

1  
2 JS-6  
3  
4  
56 UNITED STATES DISTRICT COURT  
7 CENTRAL DISTRICT OF CALIFORNIA  
8  
910 NEXON AMERICA, INC., a Delaware  
11 corporation, and NEXON KOREA  
12 CORPORATION, a Korean  
13 corporation,

14 Plaintiffs,

15 v.

16 GAMEANARCHY, LLC, a Georgia  
17 Limited Liability Company, DAVID  
18 ALLEN BAKER, a/k/a "Drunken  
19 Cheetah," an individual, and DOES 1  
20 through 10,21 Defendants.  
22

Case No. CV12-02083 MWF (PLAx)

Honorable Michael W. Fitzgerald

**JUDGMENT**23 On April 3, 2013, the Court granted the Motion for Summary Judgment  
24 Against Defendant David Allen Baker ("Baker") filed by Plaintiffs Nexon  
25 America, Inc. and NEXON Korea Corporation (collectively, "Nexon"). (Docket  
26 No. 67). On April 23, 2013, the Court granted the Motion for Default Judgment  
27 Against Defendant GameAnarchy, LLC ("GALLC") filed by Nexon. (Docket No.  
28 69). Finding that good cause exists for entry of a separate judgment under Rule 54  
of the Federal Rules of Civil Procedure with respect to the first, fifth and eighth  
claims for relief in Nexon's Complaint (Docket No. 1) for copyright infringement,  
trafficking in circumvention devices, and intentional interference with contractual

1 relations, respectively, the Court enters final judgment against Baker and GALLC  
2 (collectively, “Defendants”), jointly and severally, as follows,

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

4 1. Defendants, and all persons acting under their direction or control  
5 (including but not limited to their agents, representatives and employees), hereby  
6 are enjoined and restrained, and shall immediately and permanently cease and  
7 desist, from any of the following:

8 (a) distributing, offering to the public, manufacturing, importing,  
9 providing, linking to, promoting, facilitating, encouraging the use of, trafficking in,  
10 uploading or downloading, updating, or maintaining the service and software  
11 program known as “Game Anarchy,” and any related software product (including  
12 the GameAnarchy StreamLoader software or any .dll software file associated  
13 therewith or injected by the StreamLoader) to the extent that such service and  
14 software alters any Nexon product, including the game “Combat Arms”;

15 (b) infringing Nexon’s copyrighted works, including without  
16 limitation, by developing, distributing or otherwise disseminating any software  
17 “hacks” or “cheats” designed to alter or edit the game play or player experience of  
18 any Nexon product, including Combat Arms;

19 (c) inducing or contributing to third-party infringements of  
20 Nexon’s copyrighted works, including by linking to or providing the location of  
21 any website that distributes or otherwise disseminates any product or service that is  
22 designed in whole or in part to alter or edit the game play or player experience of  
23 any Nexon product, including Combat Arms;

24 (d) violating, or aiding and abetting a violation of, Section 1201(a)  
25 or (b) of the Digital Millennium Copyright Act (“DMCA”), including, without  
26 limitation, by manufacturing, importing, offering to the public, providing, linking  
27 to, promoting, facilitating, encouraging the use of, or otherwise trafficking in, or  
28

1 participating in the trafficking in, any device (including but not limited to the  
2 Game Anarchy software) that:

3 (i) is primarily designed or produced for the purpose of  
4 circumventing, or to circumvent the protection afforded by, HackShield,  
5 NexonGuard, or any other technological measures adopted by Nexon that  
6 effectively controls access to any Nexon product, including Combat Arms;

7 (ii) has only limited commercially significant purposes or  
8 uses other than to circumvent, or to circumvent the protection afforded by,  
9 HackShield, NexonGuard, or any other technological measure adopted by  
10 Nexon that effectively controls access to any Nexon product, including  
11 Combat Arms; or

12 (iii) is marketed by Defendant and/or others acting in concert  
13 with either or both Defendant with its or their knowledge, for use in  
14 circumventing, or in circumventing the protection afforded by HackShield,  
15 NexonGuard, or any other technological measure adopted by Nexon that  
16 effectively controls access to any Nexon product, including Combat Arms;

17 (e) intentionally interfering with Nexon's contracts with players,  
18 including, without limitation, by encouraging or inducing any players to violate  
19 any terms of the Nexon Terms of Use or End-User License Agreement by using  
20 software "cheats" or "hacks," including but not limited to those contained within  
21 Game Anarchy; and

22 (f) violating the Nexon Terms of Use or End-User License  
23 Agreement, including, without limitation, by using tools which hack or alter the  
24 Combat Arms software or game play.

25 2. Nexon is awarded a monetary judgment against Defendants, jointly  
26 and severally, of a sum of **\$1,432,964.76**, constituting:

27  
28

1 (a) Statutory damages in the minimum allowable amount (\$200 per  
2 violation) under § 1203(c)(3)(A) of the DMCA, for each of Defendants' 6,000  
3 violations, totaling \$1,200,000.

4 (b) Defendants' unjust profits attributable to the infringements  
5 alleged in the Complaint, as provided by the Copyright Act, 17 U.S.C. § 504,  
6 totaling \$232,964.76.

7 **IT IS FURTHER ORDERED** that there is no just reason for delay in entry  
8 of this final judgment herein, and the Court expressly directs that the Clerk of the  
9 Court enter this separate judgment against said Defendants herein pursuant to  
10 Federal Rule of Civil Procedure 54 notwithstanding whether this action remains  
11 pending with respect to other claims for relief.



12  
13  
14 Dated: May 6, 2013

---

MICHAEL W. FITZGERALD  
United States District Judge

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28