

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MICROSOFT CORPORATION, a)
Washington corporation,)
)
Plaintiff,)
)
v.)
)
JOHN DOES 1-2, CONTROLLING A)
COMPUTER NETWORK AND)
THEREBY INJURING PLAINTIFF)
AND ITS CUSTOMERS)
)
Defendants.)
)

Civil Action No. 1:22-cv-607 (AJT/WEF)

PRELIMINARY INJUNCTION ORDER

This matter is before the Court on Plaintiff Microsoft Corporation’s Motion for a Preliminary Injunction [Doc. No. 21] (the “Motion”). On May 27, 2022, the Court entered an Order granting Plaintiff’s request for a Temporary Restraining Order [Doc. No. 16] (the “TRO Order”). On June 2, 2022, Plaintiff filed a Notice of Execution of the TRO Order and moved to unseal the case. [Doc. Nos. 18-19.] Since that time, Defendants have not appeared in this matter, including at the preliminary injunction hearing held on June 10, 2022. Nor have the Defendants filed an opposition to the Motion. Accordingly, upon consideration of the Motion for Preliminary Injunction, the arguments of counsel presented at the hearing held on June 10, 2022, for those reasons stated at the hearing, and upon incorporation of the findings and conclusions of the Court’s TRO Order, the Court finds and concludes that, pursuant to Federal Rule of Civil Procedure 65(a), a sufficient showing has been made to continue to restrain Defendants and therefore the Motion for Preliminary Injunction is GRANTED.

Accordingly, it is hereby

ORDERED that Plaintiff's Motion for Preliminary Injunction [Doc. No. 21] be, and the same hereby is, GRANTED; it is further

ORDERED that, Defendants, Defendants' representatives, and persons who are in active concert or participation with Defendants, are restrained and enjoined from: (1) intentionally accessing and sending malicious software or code to Microsoft and the protected computers and operating systems of Microsoft and Microsoft's customers, without authorization, in order to infect those computers; (2) intentionally attacking and compromising computers or computer networks of Microsoft or Microsoft's customers, to monitor the activities of the owners or users of those computers or computer networks, and to steal information from those computers or networks; (3) configuring, deploying, operating, or otherwise participating in or facilitating a command and control infrastructure described in the TRO Application, including but not limited to the command and control software hosted at and operating through the Internet domains set forth in **Appendix A** to the TRO Order and through any other component or element of the command and control infrastructure at any location; (4) stealing information from Microsoft's customers; (5) misappropriating that which rightfully belongs to Microsoft, its customers, or in which Microsoft or its customers have a proprietary interest; (6) downloading or offering to download additional malicious software onto the computers of Microsoft's customers; or (7) undertaking any similar activity that inflicts harm on Microsoft, Microsoft's customers, or the public; it is further

ORDERED that, Defendants, Defendants' representatives, and persons who are in active concert or participation with Defendants are enjoined from (1) using and infringing Microsoft's trademarks, including specifically Microsoft's registered trademarks "Microsoft," "Windows," "Azure," "Outlook," and "Office 365," and/or other trademarks, trade names, service marks, or Internet Domain addresses or names, or any confusingly similar variant; (2)


using in connection with Defendants' activities, products, or services any false or deceptive designation, representation or description of Defendants or of their activities, whether by symbols, words, designs or statements, which would damage or injure Microsoft or give Defendants an unfair competitive advantage or result in deception of consumers; or (3) acting in any other manner which suggests in any way that Defendants' activities, products or services come from or are somehow sponsored by or affiliated with Microsoft, or passing off Defendants' activities, products or services as Microsoft's; it is further

ORDERED that the domains set forth in Appendix A to the Complaint and **Appendix A** to the TRO Order shall be maintained by Microsoft in its account at the domain registrar MarkMonitor. The purpose of this paragraph is to ensure that Microsoft has control over the hosting and administration of the domain in its registrar account at MarkMonitor or such other registrar specified by Microsoft. Microsoft shall provide to the domain registry or registrar of record any requested registrar information or account details necessary to effectuate the foregoing; it is further

ORDERED that copies of this Order and all other pleadings and documents in this action may be served by any means authorized by law, including (1) transmission by email, facsimile, mail and/or personal delivery to the contact information provided by Defendants to Defendants' domain registrars and/or hosting companies and as agreed to by Defendants in the domain registration and/or hosting agreements, (2) publishing notice on a publicly available Internet website, (3) by personal delivery upon Defendants, to the extent Defendants provided accurate contact information in the U.S.; or (4) personal delivery through the Hague Convention on Service Abroad or similar treaties upon Defendants, to the extent Defendants provided accurate contact information in foreign countries that are signatory to such treaties.

The Clerk is directed to forward copies of this Order to all counsel of record.

IT IS SO ORDERED



Anthony J. Trenga
United States District Judge

Entered this 10th day of June, 2022
Alexandria, Virginia