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13 *Attorneys for Plaintiff Chanel, Inc.*

14 THE UNITED STATES DISTRICT COURT
 15 FOR THE DISTRICT OF NEVADA

16 CHANEL, INC.,)	Case No. 2:11-cv-01508-KJD-PAL
)	
17 Plaintiff,)	
)	STIPULATED CONSENT FINAL
18 v.)	JUDGMENT AND PERMANENT
)	INJUNCTION
19)	
20 THE PARTNERSHIPS and)	
21 UNINCORPORATED ASSOCIATIONS)	
IDENTIFIED ON SCHEDULE "A" and)	
22 DOES 1-1000,)	
)	
23 Defendants.)	

24
 25 Plaintiff, Chanel, Inc. ("Chanel") and Terry Smith d/b/a Defendant 230 – fashions4life.com
 26 (the "Defendant") stipulate and consent to the following:

27 **WHEREAS**, the Defendant adopted and began using trademarks in the United States which
 28 infringed Chanel's various registered trademarks: CHANEL, J12, , , , ,  (the

1 “Chanel Marks”) as identified in Paragraph 13 of Chanel’s Complaint;

2 **WHEREAS**, the Defendant’s use of names and marks which allegedly incorporate one or
3 more of the Chanel Marks is likely to cause confusion as to source or origin;

4 **WHEREAS**, the parties desire to settle and have amicably resolved their dispute to each of
5 their satisfaction; and

6 **WHEREAS**, based upon Chanel’s good faith prior use of the Chanel Marks, Chanel
7 has superior and exclusive rights in and to the Chanel Marks in the United States and any
8 confusingly similar names or marks.

9 IT IS STIPULATED, ORDERED, ADJUDGED AND DECREED that:

10 1. The Defendant and his respective officers, agents, owners, servants, employees and
11 attorneys, and all persons in active concert and participation with them are hereby permanently
12 restrained and enjoined from:

- 13 A. manufacturing or causing to be manufactured, importing, advertising, or
14 promoting, distributing, selling or offering to sell counterfeit and infringing
15 goods bearing the Chanel Marks individually or through any current or future
16 website owned and/or operated by the Defendant, including, without
17 limitation, fashions4life.com; including using the Chanel name and/or
18 trademarks in the meta data associated with any websites;
- 19 B. using the Chanel Marks in connection with the sale of any unauthorized
20 goods;
- 21 C. using any logo, and/or layout which may be calculated to falsely advertise the
22 services or products of the Defendant as being sponsored by, authorized by,
23 endorsed by, or in any way associated with the Plaintiff;
- 24 D. falsely representing the Defendant as being connected with the Plaintiff,
25 through sponsorship or association,
- 26
27
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- 1 E. engaging in any act which is likely to falsely cause members of the trade
2 and/or of the purchasing public to believe any goods or services of the Chanel,
3 are in any way endorsed by, approved by, and/or associated with the Plaintiff;
- 4 F. using any reproduction, counterfeit, copy, or colorable imitation of the
5 Chanel Marks in connection with the publicity, promotion, sale, or advertising
6 of any goods sold by the Defendant, including, without limitation, handbags,
7 wallets, shoes, boots, sunglasses, scarves, tee shirts, watches, and costume
8 jewelry, including necklaces, bracelets, earrings, brooches, and rings;
- 9 G. affixing, applying, annexing or using in connection with the sale of any
10 goods, a false description or representation, including words or other
11 symbols tending to falsely describe or represent the Defendant's goods as
12 being those of the Plaintiff, or in any way endorsed by the Plaintiff;
- 13 H. offering such goods in commerce; and from otherwise unfairly competing
14 with the Plaintiff.
- 15 I. secreting, destroying, altering, removing, or otherwise dealing with the
16 unauthorized products or any books or records which contain any information
17 relating to the importing, manufacturing, producing, distributing, circulating,
18 selling, marketing, offering for sale, advertising, promoting, renting or
19 displaying of all unauthorized products which infringe the Chanel Marks; and
20 J. effecting assignments or transfers, forming new entities or associations or
21 utilizing any other device for the purpose of circumventing or otherwise
22 avoiding the prohibitions set forth in subparagraphs (A) through (I).

23 2. Any party shall have the right to seek sanctions for contempt, compensatory damages,
24 injunctive relief, attorneys' fees, costs, and such other relief deemed proper in the event of a
25 violation or failure to comply with any of the provisions hereof. The prevailing party in any such
26 proceeding shall be entitled to recover its attorneys' fees and costs.

27 3. The registrar and registry shall, to the extent that each are able, revert the domain
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1 name - fashions4life.com -back to its previous status or alternatively to a registrar of Defendant's
2 choosing.

3 4. The causes of action between Chanel and the Defendant are hereby dismissed without
4 prejudice, subject to the terms of the Settlement Agreement between the parties.

5 5. The parties' shall each bear their respective attorney's fees and costs incurred in
6 connection with this action.

7 6. This Court will retain continuing jurisdiction over this cause to enforce the terms of
8 this Consent Final Judgment and the Settlement Agreement between the parties.

9 7. All counterfeit Chanel branded products currently in the possession, custody and/or
10 control of the Defendant shall be surrendered to Chanel, through its counsel, and shall be destroyed
11 under the direction of Chanel.

12 SO ORDERED this 4 day of January 2012.

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14 _____
15 KENT J. DAWSON
16 UNITED STATES DISTRICT JUDGE

17 Copies furnished to:

18 All parties of record
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