



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’ goods and services are, in any way, of the same origin as, related to, or a  
7 variation of, Biotab’s goods and services associated with the trademark, “ExtenZe®;”

8           1.4    Importing into the United States any goods purporting to be Biotab’s  
9 goods or goods associated with, or intended prospectively to be associated with, Biotab or  
10 Biotab’s ExtenZe® trademark;

11           1.5    Manufacturing or causing to be manufactured, advertising, marketing,  
12 offering for sale, selling, distributing or delivering any goods purporting to be Biotab’s  
13 goods or goods associated with, or intended prospectively to be associated with, Biotab or  
14 Biotab’s ExtenZe® trademark;

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

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

23           4.     Exemplary and punitive damages for the willful and malicious injury to  
24 Plaintiff by Defendant Kang in the amount of Fifty Thousand Dollars (\$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 21, 2012



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A. Howard Matz  
United States District Judge