

The Honorable Ricardo S. Martinez

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

JAIME L. SNYDER, D/B/A
"CHEAPESTSOFTWAREANYWHERE"
AND JOHN DOES 1-10,

Defendants.

No. C08-1741 RSM

ORDER GRANTING MICROSOFT
CORPORATION'S MOTION FOR
ENTRY OF DEFAULT JUDGMENT
AND PERMANENT INJUNCTION
AGAINST DEFENDANT
JAIME L. SNYDER

Having considered plaintiff Microsoft Corporation's ("Microsoft") Motion for Default Judgment and Permanent Injunction, the Declaration of David A. Bateman, the default entered by the Clerk on filed herein, the Complaint, and all other of the relevant papers and pleadings on file with the Court in this matter,

THE COURT ORDERS AS FOLLOWS:

1. Defendant Jaime L. Snyder ("Defendant"), is liable to Microsoft for the infringement under the federal Copyright Act, 17 U.S.C. §§ 501 *et seq.*, resulting from her use in commerce of the copyrighted works TX 5-837-617 (Microsoft Office 2003), TX 5-901-713 (Microsoft Access 2003), TX 5-837-636 (Microsoft Excel 2003), TX 5-900-087 (Microsoft

ORDER GRANTING MICROSOFT CORPORATION'S
MOTION FOR ENTRY OF DEFAULT JUDGMENT
AND PERMANENT INJUNCTION - 1
CASE NO. C08-1741 RSM

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1 Outlook 2003), TX 5-852-649 (Microsoft PowerPoint 2003), TX 5-900-088 (Microsoft Word
2 2003), TX 5-837-618 (Microsoft Publisher 2003), TX 6-504-552 (Microsoft Office 2007
3 Ultimate), TX 6-524-395 (Microsoft Access 2007), TX 6-524-399 (Microsoft Excel 2007),
4 TX 6-524-390 (Microsoft Groove 2007), TX 6-524-392 (Microsoft InfoPath 2007), TX 6-
5 524-396 (Microsoft OneNote 2007), TX 6-524-393 (Microsoft Outlook 2007), TX 6-524-389
6 (Microsoft PowerPoint 2007), TX 6-524-388 (Microsoft Office Publisher 2007), and TX 6-
7 524-398 (Microsoft Office Word 2007).

8 THE COURT NOW HEREBY ORDERS that Microsoft is awarded judgment against
9 Defendant, as follows:

10	Statutory Damages	\$510,000.00
11	<u>TOTAL JUDGMENT</u>	<u>\$510,000.00</u>

12 This judgment shall accrue interest, compounded annually, pursuant to 28 U.S.C. §
13 1961.

14 2. Defendant Jaime L. Snyder and her agents, servants, employees,
15 representatives, successors, and assigns, and all those acting in concert or participation with
16 her shall be, and hereby are, PERMANENTLY ENJOINED and restrained from:

17 (a) imitating, copying, or making any other infringing use or infringing
18 distribution of the software and/or materials now or hereafter protected by the following
19 copyright Certificates Registration Numbers: TX 5-837-617 (Microsoft Office 2003), TX 5-
20 901-713 (Microsoft Access 2003), TX 5-837-636 (Microsoft Excel 2003), TX 5-900-087
21 (Microsoft Outlook 2003), TX 5-852-649 (Microsoft PowerPoint 2003), TX 5-900-088
22 (Microsoft Word 2003), TX 5-837-618 (Microsoft Publisher 2003), TX 6-504-552 (Microsoft
23 Office 2007 Ultimate), TX 6-524-395 (Microsoft Access 2007), TX 6-524-399 (Microsoft
24 Excel 2007), TX 6-524-390 (Microsoft Groove 2007), TX 6-524-392 (Microsoft InfoPath
25 2007), TX 6-524-396 (Microsoft OneNote 2007), TX 6-524-393 (Microsoft Outlook 2007),
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1 TX 6-524-389 (Microsoft PowerPoint 2007), TX 6-524-388 (Microsoft Office Publisher
2 2007), TX 6-524-398 (Microsoft Office Word 2007), in addition to any other items or works
3 now or hereafter protected by any Microsoft copyright;

4 (b) using any simulation, reproduction, counterfeit, copy or colorable imitation of
5 Microsoft's registered Trademarks, Service Mark or Copyright Registration Number,
6 including, but not limited to, those listed in paragraph (a) above, in connection with the
7 manufacture, assembly, production, distribution, offering for distribution, circulation, sale,
8 offering for sale, import, advertisement, promotion or display of any software program,
9 component, and/or item not authorized or licensed by Microsoft;

10 (c) using any false designation of origin or false or misleading description or false
11 or misleading representation that can or is likely to lead the trade or public erroneously to
12 believe that any software program, component or item has been manufactured, assembled,
13 produced, distributed, offered for distribution, circulation, sold, offered for sale, imported,
14 advertised, promoted, displayed, licensed, sponsored, approved or authorized by or for
15 Microsoft, when such is not true in fact;

16 (d) using reproductions, counterfeits, copies or colorable imitations of Microsoft's
17 copyrighted and trademark protected software and other materials in the distribution, offering
18 for distribution, circulating, sale, offering for sale, advertising, importing, promoting or
19 displaying of any merchandise not authorized or licensed by Microsoft;

20 (e) using the names, logos or other variations thereof of any of Microsoft's
21 copyright and/or trademark protected software in any of the defendants' trade or corporate
22 names;

23 (f) engaging in any other activity constituting an infringement of any of
24 Microsoft's trademarks, service mark and/or copyrights, or of Microsoft's rights in, or right to
25 sue or to exploit, these trademarks, service mark, and/or copyrights;

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ORDER GRANTING MICROSOFT CORPORATION'S
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1 (g) trafficking, distributing or intending to distribute any counterfeit or illicit
2 Microsoft Certificates of Authenticity or Certificate of Authenticity Labels or any Microsoft
3 documentation or packaging; and

4 (h) assisting, aiding, or abetting any other person or business entity in engaging in
5 or performing any of the activities referred to in paragraphs (a) through (g) above.

6 **IT IS SO ORDERED.**

7 DATED this 6 day of April, 2009.

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11 RICARDO S. MARTINEZ
12 UNITED STATES DISTRICT JUDGE
13

14 Presented By:
15 K&L GATES LLP

16 /s/ David A. Bateman
17 David A. Bateman, WSBA # 14262
18 Michelle Jensen, WSBA # 36611
19 Attorneys for Plaintiff
20 MICROSOFT CORPORATION
21 K&L GATES LLP
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ORDER GRANTING MICROSOFT CORPORATION'S
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