

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

DISNEY ENTERPRISES, INC.,
Plaintiff,

v.

KAREN AND DAVID (USA) INC. d/b/a
Air Shoes a/k/a US Air Shoes, et al.,
Defendants.

Case No. CV 09-08178 DMG (VBKx)

JUDGMENT

Pursuant to the Court’s Order, entered concurrently herewith, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Plaintiff Disney Enterprises, Inc. and against Defendant Karen and David (USA) Inc., as follows:

1. Defendant Karen and David and its 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 Plaintiff’s Copyrights, either directly or contributorily, in any manner, including generally, but not limited to manufacturing, importing, distributing, advertising, selling and/or offering for sale any merchandise which features any of Plaintiff’s Copyrights, and, specifically: Importing, manufacturing, distributing, advertising,

1 selling and/or offering for sale the Counterfeit Products or any other
2 unauthorized products which picture, reproduce, copy or use the
3 likenesses of or bear a substantial similarity to any of Plaintiff's
4 Copyrights;

5 b. Importing, manufacturing, distributing, advertising, selling and/or
6 offering for sale in connection thereto any unauthorized promotional
7 materials, labels, packaging or containers which picture, reproduce,
8 copy or use the likenesses of or bear a confusing similarity to any of
9 Plaintiff's Copyrights;

10 c. Engaging in any conduct that tends falsely to represent that, or is
11 likely to confuse, mislead or deceive purchasers, the Defendant's
12 customers and/or members of the public to believe, the actions of
13 Defendant, the products sold by Defendant, or the Defendant itself are
14 connected with Plaintiff, are sponsored, approved or licensed by
15 Plaintiff, or are affiliated with Plaintiff;


16 d. Affixing, applying, annexing or using in connection with the
17 importation, manufacture, distribution, advertising, sale and/or offer
18 for sale or other use of any goods or services, a false description or
19 representation, including words or other symbols, tending to falsely
20 describe or represent such goods as being those of Plaintiff.

21 4. Defendant is ordered to deliver for destruction all Counterfeit Products, and
22 any other unauthorized products which picture, reproduce, copy or use the
23 likenesses of or bear a substantial similarity to any of Plaintiff's Copyrights
24 and any labels, signs, prints, packages, dyes, wrappers, receptacles and
25 advertisements relating thereto in their possession or under their control
26 bearing any of Plaintiff's Copyrights or any simulation, reproduction,
27 counterfeit, copy or colorable imitations thereof, and all plates, molds, heat
28 transfers, screens, matrices and other means of making the same.

- 1 5. Defendant is ordered to pay damages to Plaintiff pursuant to 17 U.S.C. § 504
2 in the sum of Twenty-Five Thousand Dollars (\$25,000.00).
3 6. Defendant is ordered to pay Plaintiff's attorneys' fees and costs in the
4 amount of Two Thousand One Hundred Dollars (\$2,100.00).
5 7. Defendant is ordered to pay interest on the principal amount of the judgment
6 to Plaintiff at a statutory rate pursuant to 28 U.S.C. § 1961(a).
7

8 **IT IS SO ORDERED.**

9
10 DATED: October 18, 2010



DOLLY M. GEE
UNITED STATES DISTRICT JUDGE