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

HALLMARK HARDWOODS, INC.

Plaintiff,

vs.

OMNI WOOD PRODUCT, LLC; FIRST
COUNTRY INC., a.k.a. FIRST COUNTRY
LLC, a.k.a. FIRST COUNTRY WOOD; NEW
HARBORS AMERICA, INC.; COUNTRY
WIDE HARDWOOD PRODUCTS, INC.;
CALIBER FLOORING, INC.; HALLMARK
WOOD AMERICA, INC.; MINGJIE YU, a.k.a.
MIKE YU; FEI LI; OLD MASTER
PRODUCTS, INC.; SHAUL DINA;
SOUTHWEST HARDWOOD
DISTRIBUTORS, LLC; TIMOTHY
KENDZLIC; UNIVERSAL DYNAMICS, INC.
and CHUNGSTINE, INC. d/b/a EXPERT
HARDWOOD FLOORING,

Defendants.

Case No. 2:10-CV-05896-SJO-JCG

**ORDER GRANTING STIPULATED
PERMANENT INJUNCTION BETWEEN
PLAINTIFF HALLMARK
HARDWOODS, INC., AND
DEFENDANTS OLD MASTER
PRODUCTS AND SHAUL DINA**

JUDGE: Hon. S. James Otero

1 OMNI WOOD PRODUCT, LLC,
et al.

2 Counter-Claimants,

3 vs.

4 HALLMARK HARDWOODS, INC.,
et al.

5 Counter-Defendants,
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8 It is hereby ordered that the Stipulated Permanent Injunction between Plaintiff Hallmark
9 Hardwoods, Inc. and Defendants Old Master Products and Shaul Dina is GRANTED as follows:

10 1. Defendants, their respective officers, directors, employees, agents, subsidiaries,
11 distributors, dealers, and all persons in active concert or participation with any of them are
12 hereby permanently enjoined and restrained:

13 a. from using the stylized Hallmark Hardwoods® word mark, the "Hallmark
14 Hardwoods H" word mark, or the "H" mark (Registration No. 3,289,376;
15 Registration No. 3,289,349; and Registration No. 3,200,275) or any other mark
16 confusingly similar to these Hallmark Hardwoods' marks, whether used along or
17 in combination with any word or words, in any manner that suggests in any way
18 that Defendants' products come from or are somehow sponsored by, affiliated
19 with or endorsed by Hallmark Hardwoods, or are manufactured in the same
20 factory or factories or by the same people as, the products of Hallmark
21 Hardwoods;

22 b. from using the names Hallmark or Hallmark Hardwoods as a source-identifier for
23 any of their product lines, or from stating or suggesting that they have the ability
24 to procure, distribute, or sell any Hallmark Hardwoods products.

25 c. from stating or suggesting that Hallmark Hardwood products can be obtained
26 from any source other than Hallmark Hardwoods, Inc. or its authorized dealers.

27 2. By no later than December 31, 2011, Defendants will cease any use of the following
28 color names on any brochure, sample, display rack, website or any other marketing or

1 advertising materials, and on any products: dark chocolate, driftwood, port, rum, tobacco,
2 whiskey barrel, buckskin, or tea leaf. Defendants shall take all steps necessary to insure that no
3 such materials remain in the marketplace as December 31, 2011.

4 3. In the event any dealer or agent of Defendants is displaying, marketing, using or selling
5 any materials or product in a manner contrary to the requirements herein, Defendants shall have
6 ten (10) days to cure any such violation after notice of such violation is received. In the event
7 such violation is not cured within this period, plaintiff shall have the right to enforce this
8 injunction upon notice as required by law.

9 IT IS SO ORDERED.

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11 September 23, 2011

12 Dated: _____



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United States District Judge