LAW MODELS OF LITIGATION, 75
   B.U.L. Rev. 1273 (1995)

75 B.U.L. Rev. 1273 p.1279

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# 重要判例

## **本服務之利用受限於以下**條款及條件



使用聯邦和州的判例搜索查找這裡沒有列出的案件。

#### Abortion & Birth Control

1965 Griswold v. Connecticut, 381 U.S. 479

Defendants, a director of medical clinic and a doctor, challenged a decision from the Supreme Court of Errors of Connecticut, which convicted them of violating a state law that prohibited the dispensing or use of ...

1973 Roe v. Wade, 410 U.S. 113

Plaintiffs, a pregnant single woman and a married couple, and intervenor physician sued defendant district attorney challenging the constitutionality of Texas abortion laws, and sought an injunction. The United ...

1989 Webster v. Reproductive Health Services, 492 U.S. 490

Appellees, public health care officials and nonprofit corporations that performed abortions, filed a class action against appellant State of Missouri, which challenged the constitutionality of a Missouri statute ...

1992 Planned Parenthood v. Casey, 505 U.S. 833

Petitioners, abortion clinics and physician, brought suit against respondents, the governor and others, seeking declaratory and injunctive relief from five provisions of the Pennsylvania Abortion Control Act of ...

2000 Stenberg v. Carhart, 530 U.S. 914

In an action brought by plaintiff physician challenging the constitutionality of Neb. Rev. Stat. § 28-328 (Supp. 1999), which criminalizes performance of "partial birth abortions," the Court granted certiorari to ...

2007 Gonzales v. Carhart, 550 U.S. 124

Petitioner, the United States Attorney General, sought certiorari review of judgments from the United States Courts of Appeals for the Eighth and Ninth Circuits affirming district court rulings in favor of ...

#### Capital Punishment

1972 Furman v. Georgia, 408 U.S. 238

The Court found that the key question was whether the imposition and carrying out of the death penalty under the laws applicable to the prisoners constituted cruel and unusual punishment in violation of the Eighth ...

1976 Gregg v. Georgia, 428 U.S. 153

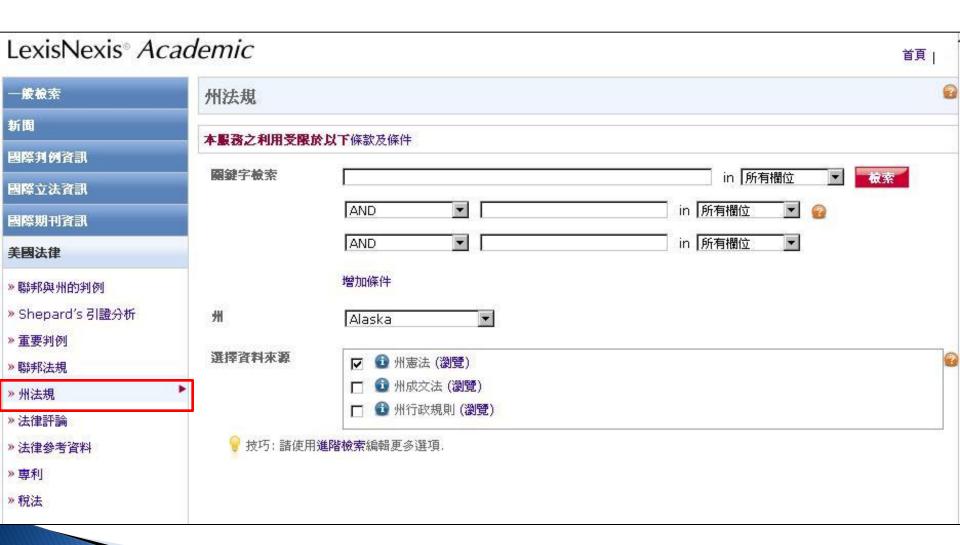
Upon certiorari review, the Supreme Court held that the punishment of death did not invariably violate the United States Constitution.

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#### 一般檢索 聯邦法規 新聞 本服務之利用受限於以下條款及條件 國際判例資訊 關鍵字檢索 in 所有欄位 國際立法資訊 in 所有欄位 AND 國際期刊資訊 in 所有欄位 AND 美國法律 增加條件 »聯邦與州的判例 » Shepard's 引證分析 選擇資料來源 📵 Annotated U.S. Code (USCS) (瀏覽) » 重要判例 Constitution of the United States (瀏覽) » 聯邦法規 CFR - Code of Federal Regulations (瀏覽) Federal Register » 州法規 » 法律評論 技巧: 請使用進階檢索編輯更多選項, » 法律參考資料 »專利 » 稅法

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» 稅法



一般檢索	聯邦法規				❷ 幫助 清陽
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» 法律評論		 <b></b>			
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"commerce" defined; exceptions to operation of title, UNITED STATES CODE SERVICE







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361563 (29) D 640508 June 28, ...

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UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

D 640508

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June 28, 2011

#### Coffee cup sleeve

INVENTOR: Bouillon, Maria de Lourdes - Carslbad, CALIFORNIA, United States of America (US), United States of America (US)

APPL-NO: 361563 (29)

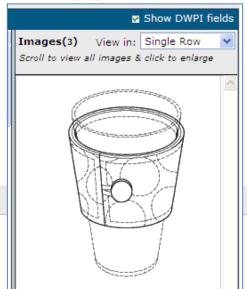
申請日 FILED-DATE: May 12, 2010

公告日 GRANTED-DATE: June 28, 2011

PRIORITY: May 12, 2010 - 12361563, United States of America (US)

ASSIGNEE-AT-ISSUE:

BOUILLON MARIA DE LOURDES



- ▶ 專利權期限如何計算?
  - 。 發明 20年
  - 。新型 12年
  - 新式樣 12年
  - 。申請→審查→審定公告→領證→繳年費→專利權證書

(審查確定) (三個月內 無人提出 異議)

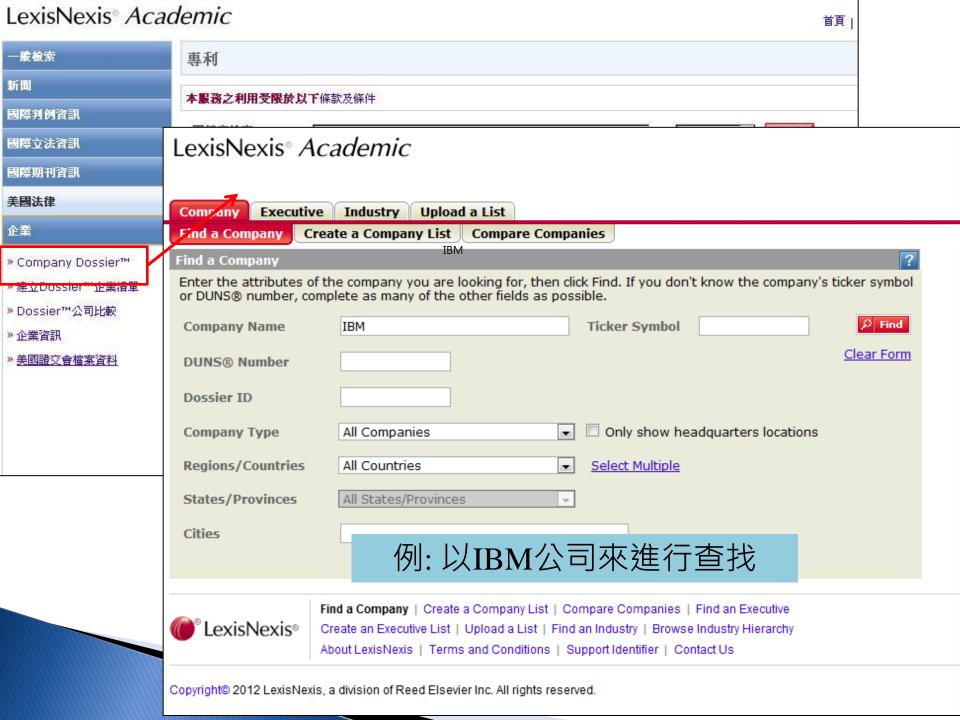
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(智慧財產局)



# 內容檢索

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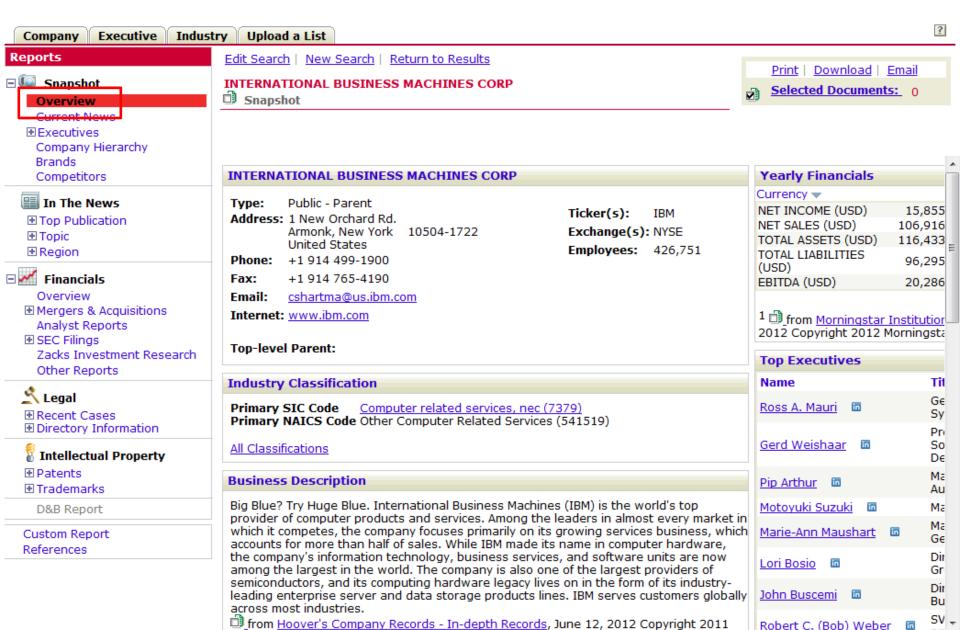
Company Name	Su eet Address	Company Type	Headquarter	s Dossier ID
L. INTERNATIONAL BUSINESS MACHINES CORP (IBM)	1 New Orchard Rd., Armonk, New York, United States	PUBLIC - PARENT	~	1036273
2. INTERNET SECURITY SYSTEMS INC (ISSX)	6303 Barfield Rd., Atlanta, Georgia, United States	PUBLIC - SUBSIDIARY	,	1015719
3. IBM AUSTRALIA LTD	Level 13, IBM Centre, 601 Pacific Hwy., St. Leonards, Australia			52711767

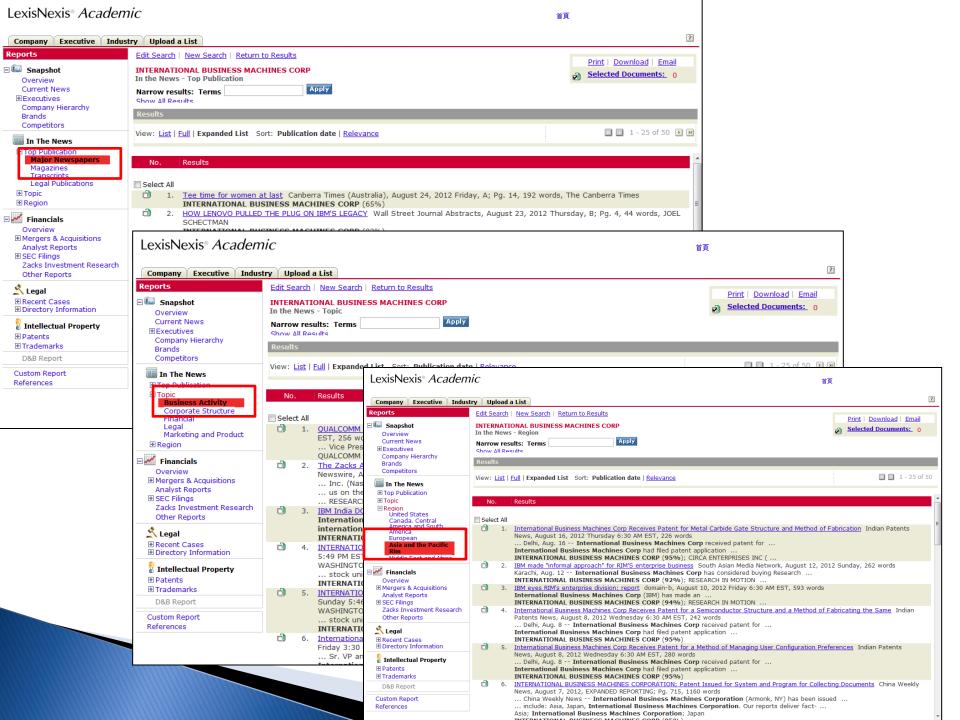


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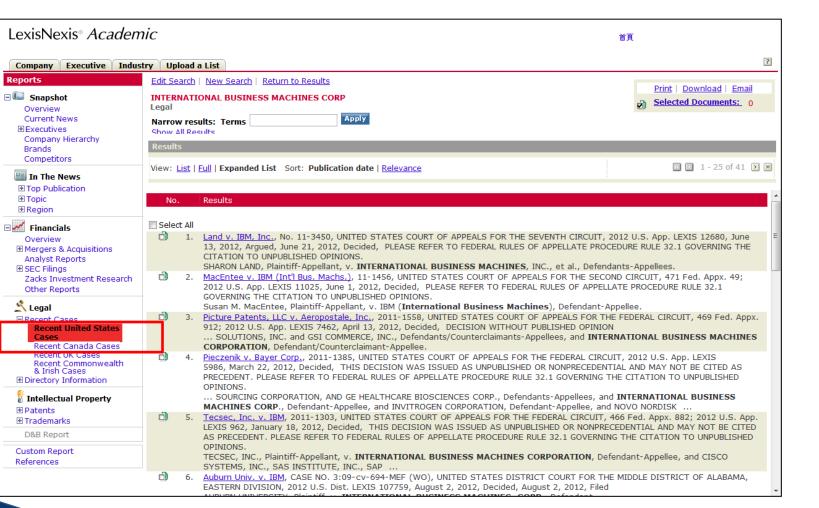
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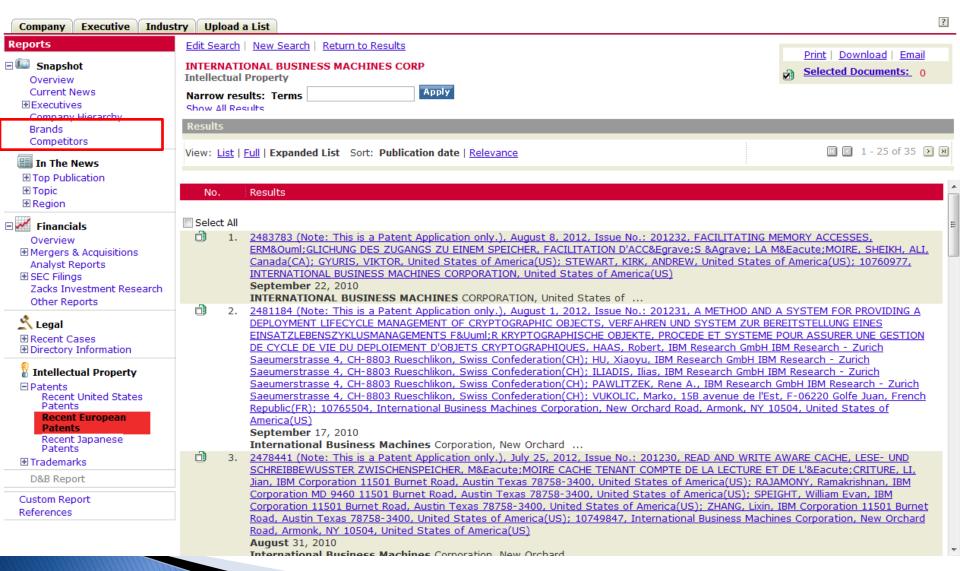


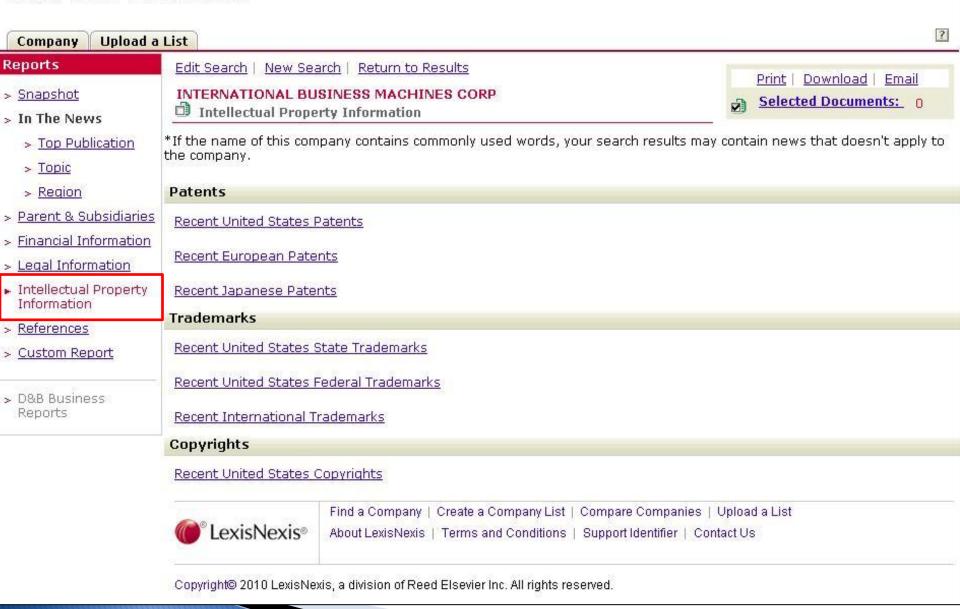


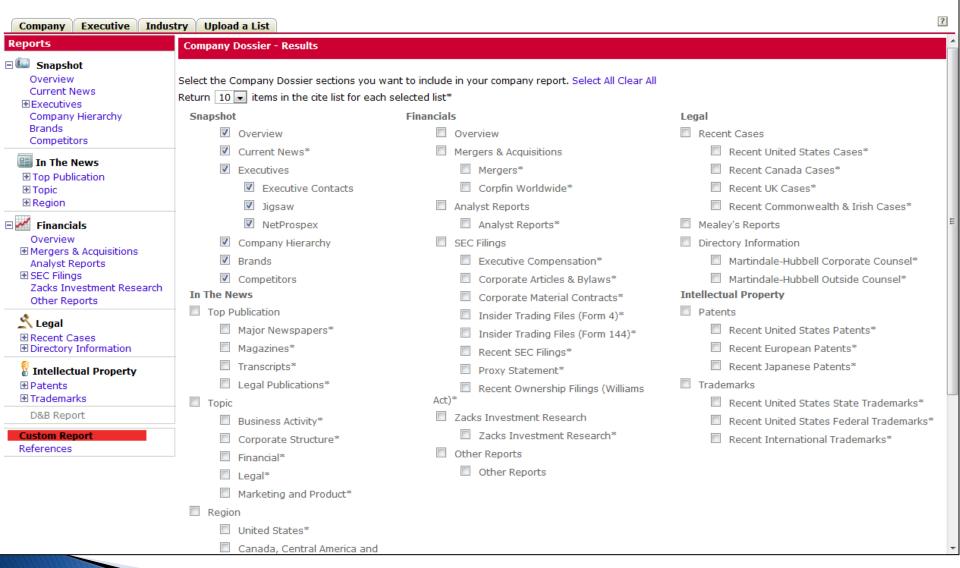
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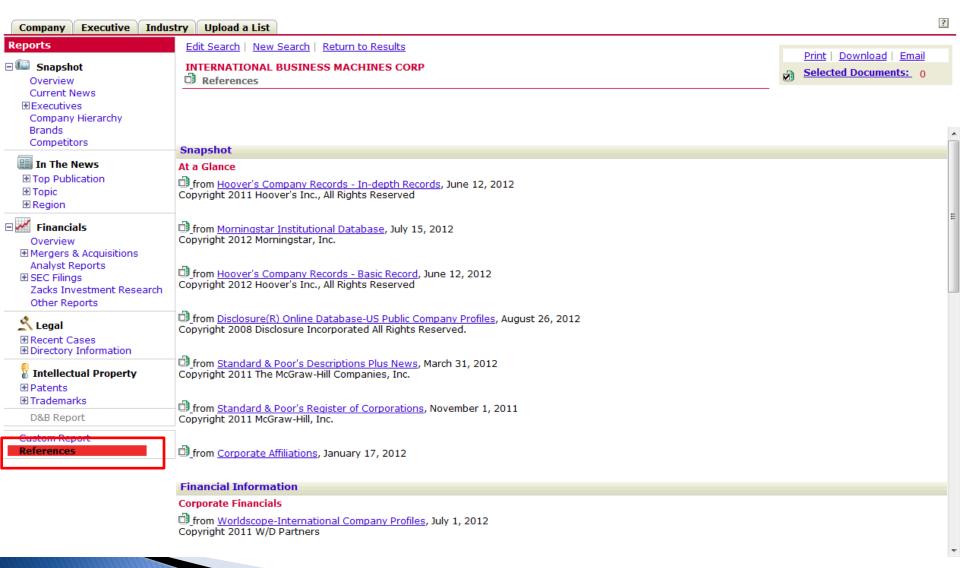
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□	CASH & SHORT TERM INVESTMENTS CASH	12,162,000 10,661,000	14,247,000 12,183,000	13,680,000 12,741,000	
Overview	SHORT TERM INVESTMENTS	1,501,000	2,064,000	939,000	
Morgors & Acquisitions	RECEIVABLES(NET)	28,225,000	26,793,000	27,555,000	
	TOTAL INVENTORIES	2,450,000	2,494,000	2,701,000	
Analyst Reports	RAW MATERIALS	2,018,000	1,961,000	2,177,000	
SEC Filings	FINISHED GOODS	432,000	533,000	524,000	
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	PROPERTY, PLANT & EQUIP - NET	14,096,000	14,165,000	14,305,000	
Intellectual Property	PROPERTY, PLANT & EQUIP-GROSS	40,289,000 777,000	39,596,000 737,000	38,445,000 729,000	
Patents     ■	BUILDINGS	9,414,000	9,314,000	8,819,000	
⊕ Trademarks	MACHINERY & EQUIPMENT	26,676,000	25,889,000	24.951.000	
E Hadelilarks	RENTAL/LEASED PROPERTY	3,422,000	3,656,000	3,946,000	
D&B Report	ACCUMULATED DEPRECIATION	26,193,000	25,431,000	24,140,000	
	OTHER ASSETS - TOTAL	35,671,000	28,999,000	25,910,000	
Custom Report	DEFERRED CHARGES	4,921,000	4,773,000	3,519,000	
References	OTHER TANGIBLE ASSETS	1,858,000	1,211,000	1,287,000	
	TOTAL INTANGIBLE OT ASSETS-NET	28,892,000	23,015,000	21,104,000	
	TOTAL ASSETS	110,232,000	104,827,000	102,254,000	
				<u>Download Tab</u>	le
	from Worldscope-International Company Profiles, July	1 2012			
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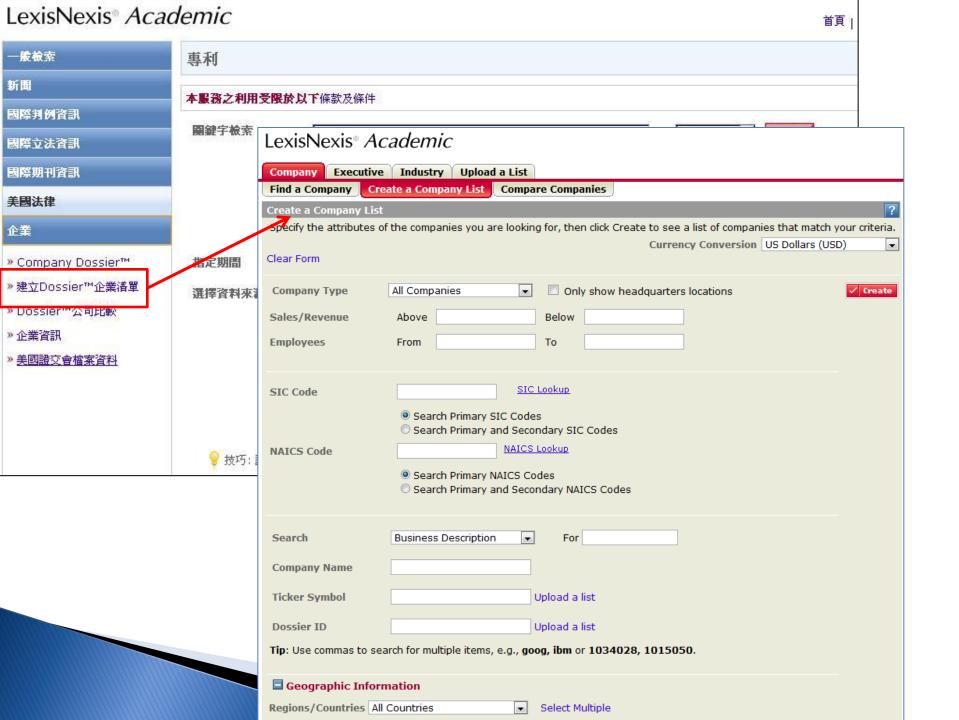












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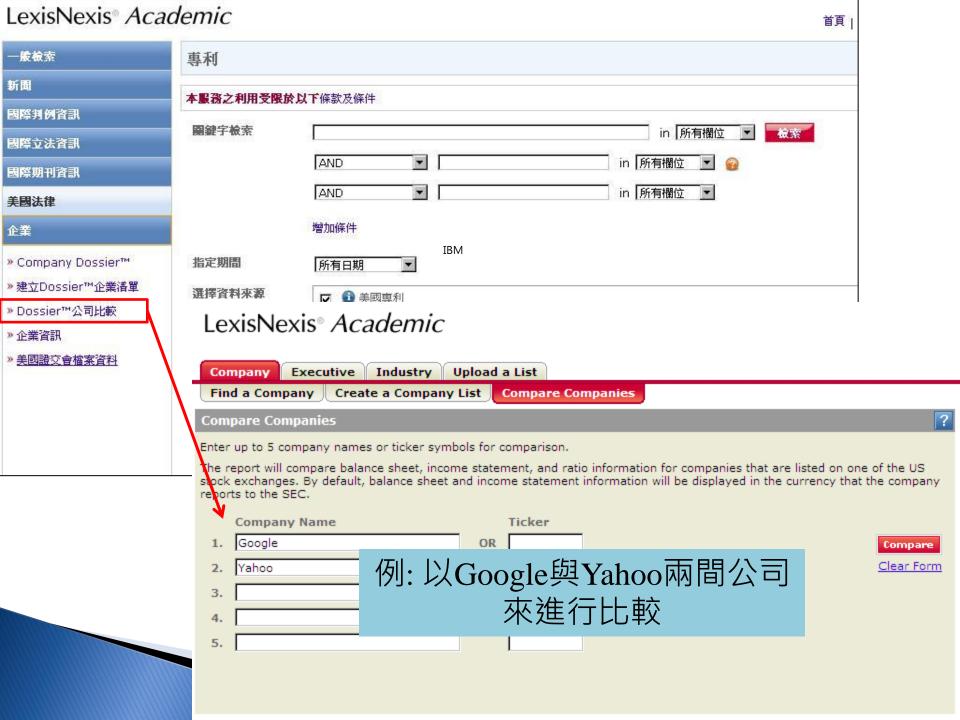
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Company Name	Street Address	Company Type	Headquarters	Dossier ID
1. ALCOA INC (AA)	390 Park Ave., New York, New York, United States	PUBLIC - PARENT	~	1005317
2. AMR CORP (AAMRQ)	4333 Amon Carter Blvd., Fort Worth, Texas, United States	PUBLIC - PARENT	~	1030795
3. APPLE INC (AAPL)	1 Infinite Loop, Cupertino, California, United States	PUBLIC - PARENT	~	1017529
4. AMERISOURCEBERGEN CORP (ABC)	1300 Morris Dr., Chesterbrook, Pennsylvania, United States	PUBLIC - PARENT	~	1008741
5. ABBOTT LABORATORIES (ABT)	100 Abbott Park Rd., Abbott Park, Illinois, United States	PUBLIC - PARENT	~	1025010
6. ARCHER-DANIELS-MIDLAND CO (ADM)	4666 Faries Pkwy., Decatur, Illinois, United States	PUBLIC - PARENT	~	1031118
7. AMERICAN ELECTRIC POWER CO INC (AEP)	1 Riverside Plaza, Columbus, Ohio, United States	PUBLIC - PARENT	~	1038816
8. AES CORP (AES)	4300 Wilson Blvd., 11th Fl., Arlington, Virginia, United States	PUBLIC - PARENT	~	1036949
9. <u>AETNA INC (AET)</u>	151 Farmington Ave., Hartford, Connecticut, United States	PUBLIC - PARENT	~	1021314
10. AFLAC INC (AFL)	1932 Wynnton Rd., Columbus, Georgia, United States	PUBLIC - PARENT	~	1011213



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### COMPANY FINANCIAL COMPARISON Currency

	GOOGLE INC	YAHOO! INC	
	(GOOG)	(YHOO)	
ASSETS	12/31/10 (USD) (000's)	12/31/10 (USD) (000's)	
CASH & SHORT TERM INVESTMENTS	35,317,000	2,884,088 (-91.8%)	
CASH[B]	12,657,000	1,526,427 (-87.9%)	
SHORT TERM INVESTMENTS	22,660,000	1,357,661 (-94.0%)	
RECEIVABLES(NET)	5,002,000	1,100,188 (-78.0%)	
TOTAL INVENTORIES	0	0 (NA)	
RAW MATERIALS	0	0 (NA)	
WORK IN PROCESS	0	0 (NA)	
FINISHED GOODS	0	0 (NA)	
PROGRESS PAYMENTS & OTHER	0	0 (NA)	
OTHER CURRENT ASSETS	1,243,000	299,308 (-75.9%)	
CURRENT ASSETS - TOTAL	41,562,000	4,345,548 (-89.5%)	
LONG TERM RECEIVABLES	0	0 (NA)	
OTHER INVESTMENTS	523,000	744,594 (42.4%)	
PROPERTY, PLANT & EQUIP - NET	7,759,000	1,653,422 (-78.7%)	
PROPERTY, PLANT & EQUIP-GROSS	11,771,000	2,551,178 (-78.3%)	
BUILDINGS[B]	3,969,000	NA (NA)	

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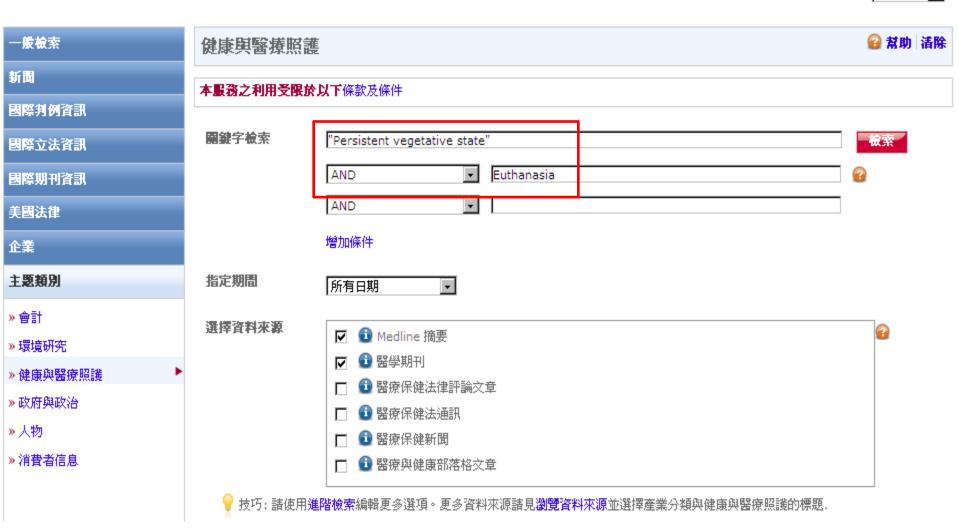
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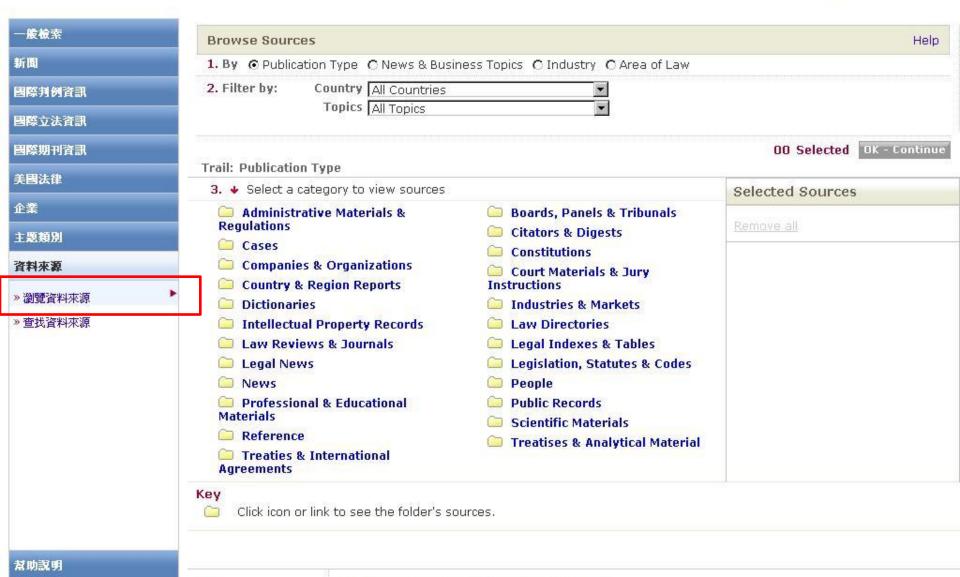
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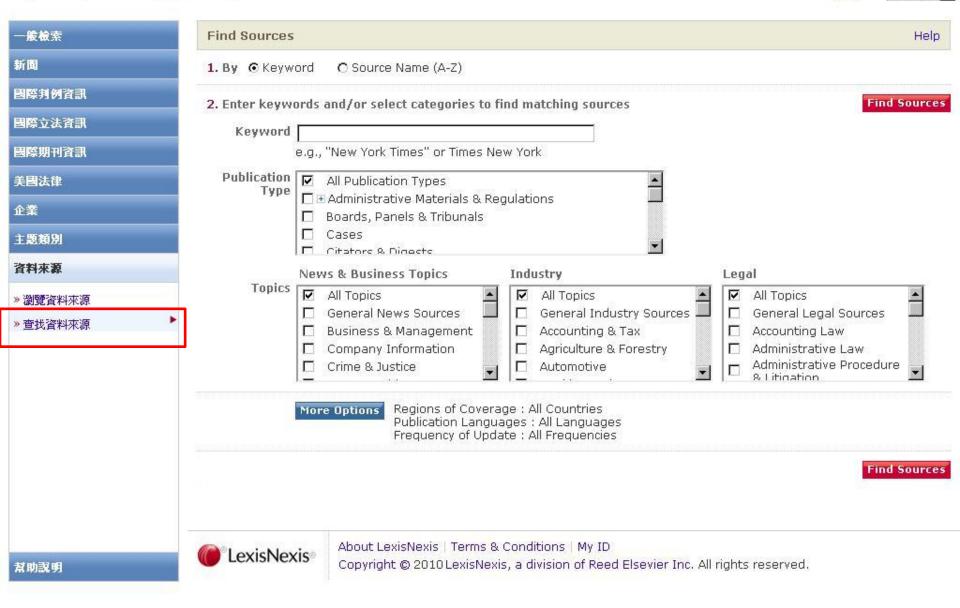
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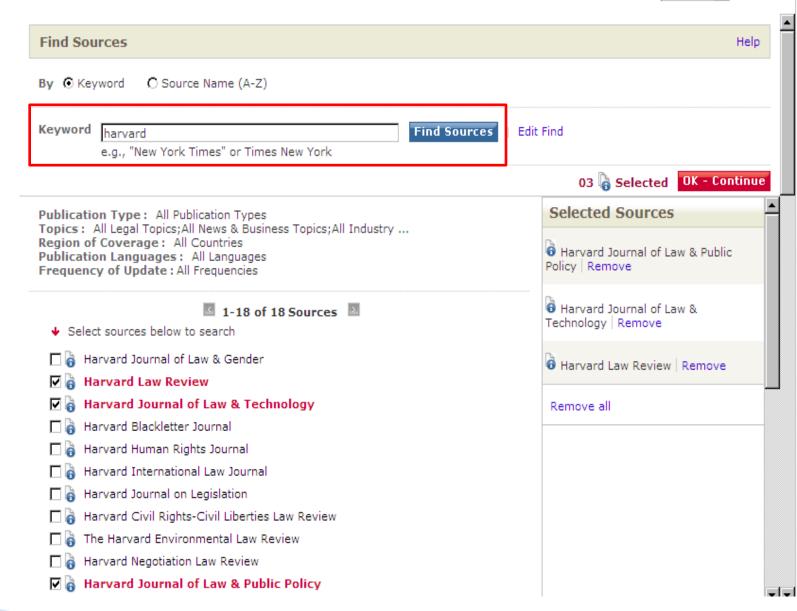


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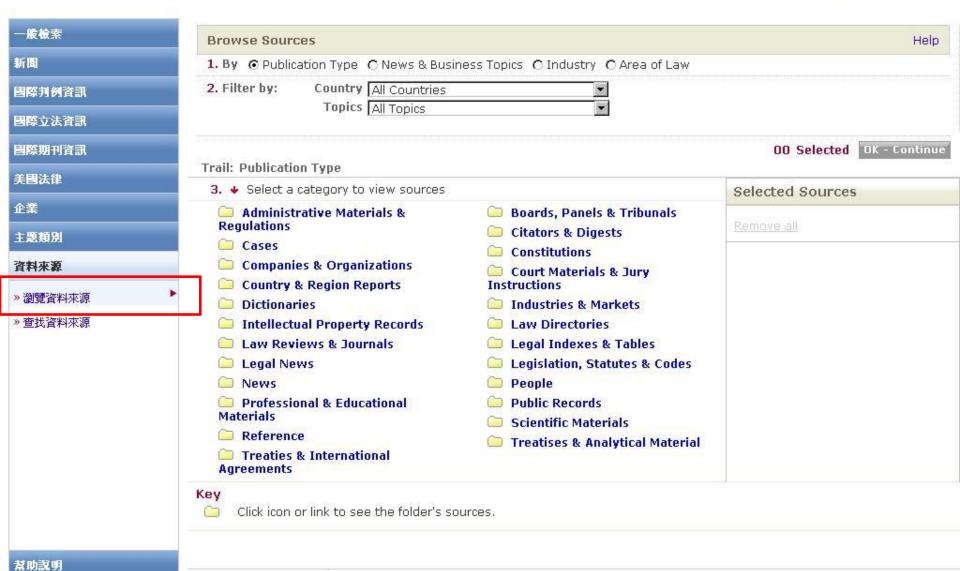


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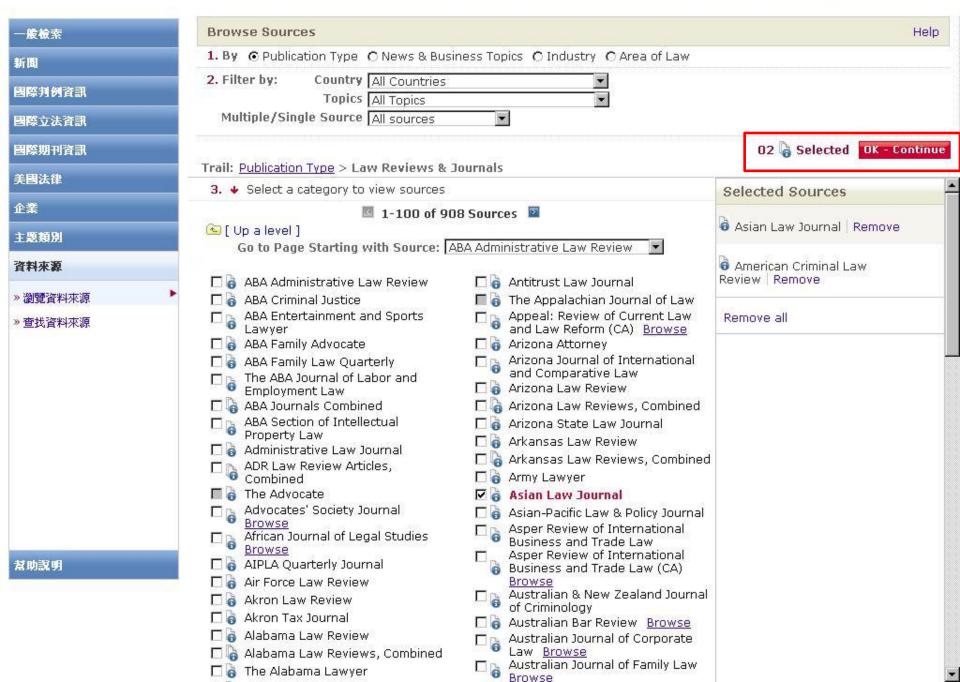
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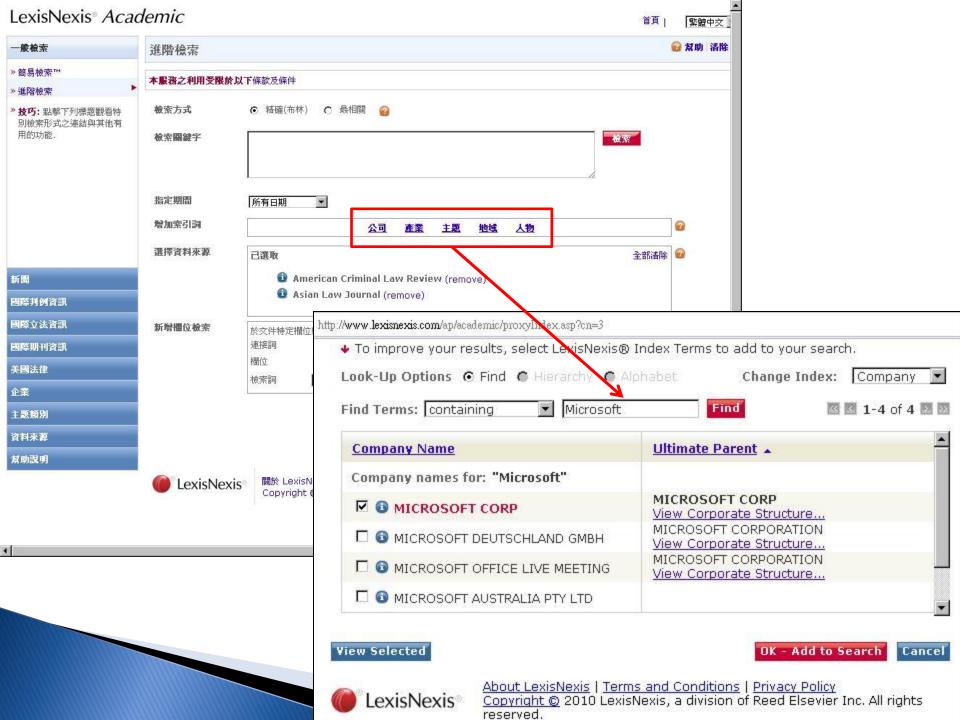
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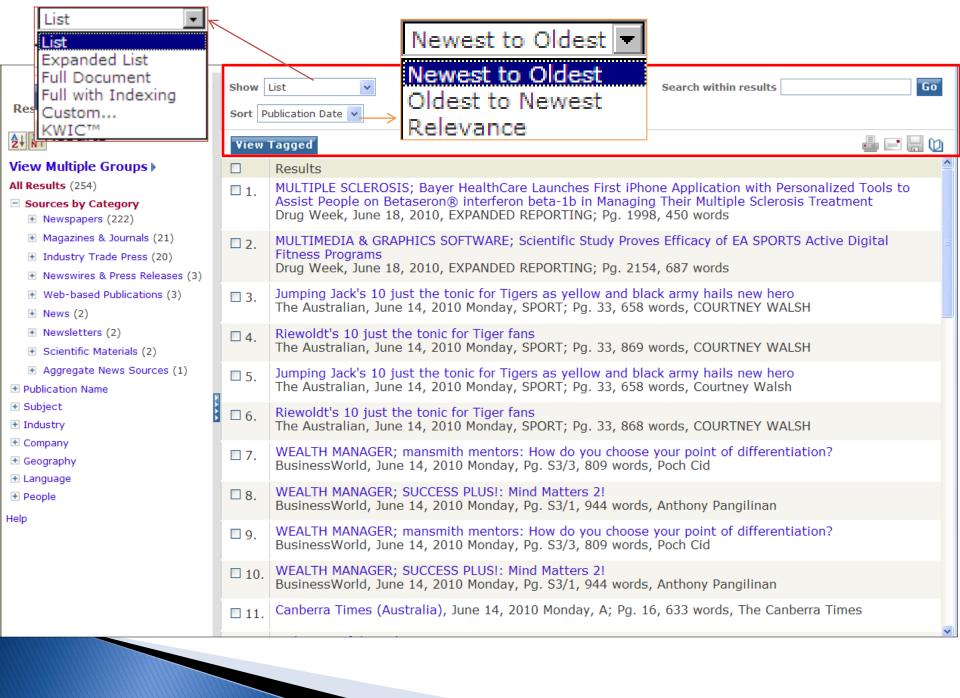
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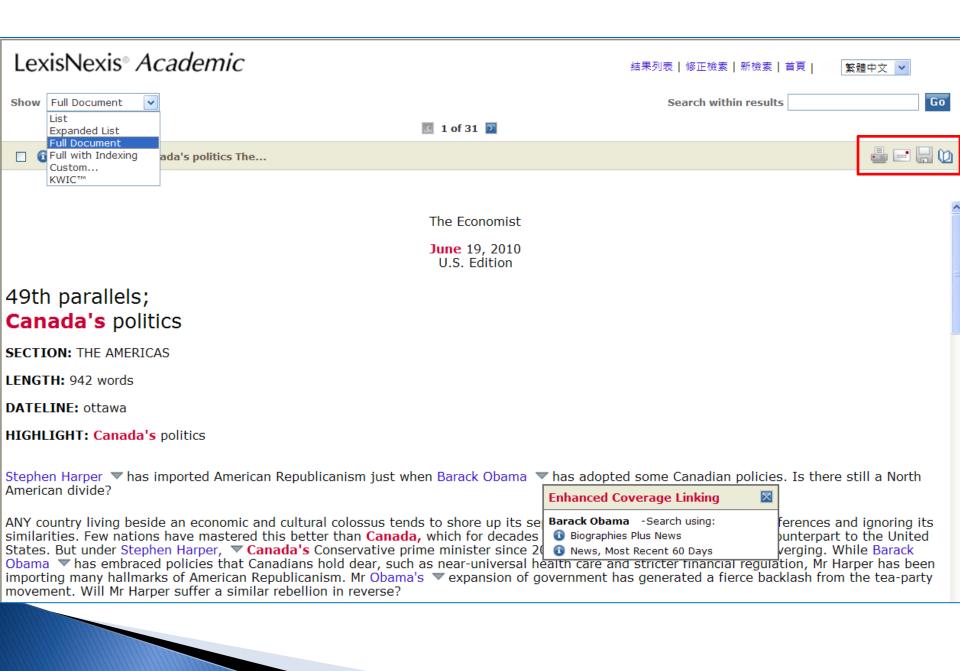
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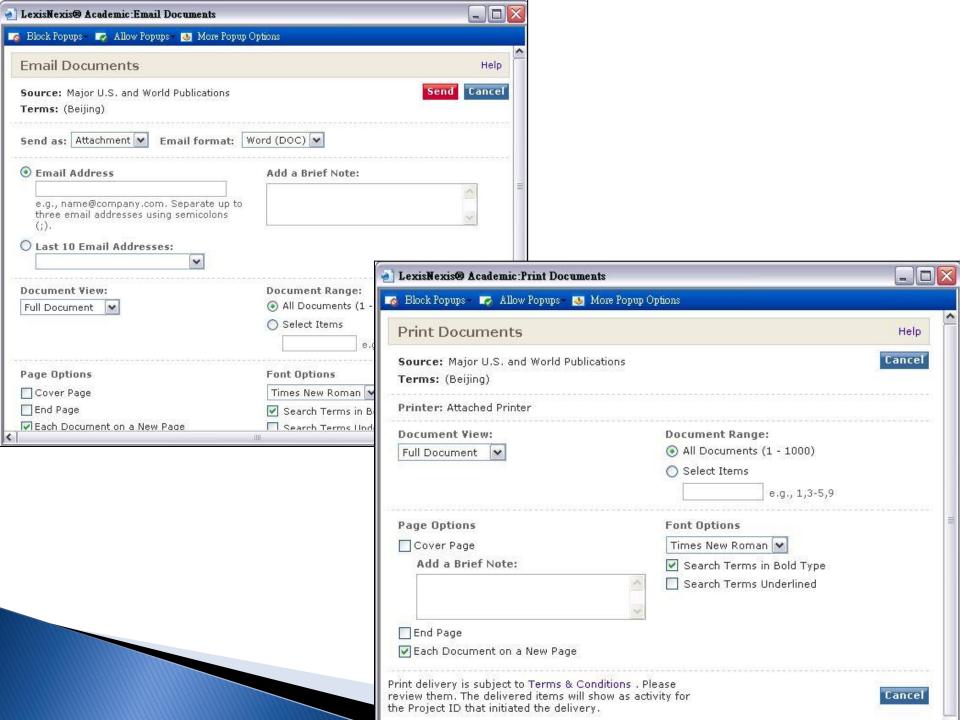
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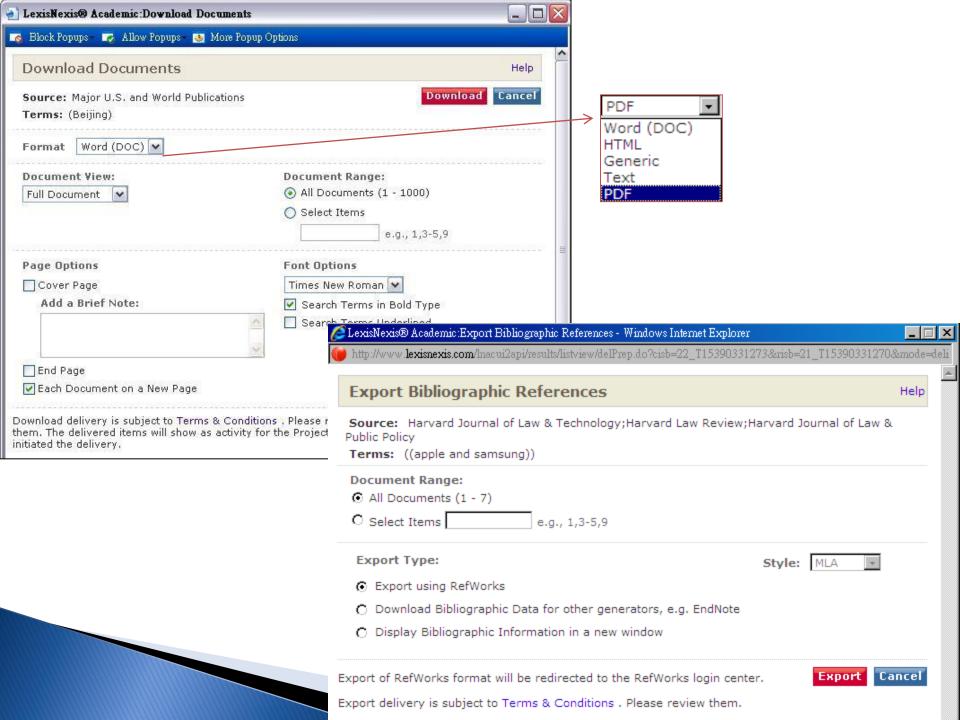




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