

<b>USDC SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> <b>DOC #:</b> _____ <b>DATE FILED:</b> <u>OCT 23 2014</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN BROADCASTING COMPANIES, INC.  
ET AL.,

Plaintiffs,

-v-

AEREO, INC.,

Defendant,

-----X  
WNET ET AL.,

Plaintiffs,

-v-

AEREO, INC.,

Defendant,

-----X

12-cv-1540

ORDER GRANTING  
PRELIMINARY  
INJUNCTION

12-cv-1543

### PRELIMINARY INJUNCTION

This Court, having considered all the submissions in support of, and in opposition to, the Motion for Preliminary Injunction filed by Plaintiffs WNET, THIRTEEN, Fox Television Stations, Inc., Twentieth Century Fox Film Corporation, WPIX, LLC, Univision Television Group, Inc., The Univision Network Limited Partnership, Public Broadcasting Service, American Broadcasting Companies, Inc., Disney Enterprises, Inc., CBS Broadcasting Inc., CBS Studios Inc., NBCUniversal Media, LLC, NBC Studios, LLC, Universal Network Television, LLC, Telemundo Network Group LLC, and WNJU-TV Broadcasting LLC, all matters presented at the hearing on this Motion, and *American Broadcasting Co. v. Aereo, Inc.*, 134 S. Ct. 2498 (2014), overturning *WNET, Thirteen v. Aereo, Inc.*, 712 F.3d 676 (2d Cir. 2013), and remanding

this case for further proceedings before this Court consistent with that opinion, and good cause appearing, hereby GRANTS the Motion and ORDERS THAT:

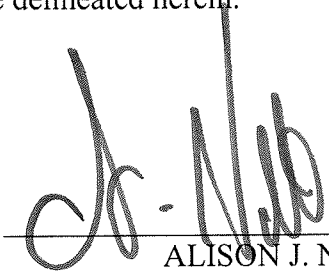
1. For purposes of this Preliminary Injunction, the following definitions shall apply:
  - a. “Plaintiffs” shall mean Plaintiffs WNET, THIRTEEN, Fox Television Stations, Inc., Twentieth Century Fox Film Corporation, WPIX, LLC, Univision Television Group, Inc., The Univision Network Limited Partnership, Public Broadcasting Service, American Broadcasting Companies, Inc., Disney Enterprises, Inc., CBS Broadcasting Inc., CBS Studios Inc., NBCUniversal Media, LLC, NBC Studios, LLC, Universal Network Television, LLC, Telemundo Network Group LLC, and WNJU-TV Broadcasting LLC.
  - b. “Defendant” shall mean Defendant Aereo, Inc. (formerly known as Bamboom Labs, Inc.).
  - c. “Copyrighted Programming” shall mean each of those broadcast television programming works, or portions thereof, whether now in existence or later created, including but not limited to original programming, motion pictures and newscasts, in which the Plaintiffs, or any of them, (or any parent, subsidiary, or affiliate of any of the Plaintiffs) owns or controls an exclusive right under the United States Copyright Act, 17 U.S.C. §§ 101 et seq.
2. Pending a final resolution of this action, Defendant, and all of its parents, subsidiaries, affiliates, officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of this Order (the “Enjoined Parties”) are preliminarily enjoined from streaming, transmitting, retransmitting, or otherwise publicly performing any Copyrighted Programming over the Internet (through

websites such as aereo.com), or by means of any device or process throughout the United States of America, while the Copyrighted Programming is still being broadcast.

3. Violation of this Preliminary Injunction shall expose Defendant and all other persons bound by this Preliminary Injunction to all applicable penalties, including contempt of Court.
4. Within three court days of the effective date of this Preliminary Injunction, Defendant shall file and serve a report in writing and under oath setting forth in detail the manner and form with which Defendant has complied with the Preliminary Injunction.
5. Nothing herein shall restrict Plaintiffs' ability to seek permanent injunctive relief with terms that are broader in scope than those delineated herein.

SO ORDERED.

Dated: Oct 23, 2014  
New York, New York



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ALISON J. NATHAN  
United States District Judge