

1 1.1 In any manner, using Biotab’s trademark, “ExtenZe®,” or any
2 colorable imitation thereof;

3 1.2 In any manner, using any trademark that imitates, is confusingly
4 similar to, or is in any way similar to or a variation of, Biotab’s trademark, “ExtenZe®;”

5 1.3 Engaging in any act that tends to lend the impression to consumers
6 that Defendants’ manufactured goods and services are, in any way, of the same origin as,
7 related to, or a variation of, Biotab’s goods and services associated with the trademark,
8 “ExtenZe®;”

9 1.4 Importing into the United States any goods purporting to be Biotab’s
10 goods or goods associated with, or intended prospectively to be associated with, Biotab or
11 Biotab’s ExtenZe® trademark;

12 1.5 Manufacturing or causing to be manufactured, advertising, marketing,
13 offering for sale, selling, distributing or delivering any non-genuine Extenze goods
14 purporting to be Biotab’s goods or goods associated with, or intended prospectively to be
15 associated with, Biotab or Biotab’s ExtenZe® trademark;

16 2. Each Defendant is ordered, pursuant to 15 USC § 1118, to deliver up for
17 destruction all advertising, promotional materials, signs, packaging, labels, containers, or
18 other materials within their possession, custody or control bearing any trademark that
19 infringes upon Biotab’s ExtenZe® trademark, as well as all plates, matrices, tools, dyes,
20 electronic files, and any other means of making same.

21 3. Compensatory damages in the sum of Three Hundred Thousand Dollars
22 (\$300,000.00), which damages are trebled to total Nine Hundred Thousand Dollars
23 (\$900,000.00).

24 4. Exemplary and punitive damages for the willful and malicious injury to
25 Plaintiff by Defendants Four Aces and Kamar in the amount of Fifty Thousand Dollars
26 (\$50,000.00).

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- 5. Reasonable attorney's fees, in the apportioned amount of \$20,000.00.
- 6. Biotab shall recover its costs of suit herein.

DATED: September 18, 2012



A. Howard Matz
United States District Judge