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Attorneys for Plaintiffs and Counterdefendants
 Silverlit Toys Manufactory Ltd., Spin Master Ltd., and Steven Davis

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

SILVERLIT TOYS MANUFACTORY LTD., a Hong Kong company, and SPIN MASTER LTD., a Canadian corporation, and STEVEN DAVIS, an individual,

Plaintiffs,

vs.

TOYRRIFIC, LLC, a California limited liability company; WORLD TRADING 23, INC., a California corporation; WORLDTRADING23.COM ; TOY RAPTOR, INC., a California corporation; WORLD TECH TOYS, INC., a California corporation; HOBBYTRON.COM ; RC HELI KING, form unknown; RCHELIKING.COM; and KEVORK KOUYOU MJIAN, an individual,

Defendants.

CASE NO. CV10-3414 CAS (CJx)

PERMANENT INJUNCTION AND DISMISSAL

[Stipulation for Entry of Permanent Injunction Filed Concurrently Herewith]

Judge: Hon. Christina A. Snyder

AND RELATED COUNTERCLAIMS

1 Having considered the Stipulation for Entry of Permanent Injunction submitted by
2 Plaintiffs Silverlit Toys Manufactory Ltd., Spin Master Ltd., and Steven Davis
3 (collectively, “Plaintiffs”), and Defendants Toyrrific, LLC; World Trading 23, Inc.;
4 Worldtrading23.com; Toy Raptor, Inc.; World Tech Toys, Inc.; Hobbytron.com; RC Heli
5 King; rcheliking.com; and Kevork Kouyoumjian (collectively, “Defendants”):

6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

7 1. Defendants, their successors, assigns, owners, principals, partners,
8 shareholders, officers, directors, agents, servants, employees, and any and all persons
9 acting in concert or participation with Defendants are immediately and permanently
10 enjoined from:

11 a. Making, using, selling, offering for sale, importing into the United
12 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
13 (on websites or otherwise), or in any way commercially exploiting the Space Spider as
14 depicted in **Exhibit 1**, or any other toy cars that are a copy of, or that are substantially
15 similar to, the car protected by the Car Copyright (U.S. Copyright Registration No. VA
16 1-645-947);

17 b. Making, using, selling, offering for sale, importing into the United
18 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
19 (on websites or otherwise), or in any way commercially exploiting any toy cars or
20 products with a car base that is a copy of, or substantially similar to, the car base claimed
21 in the ‘896 Patent, including but not limited to, the Space Spider as depicted in **Exhibit 1**;

22 c. Using, imitating, copying, duplicating or otherwise commercially
23 exploiting the ZERO GRAVITY Trademark (U.S. Trademark Registration No.
24 3,210,297), including but not limited to, the sale and/or offer of sale of the Zero Gravity
25 Hummer RC Wall Climber Electric Truck (ZX-33002) (hereafter the “Zero Gravity
26 Hummer”), as depicted in **Exhibit 2**, or any mark confusingly similar to the ZERO
27 GRAVITY Trademark,

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1 d. Using, imitating, copying, duplicating or otherwise commercially
2 exploiting the WALL CLIMBER Trademark (U.S. Trademark Registration No.
3 3,267,725), including but not limited to, the sale and/or offer of sale of the Zero Gravity
4 Hummer RC Wall Climber Electric Truck (ZX-33002) or the Thunder Wall Climber RC
5 Stunt Car (ZX-HT-33005) (hereafter the “Thunder Wall Climber”), as depicted in
6 **Exhibits 2-3**, or any mark confusingly similar to the WALL CLIMBER Trademark;

7 e. Making, using, selling, offering for sale, importing into the United
8 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
9 (on websites otherwise), or in any way commercially exploiting the Accused Helicopters,
10 as depicted in **Exhibits 4-36**, or any other toy helicopters that infringe one or more
11 claims of the ‘168, and/or ‘984 Patents;

12 f. Using, imitating, copying, duplicating or otherwise commercially
13 exploiting the AIR HOGS Trademarks (U.S. Trademark Registration Nos. 2,723,271 for
14 AIR HOGS; 2,447,370 for AIR HOGS; and 2,986,817 for AIR HOGS and design), or
15 any mark confusingly similar to the AIR HOGS Trademarks;

16 g. Using, imitating, copying, duplicating or otherwise commercially
17 exploiting the HAVOC HELI Trademark (U.S. Trademark Registration No. 3,518,868),
18 or any mark confusingly similar to the HAVOC Trademark;

19 h. Using, imitating, copying, duplicating or otherwise commercially
20 exploiting the SPIN MASTER Trademark (U.S. Trademark Registration No. 2,944,406),
21 or any mark confusingly similar to the SPIN MASTER Trademark;

22 i. Making, using, selling, offering for sale, importing into the United
23 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
24 (on websites or otherwise), or in any way commercially exploiting any counterfeit or
25 non-genuine Spin Master Ltd. products that bear the AIR HOGS Trademarks, the ZERO
26 GRAVITY Trademark, the WALL CLIMBER Trademark, the HAVOC HELI
27 Trademark and/or any mark that is confusingly similar to any of these marks;

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1 j. Making, using, selling, offering for sale, importing into the United
2 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
3 (websites or otherwise), or in any way commercially exploiting the Accused Flying
4 Saucers depicted in **Exhibits 37-42**, or any other toy flying saucer that is a copy of, or is
5 substantially similar to, the flying saucer protected by the Flying Saucer Copyright (U.S.
6 Copyright Registration No. VA 1-285-847);

7 k. Making, using, selling, offering for sale, importing into the United
8 States, marketing, reproducing, distributing, receiving, forwarding, shipping, displaying
9 (websites or otherwise), or in any way commercially exploiting the Accused Flying
10 Saucers depicted in **Exhibits 37-42**, or any other toy flying saucers that infringe one or
11 more claims of the '586 and/or '699 Patents;

12 l. Assisting, aiding or abetting another person or business entity in
13 engaging in or performing any of the activities enumerated in subparagraphs (a) through
14 (k) above.

15 4. This Court has personal jurisdiction over the parties with respect to this
16 Civil Action.

17 5. This Court has jurisdiction over the subject matter of this Civil Action.

18 6. Each party shall bear its own attorney's fees and costs in connection with
19 this action; provided, however, that in the event any party files a motion, action or other
20 proceeding to enforce or interpret the terms of this Stipulated Permanent Injunction or the
21 Settlement Agreement, the prevailing party shall be entitled to recover all attorney's fees
22 and other fees and costs incurred in connection with such a motion, action or
23 enforcement proceeding.

24 6. This Court shall retain jurisdiction over this matter and to the extent
25 necessary to interpret or enforce the Settlement Agreement and this Stipulated Permanent
26 Injunction.

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1 7. Pursuant to Federal Rule of Civil Procedure 41(a)(1) and (2), all claims and
2 counterclaims are hereby dismissed with prejudice.

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4 **IT IS SO ORDERED.**

5 DATED: January 12, 2012



6 Honorable Christina A. Snyder
7 U.S. District Court
8 Central District of California
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