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Attorneys for Defendants  
 KOZUMI USA CORP. and SHAO WEI HSU

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 OAKLAND DIVISION

14 UBIQUITI NETWORKS, INC., a Delaware  
 corporation,

15 Plaintiff,

16 v.

17 KOZUMI USA CORP., a Florida corporation;  
 18 SHAO WEI HSU; DOES ONE THROUGH ONE  
 HUNDRED,

19 Defendants.

Case No. 12-CV-2582-CW

**STIPULATION AND ~~PROPOSED~~  
 ORDER DISMISSING CERTAIN OF  
 UBIQUITI'S CLAIMS AND  
 DEFENDANTS' BREACH OF  
 CONTRACT COUNTERCLAIM  
 WITH PREJUDICE**

Courtroom: 2, 4th Floor  
 Judge: Hon. Claudia Wilken

Complaint filed on May 18, 2012

1 Pursuant to Federal Rule of Civil Procedure 41, the parties, by and through their  
2 respective counsel, hereby stipulate as follows:

3 WHEREAS, plaintiff Ubiquiti Networks, Inc. (“Ubiquiti”) filed the Complaint in this  
4 action on May 18, 2012;

5 WHEREAS, Ubiquiti filed a First Amended Complaint (“FAC”) on October 5, 2012,  
6 asserting claims for counterfeiting under 15 U.S.C. § 1114; trademark infringement under  
7 15 U.S.C. § 1114; false designation of origin under 15 U.S.C. §1125(a); violation of the federal  
8 Computer Fraud and Abuse Act; violation of California’s Comprehensive Computer Data Access  
9 and Fraud Act; direct copyright infringement under 17 U.S.C. § 101; contributory copyright  
10 infringement; vicarious copyright infringement; violation of California Business and Professions  
11 Code § 17200; violation of California Business and Professions Code § 17500; common law  
12 infringement and unfair competition; libel; and violation of the Tariff Act under 19 U.S.C.  
13 § 1526;

14 WHEREAS, defendants filed an Answer and Counterclaims on October 29, 2012;

15 WHEREAS, the Court granted Ubiquiti’s motion to dismiss all of defendants’  
16 counterclaims except for defendant Kozumi USA Corp.’s claim for breach of contract;

17 WHEREAS, pursuant to stipulation, Ubiquiti filed a Second Amended Complaint in this  
18 action adding Daniel Hsu as a defendant, and asserting the same claims that were asserted in the  
19 FAC;

20 WHEREAS, the parties have agreed to settle this action;

21 WHEREAS, pursuant to that settlement, Kozumi has agreed to dismiss its breach of  
22 contract counterclaim with prejudice;

23 WHEREAS, pursuant to that settlement, Ubiquiti has agreed to dismiss with prejudice all  
24 of its claims except for its trademark and copyright infringement claims;

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO  
26 THE APPROVAL OF THE COURT:

27 1. Kozumi USA Corp.’s breach of contract counterclaim is dismissed with prejudice.  
28

1           2.       Ubiquiti's claims for violation of the federal Computer Fraud and Abuse Act;  
2 violation of California's Comprehensive Computer Data Access and Fraud Act; violation of  
3 California Business and Professions Code § 17500; common law infringement and unfair  
4 competition; libel; and violation of the Tariff Act under 19 U.S.C. § 1526 are dismissed with  
5 prejudice.

6           3.       All parties will bear their own attorney's fees and costs.

7                       Respectfully submitted this 27th day of September, 2013.

8  
9 JENNIFER LEE TAYLOR  
ALEXEI KLESTOFF  
10 WHITNEY E. MCCOLLUM  
MORRISON & FOERSTER LLP

ROBERT HARKINS  
JIA-MING SHANG  
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11  
12 By: /s/ Jennifer Lee Taylor  
13 JENNIFER LEE TAYLOR

By: /s/ Robert Harkins  
ROBERT HARKINS

14           Attorneys for Plaintiff,  
UBIQUITI NETWORKS, INC.

Attorneys for Defendants,  
KOZUMI USA CORP., WILLIAM HSU  
WU and DANIEL HSU

15  
16                               **ATTESTATION**

17           I, Jennifer Lee Taylor, am the ECF User whose ID and password are being used to file this  
18 document. In compliance with Local Rule 5-1(i)(3), I hereby attest that Robert Harkins has  
19 concurred in this filing.

20  
21 Dated: September 27, 2013


/s/ Jennifer Lee Taylor  
JENNIFER LEE TAYLOR

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~~PROPOSED~~ ORDER

Pursuant to the stipulation, it is **SO ORDERED**.

Dated: 10/10/2013

  
Honorable Claudia Wilken  
Judge of the United States District Court