1 2 3 4 5	HOWARD A. KROLL, CA Bar No. howard.kroll@cph.com CHRISTIE, PARKER & HALE, LL 655 N. Central Avenue, Suite 2300 Glendale, California 91203-1445 Telephone: (626) 795-9900 Facsimile: (626) 577-8800 Attorneys for Plaintiff, Tacori Enterprises	JS-6 P
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8	UNITED STATE	S DISTRICT COURT
9	CENTRAL DISTR	ICT OF CALIFORNIA
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11	TACORI ENTERPRISES,	Case No. CV12 – 02753 DSF (VBKx)
12	Plaintiff,	CONSENT JUDGMENT AND PERMANENT INJUNCTION
13	vs.	AGAINST CLASSIQUE CREATIONS, LLC, MORDECAI
14	NERCES FINE JEWELRY,	AGAINST CLASSIQUE CREATIONS, LLC, MORDECAI GURARY, LEAH GURARY, AND CHAIM GURARY
15	Defendant.	
16	VS.	
17	CLASSIQUE CREATIONS, LLC,	
18	Third Party Defendant.	
19	TACORI ENTERPRISES,	Case No. CV12-4482 DSF (VBKx)
20	Plaintiff,	
21	VS.	
22 23	CLASSIQUE CREATIONS, LLC,	
24	MORDECAI GURARY, LEAH GURARY AND CHAIM GURARY,	
25	Defendants.	
26		-
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28		
	I	

Plaintiff, Tacori Enterprises ("Tacori"), and Defendants, Classique Creations, LLC, Mordecai Gurary, Leah Gurary and Chaim Gurary (collectively "Defendants"), having settled this action on the terms and conditions stated herein, it is ORDERED, ADJUDGED, and DECREED as follows:

- 1. This case is a civil action arising under the Copyright Act, 17 U.S.C. §§ 101, et seq., the Lanham Act of 1946 as amended, 15 U.S.C. §§ 1051, et seq., and California statutory and common laws. This Court has jurisdiction over these claims under 15 U.S.C. § 1121, 17 U.S.C. § 501, and 28 U.S.C. §§ 1331, 1338(a) and 1367(a).
- 2. Venue is proper in this court pursuant to 28 U.S.C. §§ 1391(b) and 1400(a).
- 3. Tacori is a California corporation with its principal place of business at 1736 Gardena Avenue, Glendale, California.
- 4. Classique Creations, LLC ("Classique") has its principal place of business at 48 W. 48th St., Suite 402, New York, NY 10036-1703.
- 5. Mordecai Gurary, Leah Gurary, and Chaim Gurary are the owners, officers, directors, or managing agents of Classique.
- 6. At all relevant times, Tacori complied in all respects with the Copyright Act, 17 U.S.C. § 101, *et seq.*, and secured the exclusive rights and privileges in and to the copyrights of ring styles HT 2229, HT 2229A, HT 2326, HT 2510 and 2620 (collectively the "Five Tacori Copyrights"). The Five Tacori Copyrights and other copyrights for jewelry owned by Tacori shall be referred to in this Consent Judgment collectively as the Tacori Copyrights. Copies of the Certificates of Registration for the Tacori Copyrights are attached to this Consent Judgment as Exhibit A.
 - 7. The Tacori Copyrights are strong, valid, and enforceable.

- 8. Tacori owns a United States trademark registration for the Tacori Crescent Trade Dress, Registration No. 3,728,425. The Tacori Crescent Trade Dress, as it applies to rings and some pieces of jewelry, is defined as ". . . the appearance of portions of two essentially concentric rings, with one of the rings having a larger diameter than the other. Embedded between the rings are repeating semi-circles or arcs which appear contiguous to each other. A space is created between the contiguous semi-circles or arcs." A copy of the Registration Certificate for this registration is attached to this Consent Judgment as Exhibit B.
 - 9. The Tacori Crescent Trade Dress is valid and enforceable.
- 10. Tacori owns a United States trademark registration for the Tacori Reverse Crescent Trade Dress, Registration No. 4,024,320. The Tacori Reverse Crescent Trade Dress, as it applies to rings and some pieces of jewelry, is defined as ". . . the appearance of two generally concentric ring portions, with one ring portion having a larger diameter than the other ring portion. Located between the two generally concentric ring portions are two semicircular arches forming crescent-shaped openings that appear to be adjacent to each other and are oriented with their apexes closer to the larger diameter ring portion. Located between each crescent-shaped opening is a stone." A copy of the Registration Certificate for this registration is attached to this Consent Judgment as Exhibit C.
 - 11. The Tacori Reverse Crescent Trade Dress is valid and enforceable.
- 12. Judgment shall be entered in favor of Tacori and against Defendants Mordecai Gurary and Chaim Gurary on the Complaint in the amount of \$1,100,000, which reflects a reimbursement of Tacori's attorney's fees, Tacori's lost profits and statutory damages for Defendants selling rings which infringe the Five Tacori Copyrights, the Tacori Crescent Trade Dress, and the Tacori Reverse Crescent Trade Dress.

- 13. Defendants and Defendants' shareholders, officers, directors, employees, representatives, agents, successors-in-interest, parent corporations, subsidiary corporations, affiliated companies, and all other persons, firms or entities acting in concert or participating with them, are permanently enjoined, directly or indirectly, from:
- (a) imitating, copying or making unauthorized use of, or engaging in any unauthorized distribution of products protected by the Tacori Copyrights, the Tacori Crescent Trade Dress, and the Tacori Reverse Crescent Trade Dress;
- (b) selling, distributing, advertising, manufacturing, or purchasing Classique Ring Style Nos. R-4238, R-6805, R-9579, R-A026. Pictures of these Classique ring styles are attached to this Consent Judgment as Exhibit D;
- (c) selling, distributing, advertising, manufacturing, or purchasing any piece of jewelry substantially similar to the Tacori Copyrights;
- (d) selling, distributing, advertising, manufacturing, or purchasing any piece of jewelry confusingly similar to the Tacori Crescent Trade Dress or the Tacori Reverse Crescent Trade Dress;
- (e) engaging in any other activity constituting an infringement of the Tacori Copyrights, the Tacori Crescent Trade Dress, or the Tacori Reverse Crescent Trade Dress; and
- (f) knowingly assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs 13(a) through 13(e) above.
- 14. The parties waive notice of entry of this Consent Judgment and Permanent Injunction and the right to appeal therefrom or to test its validity and consent to its immediate entry in accordance with its terms. This Court expressly

retains jurisdiction over this matter to enforce, implement or construe this Consent Judgment and Permanent Injunction.

SO ORDERED.

Dated: 12/29/14

Hon. Dale S. Fischer United States District Judge

Dale S. Jischer

1	The individuals executing this	Consent Judgment and Permanent Injunction
2	represent or confirm that they are	duly authorized to do so, and are similarly
3	authorized to bind each of the s	signatories to this Consent Judgment and
4	Permanent Injunction.	
5	CONSENTED TO:	
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7		Respectfully submitted,
8		
9	DATED: December, 2014	TACORI ENTERPRISES
10		
11		By
12		By Haig Tacorian
13	DATED: December, 2014	CLASSIQUE CREATIONS, LLC
14	DATED. December, 2014	CLASSIQUE CREATIONS, LLC
15		
16		By Leah Gurary
17		J
18	DATED: December, 2014	
19		Mordecai Gurary
20		·
21	DATED: December, 2014	
22		Leah Gurary
23		•
24	DATED: December, 2014	
25		Chaim Gurary
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EXHIBIT A

Case 2:12-cv-02753-DSF-VBK Document 346-2 Filed 12/23/14 Page 2 of 100 Page ID

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marin A. Pallante

Register of Copyrights, United States of America

Registration Number VA 1-813-795

Effective date of registration:

March 22, 2012

Title ·

Title of Work: 37-2 RD 6.5

Completion/Publication -

Year of Completion: 2011

Date of 1st Publication: October 1, 2011

Nation of 1st Publication: United States

Author

Author: Tacori Enterprises

Author Created: jewelry design

Work made for hire: Yes

Citizen of: United States

Author: Anais Designs, Inc.

Author Created: jewelry design

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Tacori Enterprises

1736 Gardena Ave., Glendale, CA, 91204, United States

Transfer Statement: By written agreement

Certification

Name: Armand Andonian

Date: March 22, 2012





Exhibit A Page 9

Case 2:12-cv-02753-DSF-VBK Document 346-2 Filed 12/23/14 Page 5 of 100 Page ID #:10500 Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Registration Number VA 1-889-074

> Effective date of registration:

November 6, 2013

Register of Copyrights, United States of America

Title -

Title of Work: 300-2 1/2

Completion/Publication -

Year of Completion: 2013

Date of 1st Publication: October 7, 2013

Nation of 1st Publication: United States

Author

Author: Tacori Enterprises

Author Created: jewelry design

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Author Created: jewelry design

Author: Anais Designs, INC.

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant -

Copyright Claimant: Tacori Enterprises

1736 Gardena Avenue, Glendale, CA, 91204, United States

Transfer Statement: By written agreement

Certification

Name: Armand Andonian

Date: November 6, 2013



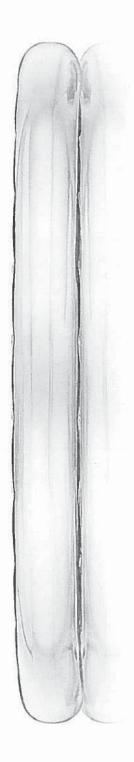


Exhibit A Page 15

Certificate of Registration



This Certificate/issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Register of Copyrights, United States of America

Registration Number:

VA 1-667-591

Effective date of registration:

April 24, 2009

Title Title of Work: 656 R 2S Tacori Men's "Crescent Silhouette" Ring Design Completion/Publication Year of Completion: 2008 Date of 1st Publication: February 6, 2009 Nation of 1st Publication: United States Author Author: Anais Design, Inc. Author Created: jewelry design Work made for hire: Yes Citizen of: United States Domiciled in: United States Author: Tacori Enterprises Author Created: jewelry design Work made for hire: Yes Citizen of: United States Domiciled in: United States Copyright claimant -Copyright Claimant: Tacori Enterprises 1736 Gardena Ave., Glendale, CA, 91204, United States Transfer Statement: By written agreement Certification Name: Armand Andonian Date: April 24, 2009





Case 2:12-cv-02753-DSF-VBK Document 346-2 Filed 12/23/14 Page 11 of 100 Page ID #:10506

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has

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Case 2:12-cv-02753-DSF-VBK Document 346-2 Filed 12/23/14 Page 17 of 100 Page ID Certificate of Registration #:10512



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

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Exhibit A Page 26 2569PR6



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Exhibit A Page 29



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Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has

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Exhibit A

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HT 2571 B

Exhibit A Page 35



HT 2571 B

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Exhibit A Page 41



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Case 2:12-cv-02753-DSF-VBK Document 346-2 Filed 12/23/14 Page 35 of 100 Page ID #:10530

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Marybeth Peters

Register of Copyrights, United States of America

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Exhibit A

Page 1 of _____ pages

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