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10 Attorneys for Plaintiff,
 MICROSOFT CORPORATION

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA
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14 MICROSOFT CORPORATION, a
 Washington corporation,
 15 Plaintiff,
 16 v.
 17 EITAN ZVIELY, an individual,
 MEGAWEB.COM, INC., a Delaware
 corporation, INTERGO.COM, INC., a
 18 Delaware corporation, MEGAGO.COM,
 INC., a Delaware corporation,
 19 MEGASPIDER.COM, INC., a Delaware
 corporation, and USGO, Inc., a California
 20 corporation, and DOES 1 through 10,
 Defendants,
 21 Defendant.

Case No. CV10-02581 ABC (RZx)

**STIPULATED [PROPOSED]
 CONSENT DECREE AND
 PERMANENT INJUNCTION**

NOTE: CHANGES MADE BY THE COURT

22 MEGAWEB.COM, INC., a Delaware
 corporation,
 23 Counterclaimant,
 24 v.
 25 MICROSOFT CORPORATION, a
 Washington corporation
 26 Counterdefendant.
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- marks set forth on Exhibit A hereto (the “Microsoft Trademarks”) or any other trademark or service mark of which Defendants actually know Microsoft claims ownership;
- b. using Microsoft Trademarks or any other trademark or service mark of which Defendants actually know Microsoft claims ownership, or any version thereof, in connection with the description, marketing, promotion, advertising, or sale of products or services not associated with or approved by Microsoft;
- c. registering, using, or trafficking in any domain names that are identical or confusingly similar to the Microsoft Trademarks, or any other trademark or service mark of which Defendants actually know Microsoft claims ownership, including but not limited to domain names containing the Microsoft Trademarks and domain names containing misspellings of the Microsoft Trademarks; and
- d. assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs 5.a. through 5.c. above.

6. This Court shall retain jurisdiction over the subject matter hereof and over Defendants to ensure compliance with this Consent Decree.

7. Any proceeding before this Court to enforce the terms of this Consent Decree shall be resolved by means of a noticed motion without the necessity of filing a new and separate action. The parties to such proceedings will be permitted to submit evidence and memorandums of points and authorities according to the ordinary briefing requirements for a noticed motion as set forth by the Federal Rules of Civil Procedure and this Court’s local rules then in effect. The Court shall have discretion to allow live testimony or other evidence in addition to any documentary

1 evidence or declarations submitted as part of the noticed motion briefings.

2 8. The Court shall determine whether any of Defendants has violated the
3 terms of this Consent Decree pursuant to this definition. A “violation” shall be
4 defined as the failure to comply with paragraphs 5.a., 5.b., 5.c., or 5.d. above.
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6 **IT IS SO ORDERED.**

7 Dated this 17 day of June, 2011

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10 HON. AUDREY B. COLLINS
11 UNITED STATES DISTRICT JUDGE
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