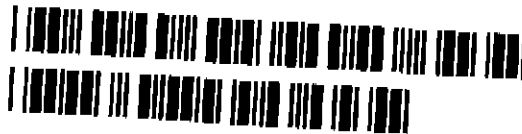


Hon. Marsha J. Pechman

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY



06-CV-01637-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AUTODESK, INC. a Delaware
corporation,

Plaintiff,

v.

OPEN DESIGN ALLIANCE, a
Washington corporation,

Defendant.

No. C06-1637-MJP

STIPULATED MOTION
AND ~~PROPOSED~~
CONSENT JUDGMENT

NOTE ON MOTION CALENDAR:

APRIL 2, 2007

In this action, plaintiff Autodesk, Inc. ("Autodesk") sued defendant Open Design Alliance ("ODA" or "Defendant") for trademark infringement and false designation of origin based on ODA's improper simulation of Autodesk's TrustedDWG™ authentication mechanism and use of the AUTODESK® trademark (U.S. Reg. No. 1,316,772). On November 22, 2006, the Court held a hearing on Autodesk's application for a temporary restraining order and order to show cause. The Court found that Autodesk had demonstrated both a strong likelihood of success on the merits and the possibility that it faced immediate, irreparable injury from ODA's conduct, and granted a temporary restraining order.

STIPULATED MOTION AND
[PROPOSED] CONSENT JUDGMENT
NO. C06-1637-MJP - Page 1

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FOURTH & MADISON
825 FOURTH AVENUE, SUITE 2500
SEATTLE WASHINGTON 98104
T 206.516.3800 F 206.518.3888

1 The parties have reached a settlement of this action. Therefore, upon the agreement
2 and joint request of the parties, the Court now orders as follows:

3 1. This Court has jurisdiction over the parties and the subject matter of this action,
4 and shall retain such jurisdiction to enforce or modify the terms of the injunction in
5 paragraph 3 below of this Consent Judgment.

6 2. ODA's simulation of Autodesk's TrustedDWG technology was not necessary
7 to achieve interoperability with Autodesk software, nor was ODA's simulation of
8 Autodesk's TrustedDWG technology necessary to achieve interoperability with the
9 software product of any third party. ODA's simulation of Autodesk's TrustedDWG
10 technology infringed Autodesk's rights in its federally registered AUTODESK® mark, in
11 violation of Sections 32 and 43 of the Lanham Act. Judgment on its claim for injunctive
12 relief under the Lanham Act is entered in favor of Autodesk.

13 3. The Court hereby permanently RESTRAINS AND ENJOINS ODA, its agents,
14 servants, employees, attorneys, and all others in active concert or participation with
15 Defendant, from simulating Autodesk's TrustedDWG technology, including but not limited
16 to the Autodesk watermark and/or TrustedDWG code, without Autodesk's authorization;
17 and from distributing DWGdirect libraries or other ODA software that use or incorporate or
18 simulate Autodesk's TrustedDWG technology or that otherwise insert or mimic the
19 unauthorized Autodesk watermark and/or TrustedDWG code. For the sake of clarity, the
20 Consent Judgment neither binds nor benefits any ODA member(s) acting on its or their own
21 accord, and not in active concert or participation with the ODA.

22 4. Autodesk dismisses WITHOUT PREJUDICE all of its claims in this action
23 other than its claim for injunctive relief under the Lanham Act. ODA dismisses WITHOUT
24 PREJUDICE all of its counterclaims in this action. For the sake of clarity, the parties agree
25 that there shall be no res judicata or collateral estoppel impact from the claims dismissed
26 WITHOUT PREJUDICE.

1 5. Each party shall bear its own costs and attorneys' fees.

2 6. The bond posted by Autodesk in conjunction with the November 22, 2006
3 Temporary Restraining Order is hereby released.

4 AGREED TO BY:

5 Dated: April 2, 2007.

6 YARMUTH WILSDON CALFO PLLC

7 By: s/Angelo J. Calfo

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9 Lyle A. Tenpenny, WSBA #34883

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24 Attorneys for Plaintiff Autodesk, Inc.

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26 MEHLHAF, P.C.

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FENWICK & WEST LLP

By: s/Rodger R. Cole

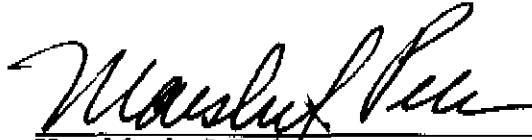
Tyler A. Baker (admitted *pro hac vice*)
Stuart P. Meyer (admitted *pro hac vice*)
Rodger R. Cole (admitted *pro hac vice*)
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rmarton@fenwick.com

Attorneys for Defendant Open Design Alliance

ORDER

IT IS SO ORDERED.

Dated this 3 day of April, 2007.



Hon. Marsha J. Pechman
United States District Judge

CERTIFICATE OF SERVICE

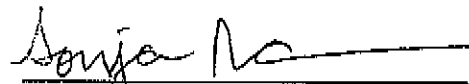
I hereby certify that on this date, I electronically filed the forgoing Consent Judgment with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to:

Tyler A. Baker	tbaker@fenwick.com
Rodger R. Cole	rcole@fenwick.com
Jeffrey M. Edelson	JeffEdelson@MHGM.com
Lynn A. Humphreys	lhumphreys@mof.com
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Ryan J. Marton	rmarton@fenwick.com
Ilana S. Rubel	irubel@fenwick.com
Stuart P. Meyer	smeyer@fenwick.com

I hereby certify that I have mailed by United States Postal Service the documents to the following non CM/ECF participants: None.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 2nd day of April, 2007 at Seattle, Washington.



Sonja Rasmussen
Legal Assistant