

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CHEMBIO DIAGNOSTIC SYSTEMS, INC.,

Defendant.

Case No.

**NOTICE OF FILING OF
STIPULATED PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF**

Plaintiff Federal Trade Commission ("Commission") hereby notifies the Court of the filing of a Stipulated Permanent Injunction and Other Equitable Relief stipulated to by the Commission and the defendant in this action, Chembio Diagnostic Systems, Inc. ("Chembio").

In *FTC v. Cyberlinx Marketing, Inc., et al.*, Docket No. CV-S-99-1564-PMP-LRL (D. Nev. November 8, 1999), the Commission alleged in its complaint that defendants Cyberlinx Marketing, Inc. ("Cyberlinx") and its President, Jeffrey S. Stein ("Stein") misrepresented the accuracy of the human immunodeficiency virus ("HIV") tests they sold on the Internet in violation of the FTC Act. Cyberlinx and Stein stipulated to a permanent injunction which imposed a permanent banned them from selling HIV tests.

In the course of its investigation, the Commission learned that Stein had obtained his HIV tests from a San Francisco distributor, Sovo Tec Diagnostics, Inc. ("Sovo Tec). Sovo Tec advertised the HIV tests on its website, claiming that they represented "the most accurate technology available." In September 2000, Sovo Tec, Ahmad Shirzadi ("Shirzadi"), the President

of Sovo Tec, and Deborah Colby (“Colby”), the General Manager of Sovo Tec entered into an agreement that prohibited Sovo Tec, Shirzadi and Colby from misrepresenting the accuracy of any HIV test or other unapproved device. *See FTC v. Sovo Tec Diagnostics, Inc., et al.*, Docket No. C00-3468 BZ (N.D. Cal. September 28, 2000).

The Commission determined that the defendant in the instant case, Chembio Diagnostics, Inc. (“Chembio”) had manufactured the HIV tests Sovo Tec distributed. Accordingly, the Commission and Chembio have stipulated to the permanent injunction filed today.

Respectfully submitted,

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