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24 DANIEL M. MILLER

25 **UNITED STATES DISTRICT COURT**
26 **NORTHERN DISTRICT OF CALIFORNIA**
27 **SAN FRANCISCO DIVISION**

28 DANIEL M. MILLER,

Plaintiff,

vs.

FACEBOOK, INC. and YAO WEI YEO,

Defendants.

)
) **CASE NO.: CV-10-264 (WHA)**
)
) **[PROPOSED] JUDGMENT PURSUANT TO**
) **ENTRY OF DEFAULT**
)
) Date: May 19, 2011
) Time: 8:00 A.M.
) Court: Courtroom 9, 19th Floor
) Judge: Honorable William Alsup
)
)
)

1 This cause having come before this Court on the motion of Plaintiff Daniel M. Miller
2 (“Plaintiff”) for entry of default judgment and permanent injunction against Defendant Yeo Wei
3 Yeo (“Yeo”);
4

5 AND, the Court having read and considered the Motion, declarations and exhibits on file
6 in this matter;

7 AND, GOOD CAUSE APPEARING THEREFORE, the Court finds the following facts:

8 Plaintiff is the owner of all rights in and to the duly registered copyright on the video game
9 program *Boomshine*, Registration No. TX0007089855;
10

11 Yeo has engaged, and continues to engage, in the unauthorized business of reproducing
12 and distributing the video game program *ChainRxn* that infringes the Plaintiff’s duly registered
13 copyright;

14 Plaintiff has instituted this action for an entirely proper and appropriate purpose to
15 vindicate and enforce compliance with his rights which have been infringed by Yeo and to recover
16 for infringement of such rights;
17

18 There being no just reason for delay in entering the default judgment and permanent
19 injunction sought by the Plaintiff, and with good cause appearing therefore, the Court ORDERS
20 that this Judgment shall be, and is hereby, entered in this action as follows:
21

22 1) This Court had jurisdiction over the parties to this action and over the subject matter hereof
23 pursuant to 28 U.S.C. §§ 1331 and 1338. Service of process was properly made on Yeo.

24 2) Yeo d/b/a Zwigglers Apps has reproduced and distributed the video game program
25 *ChainRxn* which infringes upon the Plaintiff’s duly registered copyright.
26
27
28

1 3) Yeo, and all agents, servants, successors, and assigns of Yeo, and any and all persons,
2 firms, corporations, or other entities in active concert or participation with Yeo, who receive actual
3 notice of the injunction are hereby restrained and enjoined from:
4

5 Infringing Plaintiff's copyright, either directly, contributorily, or by inducement, in any
6 manner, including generally, but not limited to, reproduction, manufacture, importation,
7 distribution, advertising, selling and/or offering for sale the video game program entitled
8 *ChainRxn* and any other work, now in existence or later created, which infringes the
9 Plaintiff's registered copyright in *Boomshine*.
10

11 4) Yeo, and all agents, servants, successors, and assigns of Yeo, and any and all persons,
12 firms, corporations, or other entities in active concert or participation with Yeo, who receive actual
13 notice of the injunction, are ordered to destroy all copies of the video game program entitled
14 *ChainRxn* and any other work, now in existence or later created, which infringes the Plaintiff's
15 registered copyright in *Boomshine*.
16

17 5) Yeo is ordered to pay damages to Plaintiff in the sum of \$147,103.02.

18 6) Yeo is ordered to pay interest on the principal amount of the judgment to Plaintiff at the
19 statutory rate pursuant to 28 U.S.C. § 1961(a).
20

21 7) Yeo is ordered to pay costs in the sum of \$1,492.50 pursuant to 17 U.S.C. § 505.

22 IT IS SO ORDERED.

23
24 Dated: _____

WILLIAM H. ALSUP
UNITED STATES DISTRICT JUDGE