

1 Christopher S. Ruhland (State Bar No. 175054)
 christopher.ruhland@dechert.com
 2 Andrew S. Wong (State Bar No. 198227)
 andrew.wong@dechert.com
 3 **DECHERT LLP**
 US Bank Tower
 4 633 West 5th Street, 37th Floor
 Los Angeles, CA 90071-2005
 5 Telephone: +1 213 808 5700
 Facsimile: +1 213 808 5760
 6

7 Sarah Wager (State Bar No.: 209277)
 sarah.wager@dechert.com
 8 **DECHERT LLP**
 2440 W. El Camino Real, Suite 700
 Mountain View, CA 94040-1499
 9 Telephone: +1 650 813 4800
 Facsimile: +1 650 813 4848
 10

11 Attorneys for Plaintiff
 INVESTOR’S BUSINESS DAILY, INC.

12 UNITED STATES DISTRICT COURT
 13 CENTRAL DISTRICT OF CALIFORNIA

14 INVESTOR’S BUSINESS DAILY,
 15 INC., a California corporation,

16 Plaintiff,

17 v.

18 KIM LEE TONG a/k/a KIM T.
 TONG a/k/a KIM T. LEE, an
 19 individual, and DAN HOANG
 TRAN a/k/a DAN TRAN an
 20 individual, collectively d/b/a Stock
 Market DVDs, WallStreet Zone,
 21 www.WallStreet-DVDs.com,
 www.WallStret-DVDs.com,
 22 www.wallstreet-zone.com,
 www.stockmarket-dvds.com,
 23 www.lynh.com,
 http://store.updownsideway.com;
 24 GG PRINTING, INC., a California
 Corporation d/b/a GOLDEN
 25 GRAPHIX & PRINTING, and
 DOES 2-10, inclusive,
 26 Defendants.

27 Defendants.
 28

Case No. CV11 04040 AHM (RZx)

PERMANENT INJUNCTION

1 The Court has reviewed the joint Stipulation to Permanent Injunction
2 submitted by the parties to this action. Based on the Stipulation, and good cause
3 appearing, IT IS ORDERED, ADJUDGED AND DECREED THAT:

4 Defendants KIM LEE TONG a/k/a KIM T. TONG a/k/a KIM T. LEE, DAN
5 HOANG TRAN, d/b/a Stock Market DVDs, WallStreet Zone, www.WallStreet-
6 DVDs.com, www.WallStret-DVDs.com, www.wallstreet-zone.com,
7 www.stockmarket-dvds.com, www.lynh.com, <http://store.updownsideway.com>
8 (collectively “Defendants”), and their officers, agents, servants, employees,
9 attorneys, and those in active concert or participation with them are permanently
10 enjoined from:

- 11 1. imitating, copying, counterfeiting, or making unauthorized use of
12 Investor’s Business Daily’s (“IBD”) Copyrights and Trademarks;
- 13 2. manufacturing, producing, distributing, selling, offering for sale,
14 moving, or otherwise disposing of, any product bearing any simulation,
15 reproduction, counterfeit, copy or colorable imitation of IBD’s
16 Copyrights and Trademarks;
- 17 3. using any simulation, reproduction, counterfeit, copy, or colorable
18 imitation of IBD’s Copyrights and Trademarks;
- 19 4. using any false designation of origin or false description that can, or is
20 likely to, lead the public or individual members thereof to believe that
21 any product manufactured, distributed, or sold by Defendants is in any
22 manner associated with or connected with IBD, or is sold,
23 manufactured, licensed, sponsored, or approved or authorized by IBD;
- 24 5. engaging in any other activity constituting an infringement of IBD's
25 copyright or trademark rights or otherwise unfairly competing with
26 IBD;
- 27 6. destroying, modifying, disposing of, concealing, or moving the
28 following:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- a. products incorporating IBD's Copyrights or Trademarks;
- b. any other products which picture, reproduce, copy or use the likeness of or bear a substantial similarity to any of IBD's Copyrights or Trademarks;
- c. any labels, packages, wrappers, containers or any other unauthorized promotion or advertising material item which reproduces, copies, counterfeits, imitates or bears any of IBD's Copyrights or Trademarks;
- d. any devices or elements used for making or manufacturing products incorporating IBD's Copyrights or Trademarks; and
- e. any sales and supply of customer journals, ledgers, invoices, purchase orders, inventory control documents, bank records, catalogs and all other business records, believed to concern the manufacture, purchase, advertising, sale or offering for sale of products that incorporate IBD's Copyrights or Trademarks

The Court shall retain jurisdiction after the termination of this action to enforce this permanent injunction.

IBD shall be entitled to full recovery of the security for injunctive relief it posted on May 18, 2011.

IT IS SO ORDERED.



DATED: September 28, 2011

HONORABLE A. HOWARD MATZ
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Presented by:
Christopher S. Ruhland
Andrew S. Wong
DECHERT LLP
US Bank Tower
633 West 5th Street, 28th Floor
Los Angeles, CA 90071-2005

Sarah Wager
DECHERT LLP
2440 W. El Camino Real, Suite 700
Mountain View, CA 94040-1499

By: /s/ Sarah Wager
Sarah Wager
Attorneys for Plaintiff
INVESTOR'S BUSINESS DAILY, INC.