

Jay Stein (State Bar No. 141042)  
**FINESTONE & RICHTER**  
A Professional Corporation  
1875 Century Park East, Suite 1500  
Los Angeles, California 90067  
Telephone: (310) 575-0800  
Facsimile: (310) 575-0170  
E-mail: jstein@frlawcorp.com

Attorneys for Plaintiff  
Biotab Nutraceuticals, Inc.

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

BIOTAB NUTRACEUTICALS, INC., a  
California corporation,

Plaintiff,

vs.

HEE JOO DONG HAN, an Individual, aka  
JOSEPH HAN, and d.b.a. HD TRADING,  
and d.b.a. BIOPOWER; SUSANA HAN, an  
Individual; KENJIN CHO, an Individual,  
and d.b.a. BIOPOWER, and d.b.a. MOSEA  
HUTECH USA; BIOPOWER, INC., an  
entity of unknown form; and DOES 1  
through 10, inclusive,  
Defendants.

Case No. CV 10-06212 AHM (VBKx)

**JUDGMENT AGAINST DEFENDANTS  
LEE AND YI**

Complaint filed: August 19, 2010  
Trial Date: October 16, 2012

Judgment is hereby entered in favor of Plaintiff BIOTAB NUTRACEUTICALS, INC. as against Defendants Sung Hun Lee, aka Yi Seong Hun and aka John Lee, and Helen H. Yi, aka Helen Lee (individually and collectively referred to herein as "Defendants") jointly and severally, as follows:

1. A permanent injunction is hereby entered, prohibiting each of the Defendants, and their members, directors, officers, employees, agents, representatives,

1 successors, assigns, and all other persons or entities acting for the benefit of, on behalf of,  
2 or in concert with, any of the Defendants from:

3 1.1 In any manner, using Biotab's trademark, "ExtenZe®," or any  
4 colorable imitation thereof;

5 1.2 In any manner, using any trademark that imitates, is confusingly  
6 similar to, or is in any way similar to or a variation of, Biotab's trademark, "ExtenZe®;"

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

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

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

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

22 3. Compensatory damages in the sum of Three Hundred Thousand Dollars  
23 (\$300,000.00), which damages are trebled to total Nine Hundred Thousand Dollars  
24 (\$900,000.00).

25 4. Exemplary and punitive damages for the willful and malicious injury to  
26 Plaintiff by Defendants Lee and Yi 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 5, 2012



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A. Howard Matz  
United States District Judge

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**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and am not a party to the within action. My business address is 1875 Century Park East, Suite 1500, Los Angeles, California 90067.

On September 6, 2012, I served the foregoing documents described as follows:

**JUDGMENT AGAINST DEFENDANTS LEE AND YI**

on the interested parties in this action as follows:

**SEE SERVICE LIST ATTACHED**

■ **BY COURT’S ELECTRONIC FILING SYSTEM:** The foregoing document was transmitted electronically to the Court on said date via the court’s ECF electronic filing system, pursuant to which I understand that the Court transmits a copy of same by e-mail to each of the above registered attorneys of record at the e-mail addresses they identified to the Court at the time they registered to accept service via the Court’s electronic filing system.

■ **BY MAIL AS TO DEFENDANT YOON KANG ONLY AS FOLLOWS:** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after service of deposit for mailing in affidavit.

I declare that I am a member of the bar of this court at whose direction the service was made.

Executed on September 6, 2012, at Los Angeles, California.

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/s/  
Jay Stein

**SERVICE LIST**

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Gary Asher Laff, Esq.  
Gary A. Laff Law Offices  
3345 Wilshire Blvd, Suite 911  
Los Angeles, CA 90010  
E-mail: garyalaff@yahoo.com

Nareg Gourjian  
Arthur H. Kiureghian  
Gourjian Law Group  
101 N. Brand Boulevard, Suite 1220  
Glendale, CA 91203  
E-mail: nareg@gourjianlaw.com

Yoon Kang  
1624 N. Gilbert Street, Apt. B  
Fullerton, CA 92833  
E-mail: yuna660220@yahoo.com

Ginam Lee  
2560 West Olympic Blvd., #202  
Los Angeles, CA 90006  
E-mail: john@wethepeoplekt.com

Jay Hong  
Karacter Law Firm  
3600 Wilshire Blvd., Suite 1510  
Los Angeles, CA 90010  
E-mail: jhong@karacterlaw.com