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13 DVD COPY CONTROL ASSOCIATION, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 REALNETWORKS, INC., a Washington
17 Corporation; and REALNETWORKS HOME
18 ENTERTAINMENT, INC., a Delaware
19 corporation,

20 Plaintiffs,

21 v.

22 DVD COPY CONTROL ASSOCIATION, INC., a
23 Delaware nonprofit corporation, et al.

24 Defendants.

25 And Related Counterclaims.

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Case No. C08 04548 MHP

**NOTICE OF MOTION AND MOTION OF
DVD COPY CONTROL ASSOCIATION,
INC. FOR PRELIMINARY INJUNCTION**

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, on January 27, 2009 at 9:00 a.m., or such other date and time as the Court may establish, before the Honorable Marilyn Hall Patel of the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, California. Defendant and Counterclaimant DVD Copy Control Association, Inc. ("DVD CCA") will and hereby does move for a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure and Civil Local Rule 65-2, enjoining Plaintiffs and Counterclaim Defendants RealNetworks, Inc. and RealNetworks Home Entertainment, Inc. (collectively, "RealNetworks") and all of their officers, agents, servants, employees and attorneys, and all those persons in active concert or participation or privity with them, from producing, selling, offering, marketing, or otherwise trafficking in the software product known as RealDVD in violation of the license agreement to the Content Scramble System, entered by and between RealNetworks and DVD CCA (the "CSS License Agreement").

This Motion is based upon this Notice of Motion and Motion, the supporting Memorandum of Points and Authorities and related declarations to be filed on a date to be set by the Court, the pleadings, records and papers on file in this action, such other papers as may be filed at or before the hearing, the oral arguments of counsel and any other matters properly before the Court.

Dated: November 10, 2008

Respectfully submitted,
AKIN GUMP STRAUSS HAUER & FELD LLP
WHITE & CASE LLP

By _____ /s/ _____
Reginald D. Steer
Attorneys for Defendant
DVD COPY CONTROL ASSOCIATION, INC.