Hon. Marsha J. Pechman 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 AUTODESK, INC. a Delaware corporation. No. C06-1637-MJP 11 Plaintiff. [PROPOSED] ORDER GRANTING 12 PLAINTIFF'S MOTION OF A PRELIMINARY INJUNCTION ٧. 13 OPEN DESIGN ALLIANCE, a 14 Washington corporation, 15 Defendant. 16 17 THIS MATTER comes before the Court on Plaintiff Autodesk, Inc.'s motion for a 18 preliminary injunction. Having reviewed the papers filed in support of and in opposition to 19 this motion (if any), and being fully advised, the Court finds that Autodesk has demonstrated 20 both a strong likelihood of success on the merits and the possibility that it faces immediate, 21 irreparable injury from Defendant's conduct. Accordingly, Autodesk is entitled to 22 provisional injunctive relief, and the Court GRANTS Autodesk's motion as follows: 23 1. Upon finding that plaintiff Autodesk has carried its burden of showing 24 (a) the possibility of irreparable injury, and (b) a likelihood of success on the merits, this 25 Preliminary Injunction is granted pursuant to Federal Rule of Civil Procedure 65, 15 U.S.C. §

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1116(a), and the inherent equitable powers of the Court.

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2. The Court hereby preliminarily RESTRAINS AND ENJOINS Defendant,
its agents, servants, employees, attorneys, and all others in active concert or participation with
Defendant, from using or simulating Autodesk's TrustedDWG technology, including but not
limited to the Autodesk watermark and/or TrustedDWG code, without Autodesk's
authorization; from distributing DWGdirect libraries or any other software programs that use,
incorporate or simulate Autodesk's TrustedDWG technology or that otherwise insert or
mimic the unauthorized Autodesk watermark and/or TrustedDWG code.
3. The Court hereby preliminarily ENJOINS Defendant, its agents, servants,
employees, attorneys, and all others in active concert or participation with Defendant, to take
corrective action as necessary to recall or otherwise replace any previously-distributed
DWGdirect libraries that simulate Autodesk's TrustedDWG technology, to identify to
Autodesk any recipients of the infringing DWGdirect libraries, and to correct any DWG files
that contain or mimic the unauthorized Autodesk watermarks or TrustedDWG code.
4 This Preliminary Injunction shall take effect immediately and shall remain in
effect pending trial in this action or further order of this Court.
5. Autodesk is directed to file proof of bond, in the amount of \$,
within three court days of this Order. The bond shall serve as security for all claims with
respect to this Preliminary Injunction, and any additional injunctive relief ordered by the
Court in this action.
DATED this day of, 2007 at a.m./p.m.
Hon. Marsha J. Pechman
United States District Judge

1	Presented by:
2 3	YARMUTH WILSDON CALFO PLLC
4	By: s/Angelo J. Calfo
5	Angelo J. Calfo, WSBA #27079 Lyle A. Tenpenny, WSBA #34883 Fourth & Madison 925 Fourth Avenue, Suite 2500
6	
7	Seattle, WA 98104 Phone: (206) 516-3800 Fax: (206) 516-3888
8	Email: acalfo@yarmuth.com
9	ltenpenny@yarmuth.com
10	Michael A. Jacobs (admitted <i>pro hac vice</i> )  Lynn M. Humphreys (admitted <i>pro hac vice</i> )
11	Morrison & Foerster LLP 425 Market Street
12	San Francisco, CA 94105-2482 Phone: (415) 268-7000
13	Fax: (415) 268-7522
14 15	Attorneys for Plaintiff Autodesk, Inc.
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## YARMUTH WILSDON CALFO PLLC