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

ALACRITECH, INC.,  
Plaintiff,

No. C 04-03284 JSW

v.

MICROSOFT CORPORATION,  
Defendant.

**PRELIMINARY INJUNCTION**

Effective on Alacritech Inc.'s filing of the undertaking described in the order this Court issued on April 12, 2005 granting Alacritech's motion for preliminary injunction, IT IS HEREBY ORDERED that defendant Microsoft Corporation is ENJOINED, pending final determination on the merits of this action or further order from this Court, from:

- 1) making, using, selling, offering for sale or importing into the United States any operating system that includes TCP Chimney software; and
- 2) making, using, selling, offering for sale or importing into the United States any TCP Chimney software that can be incorporated in an operating system.

**IT IS SO ORDERED.**

Dated: April 13, 2005

/s/ Jeffrey S. White  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE