

1 Venkat Balasubramani (SBN 189192)

2 **FOCAL PLLC**

3 800 Fifth Ave., Suite 4100

4 Seattle, WA 98104

5 Phone: (206) 529-4827

6 Fax: (206) 260-3966

7 E-mail: venkat@focallaw.com

8 Attorneys for Defendant and

9 Counterclaim Plaintiff

10 PADMAPPER, INC.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN FRANCISCO DIVISION

14 CRAIGSLIST, INC., a Delaware corporation,

15 Plaintiff,

16 v.

17 3TAPS, INC., a Delaware corporation;  
18 PADMAPPER, INC., a Delaware corporation;  
19 DISCOVERY HOME NETWORK, INC., a  
20 Delaware corporation d/b/a LOVELY, BRIAN  
21 R. NIESSEN, an individual, and DOES 1  
22 THROUGH 25, inclusive,

23 Defendants.

Case No. CV-12-03816 CRB

**[PROPOSED] ORDER GRANTING  
PADMAPPER, INC.'S LIMITED MOTION  
TO DISMISS**

Judge: Hon. Charles R. Breyer

Date: February 15, 2013

Time: 10:00 a.m.

Courtroom: 6

24 PADMAPPER, INC., a Delaware corporation,

25 Counterclaim Plaintiff,

26 v.

27 CRAIGSLIST, INC., a Delaware corporation,

28 Counterclaim Defendant.

1 Plaintiff craigslist, Inc. (“Plaintiff” or “craigslist”) filed its First Amended Complaint  
2 (“FAC”) against PadMapper, Inc. (“PadMapper”), 3Taps, Inc., Discovery Home Network, Inc.  
3 d/b/a Lovely, Brian R. Niessen, and Does 1 through 25, seeking injunctive relief and damages  
4 based on seventeen causes of action. PadMapper moves to dismiss Plaintiff’s claims for  
5 trespass, federal trademark infringement, federal false designation of origin, California  
6 trademark infringement, common law trademark infringement, and breach of contract, to the  
7 extent Plaintiff’s breach of contract claim is premised upon alleged copying, displaying,  
8 distributing or making derivative use of craigslist content in violation of the craigslist website’s  
9 Terms of Use.

10 For the reasons discussed at the hearing on February 15, 2013, and the reasons stated in  
11 PadMapper’s memorandum and reply in support of the motion, PadMapper’s motion to dismiss  
12 is GRANTED.

13 **IT IS SO ORDERED.**

14  
15  
16 Dated:

\_\_\_\_\_  
CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

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19 Presented by:

20 **FOCAL PLLC**

21 By: /s/ Venkat Balasubramani  
22 Venkat Balasubramani (SBN 189192)

23 Attorneys for Defendant and  
24 Counterclaim Plaintiff  
25 PADMAPPER, INC.  
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