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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

No. C 09-00027 SBA

MOLETECH GLOBAL HONG KONG
LTD,

Plaintiff,

v.

POJERY TRADING CO., POTTERY
TRADING USA,

Defendants.

ORDER

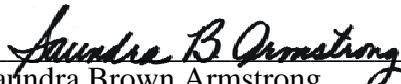
[Docket No. 10]

Before the Court is Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction and Specially Appearing Defendant Pottery Trading USA's Opposition, and papers filed in support. Counsel for Plaintiff and Specially Appearing Defendant appeared for a hearing on the motion on January 22, 2009, at 1:00 p.m.

Having considered the motion, the briefs, the affidavits and exhibits, and the oral arguments of counsel, the Court finds the Plaintiff is not entitled to injunctive relief. For the reasons stated at the hearing, the Plaintiff has not demonstrated a likelihood of success on its claims for copyright infringement, statutory unfair competition, intentional or negligent interference with prospective economic relations, and for violations of the Electronic Communications Privacy Act and the Computer Fraud and Abuse Act. In addition, the plaintiff has not demonstrated it will suffer irreparable harm absent injunctive relief, or that the balance of hardships tip in its favor. *A & M Records v. Napster*, 239 F.3d 1004, 1013 (9th Cir. 2001)

It is HEREBY ORDERED that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction is DENIED.

Dated: 1/22/09


Sandra Brown Armstrong
United States District Judge