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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOVELTY TEXTILE, INC., a California Corporation;

Plaintiff,

vs.

WINDSOR FASHIONS, INC., a California Corporation; XTAREN, INC., a California Corporation; and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: CV12-5602-BRO (MANx)

FINAL ORDER AND JUDGMENT

Courtroom: 14—Spring St., Floor
Judge: Hon. Beverly Reid O’Connell

1 Plaintiff Novelty Textile, Inc. (“Plaintiff”), having moved for summary judgment
2 against Defendants Windsor Fashions, Inc. and Xtaren, Inc. (collectively,
3 “Defendants”) on August 13, 2013, Hon. Beverly Reid O’Connell presiding, and
4 the evidence presented having been fully considered, the issues having been duly
5 heard, and the Court having granted the motion,
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7
8 IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

9 **Findings:**

- 10
- 11 1. Plaintiff has established ownership of a valid copyright in the 1066 Design,
12 as Plaintiff’s Certificate of Registration VA 1-728-356 is *prima facie*
13 evidence of a valid copyright, and Defendants failed to rebut that
14 presumption.
15
 - 16 2. Plaintiff’s 1066 Design and Defendants’ Infringing Garments are strikingly
17 similar, and thus the only explanation for the similarity is that the Infringing
18 Garments were copied from the 1066 Design.
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 - 20 3. Plaintiff has requested statutory damages, and the Court finds \$15,000 as a
21 reasonable statutory award in this case.
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1 Based on the above findings, JUDGMENT IS ENTERED against Defendants for
2 all of Plaintiff's claims asserted in this action. Defendants Windsor Fashions, Inc.
3 and Xtaren, Inc. are jointly and severally liable to Plaintiff for \$15,000 in statutory
4 damages.
5

6 **IT IS SO ORDERED AND ADJUDGED.**
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9 Dated: August 28, 2013

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11 By: 
12 HON. BEVERLY REID O'CONNELL
13 United States District Court Judge
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