

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AMARETTO RANCH BREEDABLES,

No. C 10-05696 CRB

Plaintiff,

PRELIMINARY INJUNCTION

v.

OZIMALS, INC,

Defendant.

_____ /
This Court entered a Temporary Restraining Order (TRO) in this matter on December 21, 2010 and set a preliminary injunction hearing for January 11, 2011. Plaintiff filed its motion for a preliminary injunction December 28, 2010. On January 6, 2011, Defendant filed a Statement of Non-Opposition to Plaintiff’s motion. Accordingly, the Court Orders as follows:

- The TRO shall remain in effect until Ozimals withdraws any and all Digital Millennium Copyright Act (DMCA) notifications it has lodged with Linden Research, Incorporated. Ozimals is directed to withdraw the DMCA notifications forthwith.
- Once the DMCA notifications have been withdrawn, the TRO will dissolve and a preliminary injunction on the following terms shall automatically issue:
 - Ozimals is enjoined from serving or attempting to enforce any DMCA notifications seeking the removal of Plaintiff’s virtual

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horses and food products (the “Horse Product Line”) from the Second Life virtual world.

- This preliminary injunction shall remain in effect during the pendency of this action, or until such further date as set by the Court or stipulated by the parties.
- Plaintiff shall maintain its bond in the amount of twenty-five thousand dollars (\$25,000.00), as payment of damages to which Defendant may be entitled for a wrongful injunction or restraint, during the pendency of this action, or until further Order of the Court.

The hearing on Plaintiff’s motion for preliminary injunction is VACATED. The Court will instead hold a status conference at 10:00 a.m. on January 11, 2011.

IT IS SO ORDERED.

Dated: January 7, 2011



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE