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THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

BARCADE, LLC,  
  
                          Plaintiff,  
  
          v.  
  
DORKY'S, INC.,  
  
                          Defendant.

Case No.: 3:11-cv-05949-RJB  
  
ORDER ON MOTION FOR ENTRY OF  
JUDGMENT BY DEFAULT AGAINST  
DEFENDANT DORKY'S, INC.  
PURSUANT TO FRCP AND LOCAL  
RULE 55(b)

Having considered the Motion for Entry of Judgment by Default filed by plaintiff Barcade, LLC ("Barcade"), and its supporting materials, and for good cause shown, it is hereby ORDERED that Barcade's Motion is GRANTED. It is further ORDERED that judgment is entered in favor of Barcade and against defendant Dorky's, Inc. ("Dorky's") and that Dorky's, its officers, directors, agents, employees and all persons in active concert or participation with it who receives actual notice of the injunction, by personal service or otherwise, is preliminarily and permanently enjoined and restrained from doing, abiding, causing or abetting any of the following:

- (a) engaging in any acts or activities directly or indirectly calculated to infringe Barcade's BARCADE® Marks;

ORDER ON MOTION FOR ENTRY OF JUDGMENT BY DEFAULT  
AGAINST DEFENDANT DORKY'S, INC. PURSUANT TO FEDERAL  
RULE 55(b)- 1

LAW OFFICES OF  
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- 1 (b) infringing or contributing to the infringement;
- 2 (c) using in selling, offering for sale, promoting, advertising, marketing or
- 3 distributing of Dorky's products or services, signage, advertisements or marketing materials
- 4 that use the term BARCADE;
- 5 (d) using any configuration or design that is confusingly similar to Barcade's
- 6 BARCADE® Marks; and
- 7 (e) otherwise competing unfairly with Barcade in any manner whatsoever.

8 It is further ORDERED that Dorky's deliver up to Barcade for destruction, at Dorky's

9 expense, any and all catalogs, web site materials, literature, brochures, packaging, signs,

10 promotional materials, advertisements and other communications to the public in the

11 possession or under the control of Dorky's, and any other material or any representations that

12 are or may contain designations similar to Barcade's BARCADE® Marks.

13 DATED this 17th day of January, 2012.

14 

15 ROBERT J. BRYAN  
16 United States District Judge

17 Presented by:

18 COZEN O'CONNOR

19 /s/ Rodney Q. Fonda

20 Rodney Q. Fonda, WSBA No. 6594  
21 Camille M. Miller, *Member of Pennsylvania and*  
22 *Illinois Bars (Not Admitted in Washington)*  
23 David M. Albert, *Member of Pennsylvania and*  
24 *New York Bars (Not Admitted in Washington)*

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ORDER ON MOTION FOR ENTRY OF JUDGMENT BY DEFAULT  
AGAINST DEFENDANT DORKY'S, INC. PURSUANT TO FEDERAL  
RULE 55(b)- 2

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