

**GAUNTLETT & ASSOCIATES**

David A. Gauntlett (SBN 96399)

James A. Lowe (SBN 214383)

Brian S. Edwards (SBN 166258)

18400 Von Karman, Suite 300

Irvine, California 92612

Telephone: (949) 553-1010

Facsimile: (949) 553-2050

[info@gauntlettlaw.com](mailto:info@gauntlettlaw.com)

[jal@gauntlettlaw.com](mailto:jal@gauntlettlaw.com)

[bse@gauntlettlaw.com](mailto:bse@gauntlettlaw.com)

Attorneys for Defendants

Akanoc Solutions, Inc.,

Managed Solutions Group, Inc.

and Steve Chen

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

AKANOC SOLUTIONS, INC., et al.,

Defendants.

) Case No.: C 07-3952 JW (HRL)

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**DEFENDANTS' PRELIMINARY RESPONSE  
TO PLAINTIFF'S SUPPLEMENTAL BRIEF  
RE EXTRA TERRITORIAL APPLICATION  
OF U. S. COPYRIGHT AND TRADEMARK  
LAWS, AND TO PLAINTIFF'S REQUEST  
FOR ENTRY OF JUDGMENT**

1 **I. ENTRY OF JUDGMENT WOULD BE PREMATURE BECAUSE THE PARTIES**  
2 **HAVE NOT YET COMPLETELY BRIEFED THE POST-VERDICT ISSUES THAT**  
3 **THE COURT REQUESTED**

4 During Jury deliberations, the Court requested additional briefing about whether (and if so, to  
5 what extent) the United States copyright and trademark laws applied to acts of infringement that  
6 occurred outside the United States. The Court listed several discrete questions on which it desired  
7 additional briefing.

8 The Court indicated that it would issue a briefing schedule for the issues raised. But before  
9 the Court provided one, on September 3, 2009 Plaintiff suddenly filed a “Supplemental Brief Re  
10 Applicability of U.S. Copyright and Trademark Laws to California Based Web Hosting  
11 Defendants,” combined with a one-sentence “Request for Entry of Judgment.” [Docket No. 237].

12 Defendants preliminarily respond:

13 1. Judgment should not be entered until the Court has issued its briefing schedule, the  
14 parties complete their briefing and the Court decides the issues briefed.<sup>1</sup>

15 2. Judgment also should not be entered until the parties complete their briefing on the  
16 scope and language of the permanent injunction that Plaintiff seeks.

17 Dated: September 4, 2009

**GAUNTLETT & ASSOCIATES**

19 By: /s/ James A. Lowe

20 David A. Gauntlett

21 James A. Lowe

22 Brian S. Edwards

23 Attorneys for Defendants  
24 Akanoc Solutions, Inc.,  
25 Managed Solutions Group, Inc.,  
26 and Steve Chen

27 <sup>1</sup>By submitting their prejudgment briefs in accordance with the Court’s directives, Defendants do not  
28 waive their rights to submit additional post-judgment briefing, if necessary, on the subjects pursuant  
to Fed. R. Civ. P. 50(b) or 59 should they deem it necessary to do so.