



infected and has directed them to tools that can be used to remove the infection. Additionally, Microsoft will soon begin actively working with the Internet service providers providing connectivity to the infected computers, as well as the various Computer Emergency Response Teams around the world, to further reduce the number of infected computers.

**B.     DISABLING THE BAMITAL BOTNET**

Microsoft is continuing to take measures to block the operators of Bamital from generating a new command and control infrastructure on the Internet in defiance of the Court's Temporary Restraining Order and Preliminary Injunction. Pursuant to the Court's order, Microsoft is working with Internet Corporation for Assigned Names and Numbers ("ICANN"), various Internet registrars, and other organizations, both domestic and foreign, to block the Bamital operators from setting up new domains through which they would otherwise be able to connect with and coordinate the activities of the infected end-user computers. Since January 31, 2013, Microsoft has registered or otherwise blocked the Bamital operators from registering approximately 7,202 domains.

**C.     PURSUING DISCOVERY TO IDENTIFY THE BOTNET OPERATORS**

In spite of taking the steps described in its February 12, 2013 Status Report re Preliminary Injunction, the remaining Doe defendants have not come forward. Therefore, Microsoft has begun the process of discovery as authorized by the Court, directed at identifying the defendants and obtaining detailed contact information on them in order to provide notice and serve process upon them. Microsoft is pursuing all viable leads and awaiting responses to outstanding requests and subpoenas. Microsoft has served subpoenas on ten companies, and is attempting service on several others, all of which Microsoft has identified as providing various services to the Defendants in relation to their operation of the Bamital botnet including, domain-

name registration, privacy, and e-mail services. Because the subpoena recipients generally need to give their customers notice of the subpoena and an opportunity to object, as well as time to gather responsive information, Microsoft has only recently received one substantive response, which it is reviewing. Microsoft is continuing to aggressively follow-up on additional leads as they are generated through its investigation.

Dated: March 15, 2013      Respectfully submitted,

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**Certificate of Service**

I hereby certify that on the 15<sup>th</sup> day of March, 2013, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system. Copies of the foregoing were also served on the defendants listed below by electronic mail:

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