

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
KANSAS CITY**

| | | |
|----------------------------------|---|-------------------|
| NANOSCALE CORPORATION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CASE NO. 06-02311 |
| |) | |
| APPLIED NANOSCIENCE INC., et al. |) | |
| |) | |
| Defendants. |) | |
| |) | |

CONSENT JUDGMENT

Plaintiff NanoScale Corporation ("NanoScale") and Defendants Thomas Allen, Emergency Filtration Products, Inc., Applied Nanoscience, Inc. and Douglas Beplate (collectively, "Defendants"), having stipulated to the entry of this judgment in this matter, the Court finds and orders the following:

1. Plaintiff NanoScale filed the instant action to address alleged patent infringement and other alleged violations.
2. In response, Defendant Thomas Allen filed Counterclaims, seeking, among other things, to invalidate United States Patent Numbers 6,087,294; 6,057,488; 6,653,519; 6,417,423; and 6,093,236 (the "Invalidity Counterclaims").
3. Defendants have confessed judgment against them as to the Invalidity Counterclaims. The parties have stipulated to dismissal of all other claims pending in this action.

Based on the foregoing and the parties' stipulations thereto, the Court hereby
ORDERS, ADJUDGES, and DECREES:

(a) that judgment shall be and hereby is entered in favor of Counter-
Defendant NanoScale Corporation, on all Counts of the Counterclaims related to
Invalidity of the NanoScale Patents; and

(b) that each party shall bear its own costs and expenses associated
with this action.

It is so ORDERED this 14th day of November, 2007.

s/ Kathryn H. Vratil
District Court Judge

Approved:

SONNENSCHN NATH & ROSENTHAL LLP


By: 

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Attorneys for Plaintiff NanoScale Corporation

-and-

EMERGENCY FILTRATION PRODUCTS,
INC.



By: Phillip Descher

Title: Chief Executive Officer

DOUGLAS K. BEPLATE


Name: Douglas K. Beplate

APPLIED NANOSCIENCE INC.

 10-28-07
By: Thomas K. Allen

Title: President, Authorized Agent

THOMAS K. ALLEN

 10-28-07
Name: Thomas K. Allen