

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

JOHN STEPHENSON)	
)	
Plaintiff,)	
)	
v.)	Case No. 09-CV-698-TCK-FHM
)	
MVP NETWORK ONLINE GAMES, INC., and)	
MVP NETWORK, INC.)	
)	
Defendants.)	

DEFAULT JUDGMENT

Before the Court is the Motion for Default Judgment filed by Plaintiff, John Stephenson. On October 29, 2009, Plaintiff filed his Complaint in the above styled matter alleging patent infringement of U.S. Patent No. 6,174,237 and seeking damages and injunctive relief. On February 10, 2010, service of process was had on the Defendants. The Defendants, however, failed to answer, plead or otherwise defend against this action. On September 7, 2010, the Clerk of the Court entered an Entry of Default against the Defendants in accordance with Fed. R. Civ. P 55(a) and Local Rule 55.1(a). The Plaintiff now seeks an entry of default judgment against the Defendants pursuant to Fed. R. Civ. P 55(b) and Local Rule 55.1(b).

The Court, having reviewed the pleadings and relevant legal authority, and being fully advised, finds that default judgment should be entered against the Defendants because they failed to answer, plead or otherwise defend in this proceeding and is in default under Federal Rule of Civil Procedure 55(a). The Motion for Default Judgment (Docs. 10 and 12) are GRANTED.

Based on the allegations contained in the Complaint and Defendants' failure to answer the Complaint, the Court finds that the Plaintiff has established his case as a matter of law, and as such, it is hereby

ORDERED, ADJUDGED and DECREED that:

- a. Defendants are hereby permanently enjoined from using, selling and offering to sell products and/or services that incorporate a method of play having a qualification round of game play and a playoff round of game play, all performed over an interactive computer system, including, but not limited to, Defendants' game entitled "GOLDEN FAIRWAY", which is an online game having a golf theme; and
- b. That a hearing on the issue of damages will be set for the **3rd day of May, 2011, at 1:30 p.m.**, and that prior to the said hearing, Plaintiff will be allowed to conduct discovery into Defendants' financial transactions involving all of Defendants' products and/or services that incorporate a method of play having a qualification round of game play and a playoff round of game play, all performed over an interactive computer system, including, but not limited to, Defendants' game entitled "GOLDEN FAIRWAY".

IT IS SO ORDERED this 26th day of January, 2011.



TERENCE C. KERN
United States District Judge