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10 Attorneys for Defendants

11 **IN THE UNITED STATES DISTRICT COURT**
 12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

13 HIS & HER CORP. d/b/a HIS & HER
 14 HAIR GOODS CO.,

15 Plaintiff,

16 v.

17 SHAKE-N-GO FASHION, INC.; MODEL
 18 MODEL HAIR FASHION, INC.; C&J
 19 BEAUTY SUPPLY; TIGI BEAUTY
 20 SUPPLY; PINK BEAUTY SUPPLY &
 21 SALON, INC.; SAM'S BEAUTY; EBONY
 22 WIG & BEAUTY SUPPLY; WOW
 23 BEAUTY SUPPLY; and BASKET
 24 BEAUTY SUPPLY,

25 Defendant.

26 SHAKE-N-GO FASHION, INC. and
 27 MODEL MODEL HAIR FASHION, INC.,

28 Counterclaimants

v.

HIS & HER CORP. d/b/a HIS & HER
 HAIR GOODS CO.,

Counterdefendant.

Civil Action No. 11-05323
 (GAF)(VBK)

**~~PROPOSED~~ JUDGMENT
 GRANTING DEFENDANTS'
 MOTION FOR SUMMARY
 JUDGMENT**

Date: June 25, 2012

Time: 9:30 a.m.

Courtroom: 740 - Roybal

Judge: Hon. Gary A. Feess

Trial Date: December 4, 2012

1 The Court has considered the Motion for Summary Judgment filed by
2 Defendants Shake-N-Go Fashion, Inc., Model Model Hair Fashion, Inc., C&J
3 Beauty Supply, Tigi Beauty Supply, Pink Beauty Supply & Salon, Inc., Sam's
4 Beauty, Ebony Wig & Beauty Supply, WOW Beauty Supply, and Basket Beauty
5 Supply, which came before this Court for hearing on July 30, 2012 in Courtroom
6 740 of the above-entitled Court, the Honorable Gary A. Feess presiding. Having
7 reviewed the moving, opposing and reply papers, the Court finds that Summary
8 Judgment in favor of Defendants is appropriate.

9 **THEREFORE, IT IS HEREBY:**

10 **ORDERED** that Defendants' Motion for Summary Judgment is GRANTED
11 in its entirety and judgment shall be entered forthwith in favor of Defendants
12 against Plaintiff as to all counts in Plaintiff's Complaint;

13 **IT IS FURTHER ORDERED** that Plaintiff's Federal Trademark
14 Registration No. 3,020,614 be cancelled due to genericness; and

15 **IT IS FURTHER ORDERED** that Defendants' counterclaim against
16 Plaintiff based on an allegation of fraud on the Trademark Office is dismissed
17 without prejudice.

18
19
20 DATED: September 25, 2012


E. _____
The Honorable Gary A. Feess
United States District Court Judge