

1 J. Andrew Coombs (SBN 123881)
 2 *andy@coombsp.com*
 3 Nicole L. Drey (SBN 250235)
 4 *nicole@coombsp.com*
 5 J. Andrew Coombs, A Prof. Corp.
 517 East Wilson Avenue, Suite 202
 6 Glendale, California 91206
 7 Telephone: (818) 500-3200
 8 Facsimile: (818) 500-3201

6 Attorneys for Plaintiffs Disney
 7 Enterprises, Inc. and Twentieth
 8 Century Fox Film Corporation

9
 10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA

12 Disney Enterprises, Inc. and Twentieth
 13 Century Fox Film Corporation,

14 Plaintiffs,

15 v.

16 Movie Goods, Inc., Robert McLauchlan,
 17 Robert L. Deakin, All Movie Replicas,
 18 and Does 1 through 10, inclusive,

19 Defendants.

Case No. CV09-4968 SJO (PJWx)
 AMENDED CONSENT DECREE

20 The Court, having read and considered the Joint Stipulation for Entry of
 21 Consent Decree and Permanent Injunction that has been executed by Plaintiffs
 22 Disney Enterprises, Inc. and Twentieth Century Fox Film Corporation (collectively
 23 “Plaintiffs”) and Defendants Movie Goods, Inc., Robert L. Deakin and Robert
 24 McLauchlan (collectively “Defendants”) in this action, and good cause appearing
 25 therefor, hereby:

26 ORDERS that based on the parties’ stipulation this Injunction shall be and is
 27 hereby entered in the within action as follows:
 28

1) This Court has jurisdiction over the parties to this action and over the subject matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, and 28 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendants.

2) Plaintiffs own or control the pertinent rights in and to their respective copyright and trademark registrations listed in Exhibits A-D attached hereto and incorporated herein by this reference. The copyrights and trademarks identified in Exhibits A-D are collectively referred to herein as “Plaintiffs’ Properties”.

3) Defendants are alleged to have made unauthorized uses of Plaintiffs’ Properties or substantially similar likenesses or colorable imitations thereof.

4) Defendants and their agents, servants, employees and all persons in active concert and participation with them who receive actual notice of the Injunction are hereby restrained and enjoined from:

a) Infringing Plaintiffs’ Properties, either directly or contributorily, in any manner, including generally, but not limited to manufacturing, importing, reproducing, distributing, advertising, displaying, selling and/or offering for sale any unauthorized or commercial product or logo which features any of Plaintiffs’ Properties except as authorized by law, including the First Sale Doctrine (“Unauthorized Products”), and, specifically from:

i) Importing, manufacturing, reproducing, distributing, advertising, displaying, selling and/or offering for sale the Unauthorized Products or any other unauthorized products or logos which picture, reproduce, copy or use the likenesses of or bear a substantial similarity to any of Plaintiffs’ Properties except as authorized by law, including the First Sale Doctrine;

ii) Importing, manufacturing, reproducing, distributing, advertising, displaying, selling and/or offering for sale in connection thereto any unauthorized promotional materials, labels, packaging or containers

1 which picture, reproduce, copy or use the likenesses of or bear a
2 confusing similarity to any of Plaintiffs' Properties except as authorized
3 by law, including the First Sale Doctrine;

4 iii) Engaging in any conduct that tends falsely to represent that, or is
5 likely to confuse, mislead or deceive purchasers, Defendants' customers
6 and/or members of the public to believe the actions of Defendants, the
7 products sold by Defendants, or Defendants themselves are connected
8 with Plaintiffs, are sponsored, approved or licensed by Plaintiffs, or are
9 affiliated with Plaintiffs except as authorized by law, including the First
10 Sale Doctrine;

11 iv) Affixing, applying, annexing or using in connection with the
12 importation, manufacture, reproduction, distribution, advertising, sale
13 and/or offer for sale or other use of any goods or services, a false
14 description or representation, including words or other symbols, tending
15 to falsely describe or represent such goods as being those of either of
16 the Plaintiffs except as authorized by law, including the First Sale
17 Doctrine.

18 5) Each side shall bear its own fees and costs of suit.

19 6) Except as provided herein, all claims alleged in the Complaint are dismissed
20 with prejudice.

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

23 8) The Court finds there is no just reason for delay in entering this Injunction
24 and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs
25 immediate entry of this Injunction against Defendants after hearing and
26 determination on Defendants' motion to have their injunction and consent decree
27 filed under seal.
28

1 9) This Court shall retain jurisdiction over the Defendants for the purpose of
2 making further orders necessary or proper for the construction or modification of this
3 consent decree and judgment; the enforcement hereof; the punishment of any
4 violations hereof.

5 DATED:
6 12/28/10



8 _____
9 Hon. S. James Otero
United States District Judge

10 PRESENTED BY:

11 J. Andrew Coombs, A Prof. Corp.

12 By: _____

J. Andrew Coombs
Annie S. Wang
Nicole L. Drey

13 Attorneys for Plaintiffs Disney
14 Enterprises, Inc. and Twentieth
Century Fox Film Corporation

15 Grant, Genovese & Baratta, LLP

16 By: _____

James M. Baratta
Jason S. Roberts

17 Attorneys for Defendants Movie
18 Goods, Inc. and Robert L.
19 Deakin

20 Law Offices of Samuel
Kornhauser

21 By: _____

22 Samuel Kornhauser
23 Attorney for Defendant Robert
McLauchlan

Exhibit A
Disney's Copyright Registrations

Copyright Registration	Title of Work	Nature of Work
VA 764-547	101 Dalmatians (Teaser)	One Sheet Poster
VA 794-303	101 Dalmatians (Live Action)	One Sheet Poster
VA 554-373	Aladdin	One Sheet Teaser
VA 542-013	Aladdin	One Sheet Poster (Children's)
VA 478-708	Beauty and the Beast	One Sheet Poster
VA 1-659-592	Bolt	One Sheet
VA 1-321-239	Cars	One Sheet
VA 1-349-862	Cars Welcome to Radiator Springs One Sheet	One Sheet
VA 1-662-550	Hannah Montana the Movie	One Sheet
VA 1-269-417	The Incredibles One Sheet Teaser	One Sheet
VA 1-283-964	The Incredibles One Sheet (2)	One Sheet
VA 1-388-374	Meet the Robinsons	One Sheet
VA 628-815	Tim Burton's The Nightmare Before Christmas	One Sheet Poster
VA 1-323-837	Pirates of the Caribbean (2): Dead Man's Chest One Sheet Teaser	One Sheet
VA 1-349-828	Pirates of the Caribbean Dead Man's Chest One Sheet	Artwork
VA 1-199-111	Pirates of the Caribbean One Sheet	One Sheet
VA 1-413-226	POC 3: At World's End – Jack One Sheet	One Sheet
VA 1-414-969	POC3: At World's End – Theatrical Banner (Group Walking)	Theatrical Banner
VA 1-414-972	POC3: At World's End – Jack Sparrow	Bus Shelter – One Sheet
VA 1-414-973	POC3: At World's End – Will Turner	Bus Shelter – One Sheet
VA 1-414-968	POC3: At World's End – Davy Jones	Bus Shelter – One Sheet
VA 1-414-970	POC3: At World's End – Barbossa	Bus Shelter – One Sheet

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VA 1-414-971	POC3: At World's End – Elizabeth Swan	Bus Shelter – One Sheet
VA 1-388-094	Ratatouille	One Sheet
VA 1-662-551	Race to Witch Mountain	One Sheet
VA 1-662-553	UP – Teaser One Sheet	One Sheet
VA 1-662-552	UP – Final One Sheet	One Sheet
VAu 961-364	Wall-E One Sheet Teaser	One Sheet
VA 1-655-763	Wall-E One Sheet	One Sheet
VA 1-676-629	Alice In Wonderland (Tim Burton – Mad Hatter) – One Sheet	One Sheet
PA 1-688-323	Toy Story 3	Motion Picture

Exhibit B
Disney's Trademark Registrations

Trademark	Trademark Registration No.	Trademark Registration Date
Walt Disney Presents (Words, Letters)(IC 016)	0,826,419	March 28, 1967
Disney (Word Mark) (IC 009)	3,235,413	April 24, 2007
Touchstone (Design, Plus Words) (IC 041)	1,534,696	April 11, 1989
Tinkerbell Design Mark (Design Only)(IC 016)	3,624,833	May 19, 2009
Castle & Circle (Design)(IC 009; IC 041)	77154442 (Serial Number)	April 11, 2007 (Filed Date)

Exhibit C
Twentieth Century Fox Film Corporation's Copyright Registrations

Copyright Registration	Title of Work	Nature of Work
VA 985-763	Fight Club (Version A)	One Sheet
VA 1-367-993	Little Miss Sunshine (Version A)	One Sheet
Pending	Post Grad	One Sheet
VA 1-318-226	Mr. and Mrs. Smith (Version C)	One Sheet
VA 1-296-850	Mr. and Mrs. Smith (Version B)	One Sheet
VA 1-296-853	Mr. and Mrs. Smith (Version A)	One Sheet
VA 1-357-628	The Devil Wears Prada (Version A)	One Sheet
VA 1-398-159	Borat: Cultural Learnings of America For Make Benefit Glorious Nation of Kazakhstan (Version A)	One Sheet
Pending	Jennifer's Body (Version B)	One Sheet
VA 1-626-612	Juno (Version A)	One Sheet
VA 1-653-473	Slumdog Millionaire	One Sheet
VA 1-659-615	The Wrestler	One Sheet
Pending	Alvin and the Chipmunks: The Squeakquel (Version A)	One Sheet
Pending	X-Men Origins: Wolverine (Version A)	One Sheet
VA 1-107-737	Ice Age (Version A)	One Sheet
VA 1-123-250	Ice Age (Version B)	One Sheet
VA 1-357-627	Ice Age: The Meltdown (Version A)	One Sheet
Pending	Ice Age: Dawn of the Dinosaurs (Version B)	One Sheet
VA 1-628-710	Ice Age: Dawn of the Dinosaurs (Version A)	One Sheet
VA 1-413-199	The Simpsons Movie (Version B)	One Sheet
VA 1-388-073	The Simpsons Movie (Version A)	One Sheet

1		Alvin and the Chipmunks (Version B)	One Sheet
2	VA 1-626-762		
3	VA 1-623-512	Alvin and the Chipmunks (Version A)	One Sheet
4	VA 1-317-348	Fantastic Four (Version B)	One Sheet
5	VA 1-362-976	Night at the Museum (Version A)	One Sheet
6	Pending	Night at the Museum: Battle of the Smithsonian (Version A)	One Sheet
7	VA 994-602	X-Men (Version A)	One Sheet
8	VA 1-181-649	X2 (Version B)	One Sheet
9	VA 1-160-428	X2 (Teaser)	One Sheet
10	VAu 737-989	X-Men The Last Stand: X3 Rogue (Teaser)	One Sheet
11	VA 1-323-851	X-Men The Last Stand: X3 (Version A)	One Sheet
12	VAu 737-988	X-Men The Last Stand: X3 Phoenix (Teaser)	One Sheet
13	VAu 737-987	X-Men The Last Stand: X3 Beast (Teaser)	One Sheet
14	VAu 737-990	X-Men The Last Stand: X3 Storm (Teaser)	One Sheet
15	VAu 737-985	X-Men The Last Stand: X3 Wolverine (Teaser)	One Sheet
16	VAu 737-986	X-Men The Last Stand: X3 Angel (Teaser)	One Sheet
17	VA 1-678-989	Avatar – Production Stills (Set 1)	Photographs
18	Pending	Avatar – Version A	One Sheet
19	PA 1-657-873	Tooth Fairy	Motion Picture
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Exhibit D
Twentieth Century Fox Film Corporation's Trademark Registrations

Trademark	Trademark Registration No.	Trademark Registration Date
Fox Searchlight Pictures (Design, Words) (IC 009)	2,128,531	January 13, 1998
Fox Searchlight Pictures (Design, Words) (IC 041)	2,087,047	August 12, 1997
20th Century Fox (Design, Words) (IC 009)	1,932,593	November 7, 1995
20th Century Fox (Design, Words) (IC 041)	1,884,026	March 14, 1995
Twentieth Century Fox (Typed Drawing) (IC 041)	1,602,948	June 19, 1990
Twentieth Century-Fox (Typed Drawing) (IC 009)	1,237,164	May 10, 1983
20th Century Fox (Design, Words) (IC009)	1,011,919	May, 27, 1975
Twentieth Century Fox Film Corporation (Design, Words) (IC 009)	0,336,090	June 23, 1936