

as here, no factual issues remain for trial. *Gibson Guitar Corp. v. Paul Reed Smith Guitars, LP*, 423 F.3d 539, 546 (6th Cir. 2005).

Plaintiffs have established, through affidavits and other evidence, each of the four factors. Plaintiffs expend significant sums to create security measures to combat illegal interception or piracy of their television services. Television services piracy requires constant vigilance and continuous upgrades and improvement to security systems. Nevertheless, piracy is pervasive and television service providers lose revenue to pirates. The damage to providers from piracy is irreparable because it is nearly impossible to calculate and the injury cannot be compensated by money damages alone. The balance of the hardships weighs heavily in favor of the providers. Those who pirate television services are not being shut out of the market, they are simply being required to pay for those services. The public's interest is served by protecting intellectual property and enforcing federal law. The public may also be served through lower costs, as piracy is reduced.

For these reasons, Plaintiffs are entitled to a permanent injunction against Defendants. Defendants are permanently enjoined from:

- (1) intercepting Plaintiffs' satellite television transmissions without Plaintiffs' authorization through any means including Internet Key Sharing (also known as Control Word Sharing);
- (2) assisting others in intercepting Plaintiffs' satellite television transmission without Plaintiffs' authorization through any means including Internet Key Sharing (also known as Control Word Sharing);
- (3) testing, analyzing, reverse engineering, manipulating or otherwise extracting codes or other technological information or data from Plaintiffs' satellite television receivers, access

cards, data stream or any other part or component of Plaintiffs' security system or other technology used to gain access to DISH Network programming including through the use of Internet Key Sharing (also known as Control Word Sharing).

(2) The permanent injunction shall take effect immediately.

(3) The Court retains jurisdiction over this action for the purpose of enforcing this permanent injunction.

IT IS SO ORDERED.

Date: May 12, 2017

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge