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 12 an individual and d/b/a

13 UNITED STATES DISTRICT COURT
 14 CENTRAL DISTRICT OF CALIFORNIA

15
 16 Warner Bros. Entertainment Inc.,

17 Plaintiff,

18 v.

19 Todd Loya, an individual and d/b/a
 www.fleshwoundvideo.com, and Does 1
 20 – 10, inclusive,

21 Defendants.

Case No. CV11-4625 GAF (PLAx)

CONSENT DECREE AND
 PERMANENT INJUNCTION

22 The Court, having read and considered the Joint Stipulation for Entry of
 23 Consent Decree and Permanent Injunction that has been executed by Plaintiff Warner
 24 Bros. Entertainment Inc. (“Plaintiff”) and Defendant Todd Loya, an individual and
 25 d/b/a fleshwoundvideo.com (“Defendant”), in this action, and good cause appearing
 26 therefore, hereby:
 27
 28

1 ORDERS that based on the parties' stipulation and only as to Defendant, his
2 successors, heirs, and assignees, this Injunction shall be and is hereby entered in the
3 within action as follows:

4 1) This Court has jurisdiction over the parties to this action and over the subject
5 matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, 15 U.S.C. § 1051 *et seq.*, and 28
6 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendant.

7 2) Plaintiff claims that it owns or controls the pertinent rights in and to the
8 copyright registrations identified in Exhibit A, attached hereto (collectively "Plaintiff's
9 Properties").

10 3) Plaintiff has alleged that Defendant has made unauthorized uses of Plaintiff's
11 Properties or substantially similar likenesses or colorable imitations thereof.

12 4) Defendant denies Plaintiff's allegations that he has made unauthorized uses of
13 Plaintiff's Properties or substantially similar likenesses or colorable imitations thereof.
14 This Consent Decree shall not serve as an admission of liability.

15 5) Defendant and his agents, servants, employees and all persons in active concert
16 and participation with him who receive actual notice of the Injunction are hereby
17 restrained and enjoined from:

18 a) Infringing Plaintiff's Properties, either directly or contributorily, in any
19 manner, including generally, but not limited to manufacturing, importing,
20 reproducing, distributing, advertising, selling and/or offering for sale any
21 unauthorized product which features any of Plaintiff's Properties
22 ("Unauthorized Products"), and, specifically from:

23 i) Importing, manufacturing, reproducing, distributing, advertising,
24 selling and/or offering for sale the Unauthorized Products or any other
25 unauthorized products which picture, reproduce, copy or use the
26 likenesses of or bear a substantial similarity to any of Plaintiff's
27 Properties;
28

- 1 ii) Importing, manufacturing, reproducing, distributing, advertising,
2 selling and/or offering for sale in connection thereto any unauthorized
3 promotional materials, labels, packaging or containers which picture,
4 reproduce, copy or use the likenesses of or bear a confusing similarity to
5 any of Plaintiff's Properties;
6 iii) Engaging in any conduct that tends falsely to represent that, or is
7 likely to confuse, mislead or deceive purchasers, Defendant's customers
8 and/or members of the public to believe, the actions of Defendant, the
9 products sold by Defendant, or Defendant himself are connected with
10 Plaintiff, are sponsored, approved or licensed by Plaintiff, or are affiliated
11 with Plaintiff;
12 iv) Affixing, applying, annexing or using in connection with the
13 importation, manufacture, reproduction, distribution, advertising, sale
14 and/or offer for sale or other use of any goods or services, a false
15 description or representation, including words or other symbols, tending
16 to falsely describe or represent such goods as being those of Plaintiff.

17 6) Each side shall bear its own fees and costs of suit.

18 7) Except as provided herein, all claims alleged in the Complaint are dismissed
19 with prejudice.

20 8) This Injunction shall be deemed to have been served upon Defendant at the time
21 of its execution by the Court.

22 9) The Court finds there is no just reason for delay in entering this Injunction and,
23 pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs
24 immediate entry of this Injunction against Defendant.

25 10) The Court shall retain jurisdiction of this action to entertain such further
26 proceedings and to enter such further orders as may be necessary or appropriate to
27 implement and enforce the provisions of this Injunction.
28

11) The above-captioned action, shall, upon filing by Plaintiff of the Settlement Agreement, Stipulation for Entry of Judgment and Judgment Pursuant to Stipulation, and requesting entry of judgment against Defendant, be reopened should Defendant default under the terms of the Settlement Agreement.

12) This Court shall retain jurisdiction over the Defendant for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the enforcement hereof; the punishment of any violations hereof; and for the possible entry of a further Judgment Pursuant to Stipulation in this action.

DATED: March 28, 2012



Hon. Gary Allen Feess
Judge, United States District Court
for the Central District of California

PRESENTED BY:

J. Andrew Coombs, A Prof. Corp.

By: _____
J. Andrew Coombs
Nicole L. Drey
Attorneys for Plaintiff Warner Bros.
Entertainment Inc.

Long & Delis

By: _____
Abraham H. Tang
Attorney for Defendant Todd Loya,
an individual and d/b/a
www.fleshwoundvideo.com

Exhibit A
Plaintiff's Copyrights

Titles	Registration Numbers
Adventures of Brisco County Jr - Complete Series	1. Pilot ep.: PA 711427; 2. Ep. 25: BAD LUCK BETTY: PA 711451
Awakening, The	PA106609
Borrower, The	PA 583891
Deadly Friend	PA 314220
Dial M for Murder -1955	RE 131472
Don't Be Afraid of the Dark	PA 109-555
Freddy's Nightmares (Season One): Judy Miller, Come on Down	PA 417423
Freddy's Nightmares (Season One): Saturday Night Special	PA 417428
Freddy's Nightmares (Season One): Black Tickets	PA 417207
Freddy's Nightmares (Season One): Cabin Fever	PA 417208
Freddy's Nightmares (Season One): Deadline	PA 417216
Freddy's Nightmares (Season One): Do Dreams Bleed?	PA 417212
Freddy's Nightmares (Season One): Freddy's Tricks and Treats	PA 427151
Freddy's Nightmares (Season One): Identity Crisis	PA 426087
Freddy's Nightmares (Season One): Killer Instinct	PA 417421
Freddy's Nightmares (Season One): Love Stinks	PA 417426
Freddy's Nightmares (Season One): Missing Persons	PA 417215
Freddy's Nightmares (Season One): Mother's Day	PA 418011
Freddy's Nightmares (Season One): Rebel Without a Car	PA 417427
Freddy's Nightmares (Season One): Safe Sex	PA 417211
Freddy's Nightmares (Season One): School Daze	PA 417201
Freddy's Nightmares (Season One): Sister's Keeper	PA 418008
Freddy's Nightmares (Season One): The Art of Death	PA 417213
Freddy's Nightmares (Season One): The Bride Wore Red	PA 417217
Freddy's Nightmares (Season One): The End of the World	PA 417424
Freddy's Nightmares (Season One): It's a Miserable Life	PA 417429
Freddy's Nightmares (Season One): No More Mr. Nice Guy	PA 417425
Freddy's Nightmares (Season Two): A Family Affair	PA 749971
Freddy's Nightmares (Season Two): Bloodlines	PA 749967
Freddy's Nightmares (Season Two): Do You Know Where Your Kids Are?	PA 750049
Freddy's Nightmares (Season Two): Dream Come True	PA 750047
Freddy's Nightmares (Season Two): Dreams That Kill	PA 750042
Freddy's Nightmares (Season Two): Dust to Dust	PA 750041
Freddy's Nightmares (Season Two): Easy Come, Easy Go	PA 750046
Freddy's Nightmares (Season Two): Funhouse	PA 749972
Freddy's Nightmares (Season Two): Heartbreak Hotel	PA 749970
Freddy's Nightmares (Season Two): It's My Party and You'll Die if I	PA 750045

1	Want You To	
2	Freddy's Nightmares (Season Two): Life Sentence	PA 750044
	Freddy's Nightmares (Season Two): Lucky Stiff	PA 749968
3	Freddy's Nightmares (Season Two): Memory Overload	PA 749964
	Freddy's Nightmares (Season Two): Monkey Dreams	PA 750043
4	Freddy's Nightmares (Season Two): Photo Finish	PA 749965
	Freddy's Nightmares (Season Two): Prime Cut	PA 749966
5	Freddy's Nightmares (Season Two): Prisoner of Love	PA 750040
	Freddy's Nightmares (Season Two): Silence is Golden	PA 749969
6	Freddy's Nightmares (Season Two): Welcome to Springwood	PA 749973
7	Freddy's Nightmares (Season Two): What You Don't Know Can Kill You	PA 750048
8	House of Wax	1953: RE 82-028 2005: PA 1271415
9	Howling 7: New Moon Rising	PAu179911
	Jason Goes to Hell: The Final Friday	PA 682227
10	Journey To The Center Of The Earth 3D	Pau 3473826
	Lawnmower Man	PA 568029
11	MR. AND MRS. SMITH	1941: R435621
12	MR. AND MRS. SMITH (Season One): Pilot	PA 891685
	MR. AND MRS. SMITH (Season One): Surburban Episode, The	PA 891681
13	MR. AND MRS. SMITH (Season One): Second Episode, the	PA 891686
	MR. AND MRS. SMITH (Season One): Poor Pitiful Put-Upon Singer Episode, The	PA 891689
15	MR. AND MRS. SMITH (Season One): Grape Escape Episode, The	PA 891688
	MR. AND MRS. SMITH (Season One): Publishing Episode, The	PA 891690
16	MR. AND MRS. SMITH (Season One): Coma Episode, The	PA 891687
	MR. AND MRS. SMITH (Season One): Kidnapping Episode, The	PA 891691
17	MR. AND MRS. SMITH (Season One): Space Flight Episode, The	PA 891693
	MR. AND MRS. SMITH (Season One): Big Easy Episode, The	PA 891683
18	MR. AND MRS. SMITH (Season One): Impossible Mission Episode, The	PA 891684
19	MR. AND MRS. SMITH (Season One): Bob Episode, The	PA 891682
20	MR. AND MRS. SMITH (Season One): Sins of the Father Episode, The	PA 891692
	My Demon Lover	PA 361832
21	Night Watch	RE 849859
	Nightmare of Elm Street	PA 277512
22	NIGHTMARE ON ELM STREET 5: THE DREAM CHILD	PA 432153
	Razorback	PA 246883
23	Return of the Living Dead 2	PA 368497
24	Screwballs	PA 210444
25		1. Ep 1: Vortex.: PA 1193076 supplemented by PA 1266651.
26	Smallville Season 2	2. Ep.15: Prodigal: PA 1193089 supplemented by PA 1266664.
27	Someone's Watching Me	PA 36465
28	Tiny Toons Adventures: How I Spent My Vacation	PA 607231

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Tobe Hooper's NIGHT TERRORS	PAu1753975 supplement to PAu1750319
TWILIGHT ZONE: THE MOVIE	PA 185632