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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)
 CONSENT DECREE

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

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

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: 12/10/10

6 *S. James Otero*

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8

Hon. S. James Otero
United States District Judge

9 PRESENTED BY:

10 J. Andrew Coombs, A Prof. Corp.

11 By: _____

12 J. Andrew Coombs
13 Annie S. Wang
14 Nicole L. Drey

15 Attorneys for Plaintiffs Disney
16 Enterprises, Inc. and Twentieth
17 Century Fox Film Corporation

18 Grant, Genovese & Baratta, LLP

19 By: _____

20 James M. Baratta
21 Jason S. Roberts

22 Attorneys for Defendants Movie
23 Goods, Inc. and Robert L.
24 Deakin

25 Law Offices of Samuel
26 Kornhauser

27 By: _____

28 Samuel Kornhauser
Attorney for Defendant Robert
McLauchlan