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NOTE: CHANGES MADE BY THE COURT

Attorneys for Plaintiff Sanrio, Inc.

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11 Attorney for Defendant BKV, Inc. a/k/a BKV
 Tellos Inc. d/b/a Tello's

13 UNITED STATES DISTRICT COURT
 14 CENTRAL DISTRICT OF CALIFORNIA

15 Sanrio, Inc.,

16 Plaintiff,

17 v.

19 Love Story, Inc.; C&L Fashion, Inc. d/b/a
 Beautiful Gina a/k/a Gina Beautiful a/k/a
 20 Gina Beautiful Fashion; Kon Moon a/k/a
 Kon Il Moon; BKV, Inc. a/k/a BKV
 21 Tellos Inc. d/b/a Tello's, and Does 1 – 10,
 22 inclusive,

23 Defendants.

Case No. CV12-5530 RGK (MANx)

~~[PROPOSED]~~ CONSENT DECREE
PURSUANT TO STIPULATION

24
 25 The Court, having read and considered the Joint Stipulation for Entry of
 26 Consent Decree that has been executed on behalf of Plaintiff Sanrio, Inc. (“Plaintiff”),
 27 on the one hand, and Defendant BKV, Inc. a/k/a BKV Tellos Inc. d/b/a Tello's
 28 (“Defendant”), on the other hand, and good cause appearing therefore, hereby:

1 ORDERS that this Consent Decree shall be and is hereby entered in the within
2 action as follows:

3 1) This Court has jurisdiction over the parties to this action and over the subject
4 matter hereof pursuant to 17 U.S.C. § 101 et seq., 17 U.S.C. § 501, 28 U.S.C. §§ 1331
5 and 1338, and 28 U.S.C. § 1367. Service of process was properly made against
6 Defendant.

7 2) **For purposes of this action against Defendant**, Plaintiff is the owner or
8 exclusive licensee of all rights in and to the copyright and trademark registrations
9 listed in Exhibits “A” and “B,” attached hereto and incorporated herein by this
10 reference, and the copyrights associated with the same (“Plaintiff’s Properties”).

11 3) Plaintiff has expended considerable resources in the creation and commercial
12 exploitation of Plaintiff’s Properties on merchandise and in the enforcement of its
13 intellectual property rights in Plaintiff’s Properties.

14 4) Plaintiff has alleged that Defendant has made unauthorized uses of Plaintiff’s
15 Properties or substantially similar likenesses or colorable imitations thereof.

16 5) Defendant and its agents, servants, employees and all persons in active concert
17 and participation with it who receive actual notice of the injunction are hereby
18 restrained and enjoined from:

19 a) Infringing Plaintiff’s copyrights and trademarks in Plaintiff’s Properties,
20 either directly or contributorily, in any manner, including generally, but not
21 limited to manufacturing, importing, distributing, advertising, selling, offering
22 for sale, any unauthorized product which features any of Plaintiff’s Properties
23 (“Unauthorized Products”), and, specifically:

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

1 ii) Importing, manufacturing, distributing, advertising, selling, offering
2 for sale, renting or offering to rent in connection thereto any
3 unauthorized promotional materials, labels, packaging or containers
4 which picture, reproduce, copy or use the likenesses of or bear a
5 confusing similarity to 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
8 customers and/or members of the public to believe, the actions of
9 Defendant, the products sold by Defendant, or Defendant itself are
10 connected with Plaintiff, are sponsored, approved or licensed by
11 Plaintiff, or are affiliated with Plaintiff; or

12 iv) Affixing, applying, annexing or using in connection with the
13 importation, manufacture, distribution, advertising, selling, offering
14 for sale, or other use of any goods or services, a false description or
15 representation, including words or other symbols, tending to falsely
16 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) This Consent Decree shall be deemed to have been served upon Defendant at
19 the time of its execution by the Court.

20 8) The Court finds there is no just reason for delay in entering this Consent Decree
21 and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court
22 directs immediate entry of this Consent Decree against Defendant.

23 9) The Court shall retain jurisdiction of this action to entertain such further
24 proceedings and to enter such further orders as may be necessary or appropriate
25 to implement and enforce the provisions of this Consent Decree.


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1 10) Except as provided herein, all claims alleged in the Complaint as to Defendant
2 are dismissed with prejudice. All claims alleged in the Complaint as to the
3 remaining defendants shall remain pending before the Court.
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5 Dated: January 31, 2013



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7 Hon. R. Gary Klausner
United States District Judge

8 Presented By:

9 J. Andrew Coombs, A Prof. Corp.
10

11 By: _____
12 J. Andrew Coombs
Nicole L. Drey
13 Attorneys for Plaintiff Sanrio, Inc.

14 Carl J. Pentis, A Prof. Law Corp.

15 By: _____
16 Carl J. Pentis
17 Attorney for Defendant BKV, Inc.
a/k/a BKV Tello's Inc. d/b/a Tello's
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EXHIBIT A

SANRIO CO.'S COPYRIGHTED DESIGNS

Copyright Registration	Title of Work (Character)	Type of Work
VAu 684-322	SANRIO 2005 CHARACTER GUIDE	Graphic Artwork
VA 1-303-874	CHARACTER MERCHANDISING	Collective work of artwork, text and photos
TX 3-769-888	SANRIO 1993 PRODUCT AND SALES PROMOTION CATALOG	Visual Material
VA 1-296-115	2004 – 100 CHARACTERS	Graphic Artwork
VA 811-440	BAD BADTZ MARU	Graphic Artwork
VAu 498-617	CHOCOCAT	Art original
VA 130-420	HELLO KITTY	Graphic Artwork
VA 636-579	KEROKEROKEROPPI	Sticker Book
VA 707-212	KEROKEROKEROPPI	Pictorial Cartoon Drawing
VA 246-421	LITTLE TWIN STARS	Stickers
VA 840-495	MONKICHI	Graphic Artwork
VA 130-419	MY MELODY, A BUNNY WITH HOOD	Graphic Artwork
VA 130-421	PATTY & JIMMY, A BOY AND GIRL WITH SCHOOL BOOKS	Graphic Artwork
VA 636-582	PEKKLE- AHIRU NO PEKKLE MINI STICKER BOOK	Graphic Artwork
VA 840-496	PICKE BICKE	Graphic Artwork
VA 636-580	POCHACCO	Sticker Book
VA 148-625	TUXEDO SAM, TUXEDO SAM GRAND REGATTA, SPIFFY'S THE COOLEST AND SPIFFY IS COOL STICKERS	Stickers
VA 840-494	WINKIPINKI	Graphic Artwork
VA 636-581	ZASHIKIBUTA	Stickers
VA 1-352-721	KEROPPI / LITTLE FROG...BIG SPLASH	Visual Material
Vau 1-078-385	SANRIO 2010 CHARACTER GUIDE	Visual Material
VA 1-342-775	SANRIO 2002 HELLO KITTY STYLE GUIDE	Visual Material
VA 657-748	KOBUTA NO PIPPO	Visual Material
VA 1-342-774	SANRIO 2005 KEROPPI STYLE GUIDE	Visual Material
Vau 655-028	THE RUNABOUTS - 2001	Visual Material
VA 1-416-374	TENORIKUMA(BLUE CAFE), MY MELODY(HEART),	Visual Material

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	KUROMI(KUROMI5), CHARMMY KITTY(RABBIT), HELLO KITTY(LOGO) EVERYDAY CAT.JUNE 2006	
VA 1-416-375	MASYUMARU(INTRO); CINNAMOROLL(SPORT); SUGARBUNNIES(DOUGHNUITS); CHARMMYKITTY(RABBIT); LITTLE TWIN STARS(STARS); HELLO KITTY(BEAR); EVERYDAY CATALOG JULY 2006	Visual Material
VA 1-370-020	PANDAPPLE(INTRO), FROOLIEMEW(FANCY), CHOCOCAT(DOT)/SANRIO 2005 PRODUCT CATALOG AUG NEW	Visual Material
VA 1-303-873	DOKIDOKI HOTDOG / THE CHILI PEPPER TRIO / CATALOG EVERYDAY 5 MAY 2003	Visual Material

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EXHIBIT B
SANRIO CO.'S TRADEMARKS

Trademark	Mark Drawing Code	Trademark Registration No.	Trademark Registration Date
Chococat	Design Plus Words, Letters, and/or Numbers	2,842,707	5/18/04
Chococat	Design Plus Words, Letters, and/or Numbers	2,707,592	4/15/03
Chococat	Design Plus Words, Letters, and/or Numbers	2,705,164	4/8/03
Chococat	Design Plus Words, Letters, and/or Numbers	2,714,130	5/6/03
Chococat	Design Plus Words, Letters, and/or Numbers	2,952,043	5/17/05
Chococat	Design Plus Words, Letters, and/or Numbers	2,845,315	5/25/04
Hello Kitty	Design Only	1,200,083	7/6/82
Hello Kitty	Design Only	1,277,721	5/15/84
Hello Kitty	Typed Drawing	1,215,436	11/9/82
Hello Kitty	Typed Drawing	1,279,486	5/29/84
Hello Kitty	Typed Drawing	1,391,550	4/29/86
Hello Kitty	Design Only	1,370,105	11/12/85
Keroppi	Standard Character Mark	3,531,383	11/11/08
Keroppi	Standard Character Mark	3,181,350	12/5/06
Keroppi	Standard Character Mark	3,531,382	11/11/08
Keroppi	Standard Character Mark	3,181,349	12/5/06
Keroppi	Standard Character Mark	3,436,548	5/27/08

1	Keroppi	Standard Character Mark	3,181,348	12/5/06
2	Keroppi	Standard Character Mark	3,181,347	12/5/06
3	Keroppi	Standard Character Mark	3,449,938	6/17/08
4	Keroppi	Standard Character Mark	3,531,381	11/11/08
5	Keroppi	Standard Character Mark	3,531,380	11/11/08
6	Keroppi	Standard Character Mark	3,181,346	12/5/06
7	Keroppi	Standard Character Mark	3,423,288	5/6/08
8	Keroppi	Standard Character Mark	3,181,345	12/5/06
9	Little Twin Stars	Typed Drawing	1,341,864	6/18/85
10	Little Twin Stars	Typed Drawing	1,192,946	4/6/82
11	Little Twin Stars	Standard Character Mark	3,245,999	5/29/07
12	Little Twin Stars	Standard Character Mark	3,245,998	5/29/07
13	Little Twin Stars	Standard Character Mark	3,245,997	5/29/07
14	Little Twin Stars	Standard Character Mark	3,245,994	5/29/07
15	Little Twin Stars	Standard Character Mark	3,245,993	5/29/07
16	Little Twin Stars	Standard Character Mark	3,245,992	5/29/07
17	Little Twin Stars	Standard Character Mark	3,245,991	5/29/07
18	Monkichi	Standard Character Mark	3,699,381	10/20/09
19	My Melody	Typed Drawing	1,305,637	11/20/84
20	My Melody	Typed Drawing	1,210,192	9/28/82
21	Pekkle	Typed Drawing	2,053,346	4/15/97
22	Pochacco	Typed Drawing	2,236,507	4/6/99
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1	Pochacco	Typed Drawing	1,985,358	7/9/96
2	Sanrio	Design Plus Words, Letters, and/or Numbers	2,506,705	11/13/01
3	Sanrio	Typed Drawing	2,506,577	11/13/01
4	Sanrio	Design Plus Words, Letters, and/or Numbers	2,721,680	6/3/03
5	Sanrio	Design Plus Words, Letters, and/or Numbers	2,742,381	7/29/03
6	Sanrio	Design Plus Words, Letters, and/or Numbers	2,721,679	6/3/03
7	Sanrio	Design Plus Words, Letters, and/or Numbers	2,693,639	3/4/03
8	Sanrio	Design Plus Words, Letters, and/or Numbers	2,696,063	3/11/03
9	KEROKEROKEROPPI	Standard Character Mark	3,531,378	11/11/2008
10	KEROKEROKEROPPI	Standard Character Mark	3,531,376	11/11/2008
11	Bow	Design only	3,260,857	7/10/2007
12	Bow	Design only	3,359,800	12/25/2007
13	Bow	Design only	3,359,801	12/25/2007
14	Bow	Design only	3,272,377	7/31/2007
15	Bow	Design only	3,260,860	7/10/2007
16	Bow	Design only	3,362,512	1/1/2008
17	Bow	Design only	3,348,608	12/4/2008
18	Bow	Design only	3,249,704	6/5/2007
19	Bow	Design only	3,362,514	1/1/2008
20	Bow	Design only	3,359,799	12/25/2007
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Bow	Design only	3,260,858	7/10/2007
Bow	Design only	3,445,304	6/10/2008
Bow	Design only	3,260,859	7/10/2007
Bow	Design only	3,359,802	12/25/2007
Bow	Design only	3,260,861	7/10/2007
Bow	Design only	3,253,794	6/19/2007
Bow	Design only	3,260,862	7/10/2007
Outline of Hello Kitty	Design only	3,666,736	8/11/2009
Outline of Hello Kitty	Design only	3,756,724	3/9/2010
Outline of Hello Kitty	Design only	3,751,315	2/23/2010
Outline of Hello Kitty	Design only	3,868,138	10/26/2010
Outline of Hello Kitty	Design only	3,756,725	3/9/2010
Outline of Hello Kitty	Design only	3,666,736	8/11/2009
Outline of Hello Kitty	Design only	3,679,187	9/8/2009
Outline of Hello Kitty	Design only	3,865,208	10/19/2010