

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AUTODESK, INC., a Delaware corporation,
Plaintiff,

No. C 08-04397 WHA

v.

JOINT CONSENT JUDGMENT

DASSAULT SYSTÈMES SOLIDWORKS
CORPORATION, a Delaware corporation,
Defendant.

_____ /

At the joint request of the parties, the Court enters this Consent Judgment:

1. In this action, Plaintiff Autodesk, Inc. (“Autodesk”) sued Dassault Systèmes SolidWorks Corp. (“SolidWorks”), asserting various claims of trademark infringement, false designation of origin, unfair competition, and false advertising. The operative complaint is the First Amended Complaint, filed January 23, 2009 (the “FAC”). SolidWorks filed an Answer and Counterclaims to the FAC, and as a second claim for relief, sought a declaration concerning the validity or ownership of the letter string “DWG.”

2. The parties stipulate that the letter string “DWG” is a valid trademark owned by Autodesk for computer-aided design (CAD) software and related services, as alleged by Autodesk in the FAC. Based on that stipulation, the Court will enforce the stipulation between the parties without adjudicating the issue on the merits.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. All other claims and counterclaims are dismissed with prejudice, including Autodesk's claim that SolidWorks has engaged in false advertising or unfair competition. For the avoidance of doubt, the dismissal of a claim under this paragraph shall not be deemed an adjudication of the merits of such claim.

4. Each side shall bear its own attorneys' fees and costs.

Dated: January 5, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE