

Chin, J

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TWENTIETH CENTURY FOX FILM CORPORATION,  
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP,  
PARAMOUNT PICTURES CORPORATION,  
DISNEY ENTERPRISES, INC.,  
CBS BROADCASTING INC.,  
AMERICAN BROADCASTING COMPANIES, INC.  
and NBC STUDIOS, INC.,

Plaintiffs/Counterclaim-Defendants,

06 Civ. 3990 (DC)

v.

CABLEVISION SYSTEMS CORPORATION  
and CSC HOLDINGS, INC.,

Defendants/Counterclaim-Plaintiffs.

THE CARTOON NETWORK LP, LLLP and CABLE  
NEWS NETWORK LP, LLLP,

Plaintiffs/Counterclaim-Defendants,

The Cartoon Network LP, LLLP et al v. CSC Holdings, Inc. et al

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CSC HOLDINGS, INC. and CABLEVISION  
SYSTEMS CORPORATION,

06 Civ. 4092 (DC)

Defendants/Counterclaim-Plaintiffs/  
Third-Party Plaintiffs,

v.

TURNER BROADCASTING SYSTEM, INC.,  
CABLE NEWS NETWORK LP, LLP, TURNER  
NETWORK SALES, INC., TURNER CLASSIC  
MOVIES, L.P., LLLP, TURNER NETWORK  
TELEVISION LP, LLLP, and THE CARTOON  
NETWORK LP, LLP,

Third-Party Defendants.

DC

~~PROPOSED~~ JUDGMENT

This matter having been duly heard by the Honorable Denny Chin on the parties' cross-motions for summary judgment (the "Motions"), and the Court having considered the memoranda and declarations filed by the parties in support and in opposition to the Motions and the oral argument and expert testimony presented at the hearing before the Court on October 31 and November 1, 2006, and the Court having granted the Motions of plaintiffs, counterclaim-defendants and third-party defendants Twentieth Century Fox Film Corporation; Universal City Studios Productions LLLP; Paramount Pictures Corporation; Disney Enterprises, Inc.; CBS Broadcasting Inc.; American Broadcasting Companies, Inc.; NBC Studios, Inc.; The Cartoon Network, Inc. (formerly known as The Cartoon Network LP, LLLP); Cable News Network, Inc. (formerly known as Cable News Network LP, LLLP); Turner Broadcasting System, Inc.; Turner Network Sales, Inc.; Turner Classic Movies, Inc. (formerly known as Turner Classic Movies LP, LLLP); and Turner Network Television, Inc. (formerly known as Turner Network Television LP, LLLP) (collectively, "plaintiffs") and having denied the Motion of Cablevision Systems Corporation and CSC Holdings, Inc. ("defendants"),

NOW, upon the Opinion of the Honorable Denny Chin, entered March 22, 2007,  
it is hereby

**ORDERED, ADJUDGED AND DECREED that,**

1. Plaintiffs' motions for summary judgment are granted;
2. Defendants' motion for summary judgment is denied;
3. Defendants' counterclaims and third-party complaints are dismissed with prejudice;

4. Through operation of their proposed "Remote-Storage DVR" ("RS-DVR") service, Defendants would copy plaintiffs' copyrighted works, in violation of plaintiffs' exclusive right of reproduction under 17 U.S.C. § 106(1);


5. Through operation of their proposed RS-DVR service, Defendants would transmit plaintiffs' copyrighted works to the public, in violation of plaintiffs' exclusive right of public performance under 17 U.S.C. § 106(4);

6. Defendants are permanently enjoined, in connection with their proposed RS-DVR service, from (1) copying plaintiffs' copyrighted works or (2) engaging in public performances of plaintiffs' copyrighted works, unless defendants obtain licenses to do so;

7. Costs in this action shall be awarded to plaintiffs; and

8. Any application for attorneys' fees must be made within 14 days of entry of judgment, pursuant to Federal Rule of Civil Procedure 54(d)(2)(B).

SO ORDERED:

  
U.S.D.J.

Dated: New York, New York  
April 4, 2007