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9 Attorneys for Plaintiff
 10 SYMANTEC CORPORATION

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 12 DIESTEL & PEDERSEN, LLP
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 16 601 California Street, 16th Floor
 17 San Francisco, CA 94108
 18 Tel: (415) 981-5411
 19 Fax: (415) 981-0352

20 Attorneys for Defendants
 21 M-PLUS INTERNATIONAL TECHNOLOGY, INC., MICROPLUS
 22 INTERNATIONAL TECH, aka MICROPLUS, M-PLUS GROUP, AUSTIN
 23 INTERNATIONAL EXPRESS, and SIMON P. YU

24 UNITED STATES DISTRICT COURT
 25 NORTHERN DISTRICT OF CALIFORNIA

26 SYMANTEC CORPORATION,
 27 Plaintiff,

28 vs.

M-PLUS INTERNATIONAL
 TECHNOLOGY, INC., et al.,
 Defendants.

Case No. C06 07868 PJH
 [Complaint Filed December 22, 2006]

**STIPULATED PERMANENT
~~PROPOSED~~ ORDER**
 AND FINAL JUDGMENT

Judge Hon. Phyllis J. Hamilton

1 JTF

1 **IT IS HEREBY STIPULATED** by and between the plaintiff,
 2 **SYMANTEC CORPORATION** (hereinafter, "Plaintiff"), and defendants
 3 **SIMON P. YU; M-PLUS INTERNATIONAL TECHNOLOGY, INC.;**
 4 **MICROPLUS INTERNATIONAL TECH., aka MICROPLUS; M-PLUS**
 5 **GROUP; and AUSTIN INTERNATIONAL EXPRESS** (hereinafter,
 6 collectively "Defendants") that the following shall be ordered as a Permanent
 7 ~~Injunction~~ ^{Order} in this matter and is so entered:

8 1. The Defendants, their directors, principals, officers, agents, servants,
 9 employees, in-house counsel, representatives, successors and assigns, and all those
 10 acting in concert or participation with them shall be, and hereby are ENJOINED
 11 from:

12 (a) Imitating, copying, manufacturing, replicating, or making any
 13 other unauthorized use, distribution or sale of products
 14 protected by Plaintiffs' registered trademarks and/or trade
 15 name, including the following trademarks and/or service
 16 marks:

- 17 (1) "Symantec" name and distinctive yellow and black logo,
 18 registration numbers 1654777, 1683688, and 2205386.
- 19 (2) "Veritas," registration number 1687640.
- 20 (3) "Norton SystemWorks", registration number 2488092,
- 21 (4) "Norton AntiVirus", registration number 1758084.
- 22 (5) "Ghost", registration number 1107115.
- 23 (6) "LiveUpdate", registration number 2243057.
- 24 (7) "Norton Utilities", registration number 1508960.
- 25 (8) "pcAnywhere", registration number 1781148.
- 26 (9) "CleanSweep", registration number 1936913.
- 27 (10) "WinFax", registration number 1757561.

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(11) "Go Back."

(12) Norton "PartitionMagic," registration number 1981682.

(13) "Backup Exec," registration number 1988765.

(b) Copying, manufacturing, replicating or making any other unauthorized use, distribution or sale of products protected by Plaintiffs' copyrights, including but not limited to the various versions of each product listed in paragraph 1.(a) above.

(c) Duplicating, manufacturing, replicating, assembling, producing, distributing, offering for distribution, selling, offering for sale, circulating, advertising, importing, exporting, marketing, promoting, printing, displaying, transferring, and/or moving any product or thing bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' registered trademarks, trade name, service marks, or copyrights, including, but not limited to, the marks and copyrights represented by the trademarks and/or service marks listed in subparagraph (a) above;

(d) Using any simulation, reproduction, counterfeit, unauthorized, copy, or colorable imitation of Plaintiffs' registered trademarks, trade name, service marks, or copyrights including, but not limited to, marks and copyrights represented by the trademarks and/or service marks listed in subparagraph (a) above, in connection with the manufacture, duplication, replication, assembly, production, distribution, offer for distribution, sale, offer for sale, circulation, advertisement, import, export, marketing, promotion, printing, display, transfer, and/or movement of any product or thing not authorized or licensed by

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Plaintiffs; engaging in any other activity constituting an infringement of Plaintiffs' trademarks or copyrights, or of Plaintiffs' rights in, or right to use or exploit said trademarks or copyrights, or constituting any dilution of Plaintiffs' name, reputation, or goodwill;

(e) Using any false designation of origin or false description which can or is likely to lead the trade or public, or individual members thereof, erroneously to believe that any product or thing has been manufactured, duplicated, replicated, assembled, produced, distributed, offered for distribution, circulated, advertised, imported, exported, marketed, promoted, printed, displayed, transferred, moved, licensed, sponsored, approved, or authorized by or for Plaintiffs;

(f) Using reproductions, counterfeits, copies, or colorable imitations of Plaintiffs' copyright and/or trademark protected software;

(g) Duplication, assembly, production, manufacture, replication, distribution, offer for distribution, sale, offer for sale, circulation, advertisement, import, export, marketing, promotion, printing, display, transfer, and/or movement, of counterfeit merchandise not authorized by Plaintiffs;

(h) Using the name, logo, or other variations thereof of Plaintiffs' copyright and/or trademark protected software in any of the Defendants' trade or corporate names;

(i) Engaging in any other activity constituting an infringement of any of Plaintiffs' trademarks, service marks, or copyrights, or of Plaintiffs' rights in, or right to use or to exploit said

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trademarks, service marks, or copyrights; and

(j) Assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (i) above.

2. This permanent ~~injunction~~^{order} shall be applicable to and prohibit acts performed within or directed towards any person or entity within the jurisdiction of this Court (the United States, its territories and possessions) and the Court shall retain jurisdiction over this action to the extent necessary to enforce and interpret this injunction.

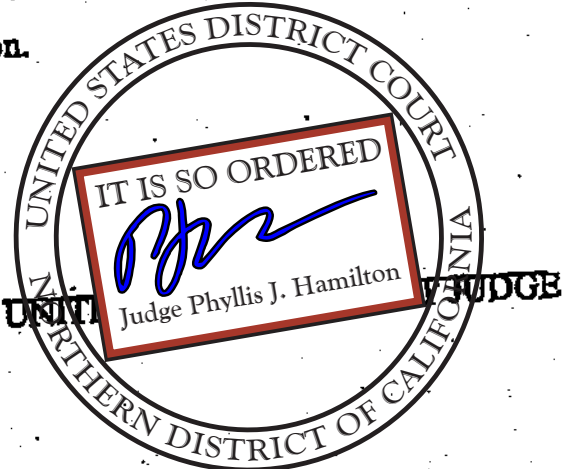
3. The Defendants shall immediately deliver to Symantec all remaining inventory of software, compact disks, floppy disks, DVDs, stampers, masters, advertisements or artwork and/or other media bearing the Symantec, Veritas, Norton, Norton Utilities, CleanSweep, Go Back, AntiVirus, PartitionMagic, pcAnywhere, Ghost, WinFax, LiveUpdate, Backup Exec, and/or SystemWorks names, marks or logos, including but not limited to all compact discs, software products, and all replication materials, equipment and parts bearing any Symantec trademark or copyrighted works. The Defendants further agree that they, their directors, principals, officers, agents, servants, employees, in-house counsel, representatives, successors and assigns, and all those acting in concert or participation with them will not manufacture, replicate, duplicate, sell, ship or resell any Norton, Symantec or Veritas product.

4. The Defendants shall make their best efforts to avoid working with any person or business entity that engages in unauthorized sales, manufacturing, duplication, replication, or distribution of Veritas, Norton and/or Symantec products. The Defendants further agree to not knowingly fulfill any order for any product which has not been authorized by Symantec. The Defendants further agree that if any such order is placed, Defendants shall immediately inform

1 Symantec and its counsel in writing of all particulars of such order, including the
 2 name, address and telephone number of the person or business entity placing the
 3 order, the product or products ordered, the quantities of each product ordered, and
 4 any other information contained in such order, and Defendants shall not fulfill
 5 such order without prior written authorization from Symantec, which Symantec
 6 may decline to give in its sole discretion.

7
8 **IT IS SO ORDERED:**

9
10 Dated: 2/6/08



11
12 **IT IS SO STIPULATED:**

13 Dated: February __, 2008

14 **PLAINTIFF**
SYMANTEC CORPORATION

15 By: [Signature]
16 Name: Joseph T. Fitzgerald
17 Its: Vice President, Legal Dep. Gen. Counsel

18 Dated: February __, 2008

19 **DEFENDANT SIMON P. YU**

20 [Signature]

21 Dated: February __, 2008

22 **DEFENDANT M-PLIS INTERNATIONAL**
TECHNOLOGY, INC.

23 By: [Signature]
24 Name: Simon Yu
25 Its: Vice President

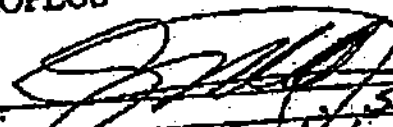
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ORDER
STIPULATED PERMANENT DISMISSAL

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Dated: February __, 2008

DEFENDANT MICROPLUS
INTERNATIONAL TECH, aka
MICROPLUS

By: 
Name: Simon Y. Li
Its: Vice President

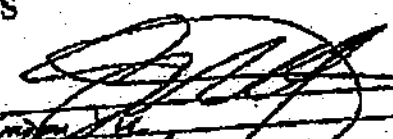
Dated: February __, 2008

DEFENDANT M-PLUS GROUP

By: _____
Name: _____
Its: _____

Dated: February __, 2008

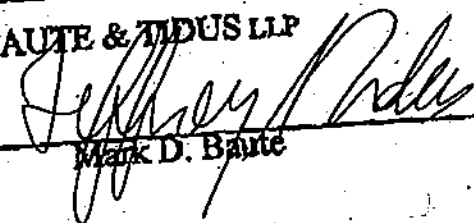
DEFENDANT AUSTIN INTERNATIONAL
EXPRESS

By: 
Name: Simon Y. Li
Its: Vice President

APPROVED AS TO FORM AND CONTENT

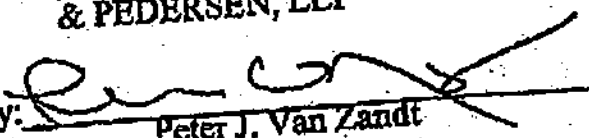
Approved for Plaintiff:

BAUTE & TIDUS LLP

By: 
Mark D. Baute

Approved for Defendants:

BLEDSON, CATHCART, DIESTEL
& PEDERSEN, LLP

By: 
Peter J. Van Zandt

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the aforesaid County, State of California; I am over 18
4 years of age and not a party to the within action; my business address is

5 _____ BAUTE & TIDUS LLP; 777 South Figueroa Street,
6 Suite 4900, Los Angeles CA 90017; Tel: (213) 630-5000

7 _____ ACE MESSENGER AND ATTORNEY SERVICE, INC.
8 811 Wilshire Boulevard, Suite 900
9 Los Angeles, CA 90017
10 Tel: (213) 623-3979

11 ✓ _____ ACE MESSENGER AND ATTORNEY SERVICE, INC.
12 149 Ninth Street, Suite 204
13 San Francisco, CA 94103
14 Tel: (415) 556-1000

15 I served the following listed documents on the interested parties in this
16 action as follows:

17 SYMANTEC v. M-PLUS INTERNATIONAL TECHNOLOGY, INC.
18 USDC, Northern District, Case No. C06 07868 PJH
19 [1740.28]

20 **STIPULATED PERMANENT ORDER**

21 ✓ _____ By Personal Service I caused such envelope to be delivered by hand to the
22 interested party as listed below.

23 _____ By Facsimile to the names and fax numbers listed below.

24 _____ By Federal Express ~ Next Business Day Delivery: by placing a true copy
25 thereof in a sealed envelope(s) and addressed to the parties listed below.

26 _____ By Mail: by placing a true copy thereof in a sealed envelope and addressed
27 to the parties listed below. I placed such envelope(s) for deposit in the U.S.
28 Mail for service by the United States Postal Service, with postage thereon
fully prepaid.

I am "readily familiar" with this firm's practice of collection and processing
correspondence for mailing. Under that practice, it would be deposited with
the U.S. Postal Service on that same day with postage thereon fully prepaid
at Los Angeles, California, in the ordinary course of business. I am aware
that, on motion of the party served, service is presumed invalid if postal
cancellation date or postage meter date is more than one day after the date
of deposit for mailing in affidavit.

BAUTE & TIDUS LLP
777 SOUTH FIGUEROA STREET, SUITE 4900
LOS ANGELES, CALIFORNIA 90017
(213) 630-5000

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By E-Mail: I caused the above-referenced document(s) to be e-mailed to the parties listed below, as noted.

Peter J. Van Zandt, Esq.
L. Jay Pedersen, Esq.
Joshua N. Rosen, Esq.
BLEDSOE, CATHCART, DIESTEL
& PEDERSEN, LLP
601 California Street, 16th Floor
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Tel: (415) 981-5411
Fax: (415) 981-0352

Attorney for Defendants
M-PLUS INTERNATIONAL
TECHNOLOGY, INC.; MICROPLUS
INTERNATIONAL TECH; M-PLUS
GROUP; AUSTIN INTERNATIONAL
EXPRESS; SIMON P. YU

[Rev. December 3, 2007]

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made, and I certify under penalty of perjury that the foregoing is true and correct.

(FEDERAL - ATTORNEY) I hereby certify that I am a member of the Bar of the United States District Court, *Central District* of California, and I certify under penalty of perjury that the foregoing is true and correct.

Executed on February 5, 2008 at Los Angeles, California.

Leticia G. Larios


signature

print name

BAUTE & TIDUS LLP
777 SOUTH FIGUEROA STREET, SUITE 4900
LOS ANGELES, CALIFORNIA 90017
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