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6 Attorneys for Plaintiff  
 Adobe Systems Incorporated

7  
 8 Nathanael Landsteiner  
 1117 170<sup>th</sup> Ave.  
 Fairmont, MN 56031

9  
 10 Jaime Winegard  
 400 County Rd.  
 Woodland Park, CO 80863

11 Defendants, *in pro se*

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)

15 Adobe Systems Incorporated,	)	Case No. C08-3522 MMC
	)	
16 v. Plaintiff,	)	<del>PROPOSED</del> PERMANENT
	)	INJUNCTION AND DISMISSAL WITH
17 Nathanael Landsteiner, et al.	)	PREJUDICE
	)	
18 Defendants.	)	

19 The Court, having read and considered the Joint Stipulation for Permanent Injunction and  
 20 Dismissal with Prejudice that has been executed by Plaintiff Adobe Systems Incorporated  
 21 (“Plaintiff”) and Defendants Nathanael Landsteiner and Jamie Winegard (collectively  
 22 “Defendants”) in this action, and good cause appearing therefore, hereby:

23 ORDERS that based on the Parties’ stipulation and only as to Defendants, their successors,  
 24 heirs, and assignees, this Injunction shall be and is hereby entered in the within action as follows:  
 25 1) This Court has jurisdiction over the parties to this action and over the subject matter hereof  
 26 pursuant to 17 U.S.C. § 101 *et seq.*, 15 U.S.C. § 1051, *et seq.*, 15 U.S.C. § 1121, and 28 U.S.C. §§  
 27 1331 and 1338. Service of process was properly made against Defendants.

28

1 2) Plaintiff is the owner of all rights in and to the copyright and trademark registrations listed  
2 in Exhibits A and B attached hereto and incorporated herein by this reference (collectively referred  
3 to herein as “Plaintiff’s Properties”).

4 3) Plaintiff has alleged that Defendants have made unauthorized uses of Plaintiff’s Properties  
5 or substantially similar likenesses or colorable imitations thereof.

6 4) Defendants and their agents, servants, employees and all persons in active concert and  
7 participation with them who receive actual notice of the Injunction are hereby restrained and  
8 enjoined from:

9 a) Infringing Plaintiff’s Properties, either directly or contributorily, in any manner,  
10 including generally, but not limited to manufacturing, importing, distributing, advertising,  
11 selling and/or offering for sale any unauthorized product which features any of Plaintiff’s  
12 Properties (“Unauthorized Products”), and, specifically from:

13 i) Importing, manufacturing, distributing, advertising, selling and/or offering  
14 for sale the Unauthorized Products or any other unauthorized products which  
15 picture, reproduce, copy or use the likenesses of or bear a substantial similarity to  
16 any of Plaintiff’s Properties;

17 ii) Importing, manufacturing, distributing, advertising, selling and/or offering  
18 for sale in connection thereto any unauthorized promotional materials, labels,  
19 packaging or containers which picture, reproduce, copy or use the likenesses of or  
20 bear a confusing similarity to any of Plaintiff’s Properties;

21 iii) Engaging in any conduct that tends falsely to represent that, or is likely to  
22 confuse, mislead or deceive purchasers, Defendants’ customers and/or members of  
23 the public to believe, the actions of Defendants, the products sold by Defendants, or  
24 Defendants themselves are connected with Plaintiff, are sponsored, approved or  
25 licensed by Plaintiff, or are affiliated with Plaintiff;

26 iv) Affixing, applying, annexing or using in connection with the importation,  
27 manufacture, distribution, advertising, sale and/or offer for sale or other use of any  
28 goods or services, a false description or representation, including words or other  
symbols, tending to falsely describe or represent such goods as being those of  
Plaintiff.

5) Each side shall bear its own fees and costs of suit.

6) Except as provided herein, all claims alleged in the Complaint are dismissed with prejudice.

- 1 7) This Injunction shall be deemed to have been served upon Defendants at the time of its  
2 execution by the Court.
- 3 8) The Court finds there is no just reason for delay in entering this Injunction and, pursuant to  
4 Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this  
5 Injunction against Defendants.
- 6 9) The Court shall retain jurisdiction of this action to entertain such further proceedings and to  
7 enter such further orders as may be necessary or appropriate to implement and enforce the  
8 provisions of this Injunction.
- 9 10) The above-captioned action, shall, upon filing by Plaintiff of the Joint Stipulation re Entry  
10 of [Proposed] Judgment, [Proposed] Final Judgment and requesting entry of judgment against  
11 Defendants, be reopened should any of the Defendants default under the terms of the Settlement  
12 Agreement.
- 13 11) This Court shall retain jurisdiction over the Defendants for the purpose of making further  
14 orders necessary or proper for the construction or modification of this permanent injunction and  
15 judgment; the enforcement hereof; the punishment of any violations hereof, and for the possible  
16 entry of a further Judgment Pursuant to Stipulation in this action.

17 DATED:

\_\_\_\_\_  
Hon. Maxine M. Chesney  
United States District Judge

18 PRESENTED BY:

19 J. Andrew Coombs,  
20 A Professional Corporation

21 By: /s/ Annie S. Wang  
22 J. Andrew Coombs  
Annie S. Wang  
Attorneys for Plaintiff Adobe Systems Incorporated

23 Nathanael Landsteiner

24 By: \_\_\_\_\_  
25 Nathanael Landsteiner  
Defendant, *in pro se*

26 Jamie Winegard

27 By: Jamie Winegard  
28 Jamie Winegard  
Defendant, *in pro se*

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16 entry of a further Judgment Pursuant to Stipulation in this action.

17 DATED: April 21, 2009

  
Hon. Maxine M. Chesney  
United States District Judge

18 PRESENTED BY:

19 J. Andrew Coombs,  
20 A Professional Corporation

21 By: \_\_\_\_\_  
22 J. Andrew Coombs  
23 Annie S. Wang  
24 Attorneys for Plaintiff Adobe Systems Incorporated

25 Nathanael Landsteiner  
26 By:   
27 Nathanael Landsteiner  
28 Defendant, *in pro se*

29 Jamie Winegard  
30 By: \_\_\_\_\_  
31 Jamie Winegard  
32 Defendant, *in pro se*