

EXHIBIT A**Third Circuit**

Argentum Med., LLC v. Noble Biomaterials, No. 3:08-CV-1305, 2009 WL 1444288, at **5, 9 (M.D. Pa. May 21, 2009)

Vector Sec., Inc. v. Corum, No. Civ.A. 03-741, 2003 WL 21293767, at *4 (E.D. Pa. Mar. 21, 2003)

Fourth Circuit

Planet Techs., Inc. v. Planit Tech. Group, LLC, Civil Action No. AW-10-00149, 2010 WL 3448203, at *6 (D. Md. Sept. 2, 2010)

Sixth Circuit

Children's Orchard, Inc. v. Children's Orchard Store #142, Inc., No. 10-10143, 2010 WL 2232440, at *7 (E.D. Mich. May 28, 2010)

Seventh Circuit

United Consumers Club, Inc. v. Prime Time Mktg. Management, Inc., No. 207-CV-358JVB, 2010 WL 558548, at *7 (N.D. Ind. Feb. 9, 2010)

Eighth Circuit

Dakota Indus., Inc. v. Dakota Sportswear, Inc., 946 F.2d 1384, 1391 (8th Cir. 1991)

Ninth Circuit

Harris Rutsky & Co. Ins. Servs., Inc., v. Bell & Clements Ltd., 328 F.3d 1122, 1131 (9th Cir. 2003)

Dole Food Co. v. Watts, 303 F.3d 1104, 1114 (9th Cir. 2002)

Panavision Int'l, L.P. v. Toeppen, 141 F.3d 1316, 1321, 1322 & n.2 (9th Cir. 1998)

Columbia Pictures Television v. Krypton Broadcasting, Inc., 106 F.3d 284, 289 (9th Cir. 1997),
rev'd on other grounds, Feltner v. Columbia Pictures Television, Inc., 523 U.S. 340 (1998)

Marlyn Nutraceuticals, Inc. v. Improvita Health Prods., 663 F. Supp. 2d 841, 851 (D. Ariz. 2009)

IO Group, Inc. v. Jordon, 708 F. Supp. 2d 989, 995 (N.D. Cal. 2010)

Levi Strauss & Co. v. Toyo Enter. Co., 665 F. Supp. 2d 1084, 1093-94 (N.D. Cal. 2009)

In re Infosonics Corp. Derivative Litig., No. 06cv1336 BTM(WMc), 2007 WL 2572276, at *4 (S.D. Cal. Sept. 4, 2007)

Brayton Purcell LLP v. Recordon & Recordon, 361 F. Supp. 2d 1135, 1140-41 (N.D. Cal. 2005)

Cornelius v. DeLuca, 709 F. Supp. 2d 1003, 1012 (D. Idaho 2010)

Scentsy, Inc. v. Performance Mfg., Inc., No. CV08-553-S-EJL, 2009 WL 320334, at **4-5 (D. Idaho Feb, 9, 2009), *vacated in part on other grounds*, 2009 WL 1033734 (D. Idaho Apr. 16, 2009)

Bear Mill, Inc. v. Teddy Mountain, Inc., No. 2:07-CV-492-EJL-LMB, 2008 WL 2323483, at **6-7 (D. Idaho May 7, 2008)

Precision Craft Log Structures, Inc. v. Cabin Kit Co., No. CV05-199-S-EJL, 2006 WL 538819, at *7 (D. Idaho Mar. 3, 2006)

Tenth Circuit

Toytrackerz LLC v. Koehler, Civil Action No. 08-2297-GLR, 2009 WL 1505705, at *12 (D. Kan. May 28, 2009)

Eleventh Circuit

Alfa Corp. v. Alfa Mortgage Inc., No. 2:06-CV-00962-WKW, 2007 WL 2746644, at *4 (M.D. Ala. Sept. 18, 2007)