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Prayer for Relief

WHEREFORE, PSYSTAR PRAYS FOR RELIEF AS FOLLOWS:

- 1. Entering judgment for PSYSTAR against APPLE on all counts;
- 2. Declare APPLE’s actions with respect to its EULA to be a misuse of copyrights thereby making said copyrights unenforceable so long as the misuse of those copyrights with respect to its EULA continues;
- 3. Declare APPLE’s actions with respect to its claims under the DMCA to be a misuse of copyrights thereby making any copyright purportedly protected through enforcement of the DMCA unenforceable so long as to the misuse of those copyrights continues;
- 4. Declare APPLE’s actions with respect to the misuse of its copyrights in conjunction with its EULA to constitute unfair competition;
- 5. Declare APPLE’s actions with respect to the misuse of its copyrights in conjunction with the DMCA to constitute unfair competition;
- 6. Enter such other preliminary and permanent injunctive relief as is necessary and appropriate to **restore prohibit** attempts to enforce otherwise unenforceable copyrights as those copyrights concern APPLE’s misuse of the same;
- 7. An award of attorney’s fees as allowed for under California Code of Civil Procedure § 1021.5; and
- 8. That the Court enter such additional relief as it may find just and proper.

Dated: December 8, 2008

CARR & FERRELL *LLP*

By: /s/ Colby B. Springer
 ROBERT J. YORIO
 COLBY B. SPRINGER
 CHRISTOPHER P. GREWE
 Attorneys for Defendant/Counterclaimant
 PSYSTAR CORPORATION