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 13 REDBUBBLE, INC.

14 *(Additional counsel continued on following page)*

15 IN THE UNITED STATES DISTRICT COURT  
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 17 OAKLAND DIVISION

18 ATARI INTERACTIVE, INC.,

19 Plaintiff,

20 v.

21 REDBUBBLE, INC.,

22 Defendant.

Case No. 4:18-cv-03451-JST

**~~JOINT PROPOSED FORM OF JUDGMENT~~**

Ctrm: 6 – 2<sup>nd</sup> Floor  
 Judge: Honorable Jon S. Tigar

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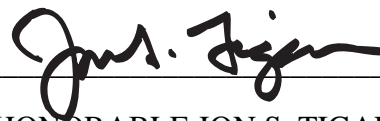
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9 Attorneys for Defendant  
REDBUBBLE, INC.  
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1 This action came before the Court for a jury trial from October 25, 2021 to November 3, 2021.  
2 On November 4, 2021, the jury returned its verdict in favor of Defendant Redbubble, Inc. and against  
3 Plaintiff Atari Interactive, Inc. In accordance with that verdict, as well as the Court's prior orders, and  
4 the parties' pretrial stipulation, ECF No. 164, the Court orders and adjudges:

- 5 1. Defendant Redbubble, Inc. did not counterfeit the Atari Fuji mark, USPTO Reg. No.  
6 4,214,210, directly or vicariously.
- 7 2. Defendant Redbubble, Inc. did not counterfeit the Pong mark, USPTO Reg. No. 4,324,683,  
8 directly or vicariously.
- 9 3. Defendant Redbubble, Inc. did not infringe the Atari Fuji mark, USPTO Reg. No. 4,214,210,  
10 directly or vicariously.
- 11 4. Defendant Redbubble, Inc. did not infringe the Pong mark, USPTO Reg. No. 4,324,683,  
12 directly or vicariously.
- 13 5. Defendant Redbubble, Inc. did not infringe any copyright owned by Plaintiff Atari Interactive,  
14 Inc. in the graphics or artwork associated with *Adventure*, *Asteroids*, *Breakout*, *Centipede*,  
15 *Missile Command*, *Pong*, or *Yar's Revenge*.
- 16 6. All remaining claims in Plaintiff Atari Interactive, Inc.'s Complaint (ECF No. 1) are  
17 dismissed with prejudice.
- 18 7. Costs are to be awarded to Defendant Redbubble, Inc., subject to the guidelines set forth in  
19 L.R. 54.
- 20 8. The Clerk is ordered to close this case.

21  
22 DATED: November 18, 2021



23 THE HONORABLE JON S. TIGAR  
24 UNITED STATES DISTRICT COURT JUDGE

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Jointly proposed by:

Dated: November 18, 2021

DURIE TANGRI LLP

By:                                 /s/ Matthaeus Martino-Weinhardt  
MATTHAEUS MARTINO-WEINHARDT

Attorney for Defendant  
REDBUBBLE, INC.

Dated: November 18, 2021

BROWNE GEORGE ROSS  
O'BRIEN ANNAGUEY & ELLIS LLP

By:                                 /s/ George Laiolo  
George Laiolo

Attorney for Plaintiff  
ATARI INTERACTIVE, INC.

**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Matthaeus Martino-Weinhardt, attest that concurrence in the filing of this document has been obtained.

Dated: November 18, 2021

                                /s/ Matthaeus Martino-Weinhardt  
MATTHAEUS MARTINO-WEINHARDT