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THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a  
Washington corporation,  
  
Plaintiff,

No. C13-05234-BHS

ORDER REGARDING PERMANENT  
INJUNCTION AGAINST DEFENDANT

v.

4TH DIMENSION TECHNOLOGY, a  
Washington corporation, d/b/a 4TH  
DIMENSION COMPUTERS &  
TECHNOLOGY; and DANIEL  
PHILLIPS, an individual,  
  
Defendants.

Pursuant to the stipulation of Plaintiff Microsoft Corporation (“Microsoft”), and Defendant 4th Dimension Technology, Inc., a Washington corporation doing business as 4th Dimension Computers & Technology ( “Defendant”), the Court hereby orders that Defendant, along with its directors, principals, officers, agents, servants, employees, representatives, successors and assigns, and all those persons or entities acting in concert or participation with it, shall be and hereby are **PERMANENTLY ENJOINED** and restrained from:

(a) imitating, copying, or making any other infringing use or infringing distribution

ORDER REGARDING PERMANENT  
INJUNCTION – 1  
Case No. C13-05234-BHS  
41826-5600.0058/LEGAL26900841.1

Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1 of software programs, components, end user license agreements (“EULA”), certificates of  
2 authenticity (“COAs”), or items protected by Microsoft's registered trademarks and service mark,  
3 including, but not limited to, the following Trademark Registration Nos.:  
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- 7  
8 (1) 1,200,236 (“MICROSOFT”);  
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10 (2) 1,256,083 (“MICROSOFT”);  
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12 (3) 1,872,264 (“WINDOWS”); and  
13  
14 (4) 2,744,843 (COLORED FLAG DESIGN);  
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16  
17 or the software programs, components, EULAs, COAs, items or things protected by Certificate  
18 of Copyright Registration No. TX 5-407-055 (“Windows XP Professional”) and any other works  
19 now or hereafter protected by any of Microsoft's trademarks or copyrights;  
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23  
24 (b) manufacturing, assembling, producing, distributing, offering for distribution,  
25 circulating, selling, offering for sale, advertising, importing, promoting, or displaying any  
26 software program, component, EULA, COA, item or thing bearing any simulation, reproduction,  
27 counterfeit, copy, or colorable imitation of any of Microsoft's registered trademarks or service  
28 mark, including, but not limited to, the Trademark and Service Mark Registration Nos. listed in  
29 Paragraph (a) above;  
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38 (c) using any simulation, reproduction, counterfeit, copy, or colorable imitation of  
39 Microsoft's registered trademarks or service mark including, but not limited to, the Trademark  
40 and Service Mark Registration Nos. listed in Paragraph (a) above, in connection with the  
41 manufacture, distribution, offering for distribution, sale, offering for sale, advertisement,  
42 promotion, or display of any software, component, EULA, COA, item or thing not authorized or  
43 licensed by Microsoft;  
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(d) using any false designation of origin or false description which can or is likely to lead the trade or public or individuals erroneously to believe that any software, component, EULA, COA, item, or thing has been manufactured, produced, distributed, offered for distribution, advertised, promoted, displayed, licensed, sponsored, approved, or authorized by or for Microsoft, when such is in fact not true;

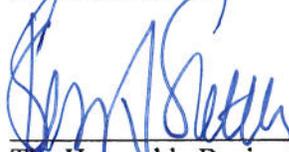
(e) engaging in any other activity constituting an infringement, under applicable law, of any of Microsoft's trademarks, service mark and/or copyrights, or of Microsoft's rights in, or right to use or to exploit these trademarks, service mark, and/or copyrights or constituting any dilution of Microsoft's name, reputation, or goodwill; and

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

**IT IS SO ORDERED:**

Dated this 11 day of July 2013.

BY THE COURT:



The Honorable Benjamin H. Settle  
United States District Judge

Presented by:

**PERKINS COIE LLP**

By: s/Holly M. Simpkins  
Holly M. Simpkins, WSBA #33297  
Attorneys For Plaintiff

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