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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Dongxiao Yue, et al.,

NO. C 08-00019 JW

Plaintiffs,

FINAL JUDGMENT

v.

Chordiant Software, Inc.,

Defendant.

Pursuant to the Court's December 21, 2009 Order Re: Various Motions for Summary Judgment and Motions to Exclude Expert Testimony, judgment is entered in favor of Defendant Derek Witte against Plaintiffs Dongxiao Yue and Netbula, LLC. Plaintiffs shall take nothing from their claim against Defendant Witte.

This case was also tried to a jury, District Judge James Ware presiding. Attorneys Antonio Luis Cortes and Peter Michael Shimamoto represented Plaintiffs Dongxiao Yue and Netbula, LLC. Attorneys Laurence F. Pulgram and Jedediah Wakefield represented Defendant Chordiant Software, Inc.

The case was submitted to the jury for decision on one claim by Plaintiffs Dongxiao Yue and Netbula, LLC, against Defendant Chordiant Software, Inc. for copyright infringement under 17 U.S.C. §§ 101, *et seq.*

The Verdict form required the jury to state its finding with respect to each of four copyrighted works used by Defendant without Plaintiffs' authorization by answering written interrogatories. On May 14, 2010, the jury returned a unanimous verdict on each interrogatory

1 submitted to it. Pursuant to the jury verdict, judgment is entered in favor of Plaintiffs on Plaintiffs’
2 claim of copyright infringement as to each copyrighted work.

3 Defendant Chordiant Software, Inc. shall pay Plaintiffs Dongxiao Yue and Netbula, LLC
4 \$1,426,450¹ for actual damages and net profits pursuant to 17 U.S.C. § 504(b) within sixty (60)
5 business days after entry of this Judgment. The payment shall be made by certified check, bank
6 cashier’s check, or United States postal money order payable to either Dongxiao Yue or Netbula,
7 LLC and shall be delivered or mailed to Plaintiffs’ counsel, and shall be accompanied by a letter
8 identifying Chordiant Software, Inc. as Defendant in this action; setting forth the title and civil
9 action number of this action and the name of this Court; and specifying that payment is made
10 pursuant to this Judgment. Defendant shall pay post-judgment interest on any delinquent amounts
11 pursuant to 28 U.S.C. § 1961.

12 The Clerk shall close this file.

14 Dated: August 9, 2010



JAMES WARE
United States District Judge

26 _____
27 ¹ Although the jury awarded a total of \$1,426,420, the Court notes that the jury incorrectly
28 added the individual awards on the verdict—the sum of the individual awards is actually \$1,426,450.

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Dated: August 9, 2010

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy