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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BAGDASARIAN PRODUCTIONS,
LLC, a California limited liability
company,

Plaintiffs,

v.

ST. CLAIR ENTERTAINMENT
GROUP, INC., a Delaware corporation,
and DOES 1-10, inclusive,

Defendants.

CASE NO.: 2:08-cv-07525-FMC-JWJx

**JUDGMENT FOR STIPULATED
PERMANENT INJUNCTION**

F.R.Civ.P 58(a)

Upon the stipulation of the parties, and pursuant to a Settlement Agreement of
the parties,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows, and
the Court makes the following Findings of Fact and Conclusions of Law:

1. The Court has jurisdiction over the parties and the subject matter pursuant to 28 U.S.C. §§ 1338(a) and (b).
2. Defendant St. Clair Entertainment Group, Inc., (“SCEGI”) a Delaware corporation with its principal place of business in Montreal, Canada, has produced and distributed a CD entitled “A Tribute To Alvin And The

1 Chipmunks” which has been marketed with exterior CD packaging in the
2 form attached hereto as Exhibit “A” (the “St. Clair Album”).

- 3
- 4 3. SCGEI marketed in interstate commerce the St. Clair album, it has been
5 advertised and promoted through the Internet, and sold at retail locations
6 such as Wal-Mart stores, J&R Electronics stores, and Amazon.com.
- 7 4. SCGEI has agreed that, as of January 15, 2009, it shall be permanently
8 enjoined from the production, distribution, marketing, or other
9 exploitation of the St. Clair Album, and from the production, distribution,
10 marketing, or other exploitation of any products containing the “Alvin
11 and the Chipmunks” common law and federally registered marks for
12 “Alvin and the Chipmunks,” including, but not limited to those federally
13 registered marks attached hereto as Exhibit “B.”
- 14
- 15 5. SCEGI, its officers, agents, servants, employees, attorneys, stockholders,
16 and all persons in active concert or participation with them, ARE
17 HEREBY ENJOINED, from and after January 15, 2009, from the
18 production, distribution, marketing or other exploitation of the St. Clair
19 Album, and from the production, distribution, marketing or other
20 exploitation of any products which contain any of the Alvin and the
21 Chipmunks marks, including, but not limited to those federally registered
22 marks attached hereto as Exhibit “B.”
- 23 6. This Permanent Injunction may be enforced on 10 (ten) days written
24 notice to counsel of record, subject to the Court’s availability to hear the
25 matter, and may be heard before the Honorable Florence Marie Cooper,
26 the Honorable Magistrate Judge Jeffrey W. Johnson, or any other judicial
27 officer of the United States District Court with jurisdiction to enforce this
28 Permanent Injunction.

1 Plaintiff and Defendant have consented to entry of the foregoing Permanent
2 Injunction and waive any right of appeal. This order shall constitute a final judgment
3 in the action. Each party shall bear its own costs of suit and attorneys' fees. All
4 claims and parties not governed by this stipulated permanent injunction shall be
5 dismissed with prejudice, and each party to bear its own costs of suit and attorneys'
6 fees. The clerk shall enter this judgment on the civil docket pursuant to F.R.Civ.P.
7 79(a).

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9 DATED: 1-14-09



10 UNITED STATES DISTRICT COURT JUDGE
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