

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

<p>AMERICAN SOCIETY FOR TESTING AND MATERIALS d/b/a/ ASTM INTERNATIONAL;</p> <p>NATIONAL FIRE PROTECTION ASSOCIATION, INC.; and</p> <p>AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR CONDITIONING ENGINEERS,</p> <p style="text-align: center;">Plaintiffs/ Counter-Defendants,</p> <p>v.</p> <p>PUBLIC.RESOURCE.ORG, INC.,</p> <p style="text-align: center;">Defendant/ Counter-Plaintiff.</p>	<p style="text-align: center;">Case No. 1:13-cv-01215-TSC</p>
--	---

PROPOSED ORDER AND INJUNCTION

Having reviewed the record and the applicable law, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for Summary Judgment and Permanent Injunction is GRANTED. The Court finds that Defendant infringed Plaintiffs' copyrights and trademarks when it copied Plaintiffs' standards and posted its copies of Plaintiffs' standards on the internet.

Having determined that Defendant's actions constitute copyright and trademark infringement, the Court also finds that a permanent injunction is necessary. Plaintiffs have been and will continue to be irreparably harmed by Defendant's actions and Plaintiffs' harm is not redressable through remedies available at law. In contrast to the harm that will result to Plaintiffs from the continued availability of their standards on the internet with no restrictions, Defendant will suffer no harm if it must cease its infringing activities. The public interest will also be served from the entry of an injunction.

It is therefore hereby ORDERED that, within 5 days of the date of this Order, Defendant remove all versions of standards owned by Plaintiffs from its website, the Internet Archive, and any other website within its possession, custody or control.

It is further ORDERED that, within 5 days of the date of this Order, Defendant destroy all copies of Plaintiffs' standards that were made by Defendant or its agents, servants, employees and all those in active concert with Defendant.

It is further ORDERED that Defendant, its officers, agents, servants, employees and attorneys, and all those in active concert with it or in participation with it, be permanently restrained and enjoined from:

- (1) All further unauthorized reproduction, distribution and/or display of versions of Plaintiffs' standards by any means or method and from preparation of derivative works based upon any standards published by Plaintiffs; and
- (2) All use of any trademarks owned by Plaintiffs, as well as any colorable imitations thereof or confusingly similar marks.

It is further ORDERED that Defendant shall post this Order at the top of the home page (www.law.resource.org) in 12-point type or larger within 5 days of the date of this Order, for a period of not less than two years.

It is further ORDERED that Defendant shall file a declaration under penalty of perjury state that it has complied with the requirements set forth above within 10 days of the date of this Order.

IT IS SO ORDERED.

Dated: _____

TANYA S. CHUTKAN
UNITED STATES DISTRICT JUDGE