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7 Attorneys for Plaintiff
 8 GURU DENIM, INC.

9
 10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**
 12

13 GURU DENIM, INC., A California
 14 Corporation,

Case No.: CV09-0961 AHM (RCx)

15 Plaintiff,

**PERMANENT INJUNCTION
 PURSUANT TO STIPULATION**

16 vs.

17
 18 WWW.XSCOLLECTION.COM, a
 19 Florida Business Entity of Unknown
 20 Status, et al., ,

21 Defendants.

22
 23 The Court, having read and considered the Stipulation for Permanent
 24 Injunction that has been executed by Plaintiff GURU DENIM, INC. (“Plaintiff”)
 25 and Defendants BENJAMIN PINNTIO, YUAN YI, and CARTER TSE
 26 (“Defendants”) in this action:

27 GOOD CAUSE APPEARING THEREFORE, THE COURT ORDERS that
 28 this Permanent Injunction shall be and is hereby entered in the within action as

1 follows:

2 1. This Court has jurisdiction over the parties to this action and over the
3 subject matter hereof pursuant to the provisions of the Lanham Act, 15
4 U.S.C. § 1051, et seq., as well as 28 U.S.C. § 1338(a) and 28 U.S.C. § 1331.

5 2. Service of process was properly made on the Defendants.

6 3. Plaintiff owns or controls the pertinent rights in and to the following
7 intellectual properties (hereinafter the “Intellectual Property”):

Intellectual Property:	Registration No.:	Registration Date:
True Religion Stitching Pattern (Trademarks)	3607799 3482001 3561466 3561465 3147244	April 14, 2009 August 5, 2008 January 13, 2009 January 13, 2009 September 26, 2006
“True Religion Brand Jeans World Tour Fashion for the Senses Section Row Seat” (Trademark)	2917187	January 11, 2005
“True Religion Brand Jeans” (Trademarks)	3120798 3490283 3120797 3282490 2761793	July 25, 2006 August 19, 2008 July 25, 2006 August 21, 2007 September 9, 2003

1	“True Religion”	3628973	May 26, 2009
2	(Trademarks)	3162615	October 24, 2006
3		3162614	October 24, 2006
4			
5	“U”	3568127	January 27, 2009
6	(Trademarks)	3565332	January 20, 2009
7		3565180	January 20, 2009
8		3565138	January 20, 2009
9		3561710	January 13, 2009
10		3561705	January 13, 2009
11		3397067	March 18, 2008
12	True religion brand jeans	VA0001301845	April 13, 2005
13	label		
14			
15	TRUE RELIGION	VAu000969599	May 21, 2008
16	BRAND JEANS XXX		
17	LABEL		
18			
19	truereigionbrandjeans.com		
20	website	TX0006236806	June 1, 2005
21	(Copyrights)		
22			
23	“Stitch pattern applied to	D547530	July 31, 2007
24	pants”		
25	(Patent)		
26			

1 4. Plaintiff alleges that Defendants have made unauthorized uses of the
2 Intellectual Property or substantially similar likenesses or colorable imitations
3 thereof.

4 5. Defendants are hereby restrained and enjoined, pursuant to 15 U.S.C.
5 § 1116, from selling any and all products embodying the Intellectual Property in
6 any manner, including generally, but not limited to, manufacture, importation,
7 distribution, shipping, advertising, selling and/or offering for sale any counterfeit
8 products using, bearing or embodying any of the Intellectual Property or any
9 objects, marks, products confusingly similar to the Intellectual Property
10 (“Unauthorized Products”), and specifically:

11 i) Importing, manufacturing, distributing, advertising, selling
12 and/or offering for sale any unauthorized products which picture,
13 reproduce, copy or use the likenesses of or bear a confusing similarity
14 to any of the Unauthorized Products;

15 ii) Importing, manufacturing, distributing, advertising, selling
16 and/or offering for sale in connection thereto any unauthorized
17 promotional materials, labels, packaging or containers which picture,
18 reproduce, copy or use the likenesses of or bear a confusing similarity
19 to any of the Intellectual Property;

20 iii) Engaging in any conduct that tends falsely to represent that, or
21 is likely to confuse, mislead or deceive purchasers, Defendant’s
22 customers and/or members of the public to believe, the actions of
23 Defendant, the Unauthorized Products sold by Defendant, or
24 Defendant itself is connected with Plaintiff, is sponsored, endorsed,
25 approved or licensed by Plaintiff, or is affiliated with Plaintiff;

26 iv) Affixing, applying, annexing or using in connection with the
27 importation, manufacture, distribution, advertising, sale and/or offer
28 for sale or other use of any goods or services, a false description or

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representation, including words or other symbols, tending to falsely describe or represent such Unauthorized Products as being those of Plaintiff.

6. Defendant is ordered to deliver immediately for destruction all Unauthorized Products, including True Religion Brand Jeans® and related products, labels, signs, prints, packages, wrappers, receptacles and advertisements relating thereto in their possession or under their control bearing any of the Intellectual Property or any simulation, reproduction, counterfeit, copy or colorable imitations thereof, and all plates, molds, heat transfers, screens, matrices and other means of making the same, to the extent that any of these items are in Defendants' possession.

7. This Injunction shall be deemed to have been served upon Defendants at the time of its execution by the Court.

8. The Court finds there is no just reason for delay in entering this Injunction and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this Injunction against Defendants.

9. The Court shall Dismiss the action with prejudice as to Defendants with each party bearing its own costs and attorneys' fees incurred to date.

10. The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Injunction.

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11. This Court shall retain jurisdiction over the Defendants for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the enforcement hereof; the punishment of any violations hereof, and for the possible entry of a further Judgment Pursuant to Stipulation in this action.

IT IS SO ORDERED.

Date: October 26, 2009



HON. A. HOWARD MATZ
United States District Judge

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