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NOTE CHANGES BY THE COURT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MAX KLEVEN, an individual; RIN, INC., a California corporation,

Plaintiffs,

vs.

DAPHNE HEREFORD, an individual; RIN TIN TIN, INC., a Texas Corporation; BELLEAIR TRADING INTERNATIONAL, LLC, a Florida limited liability company DOES 1 through 20, inclusive

Defendants.

Case No. CV 13-02783-AB (AGR_x)

JUDGMENT AS TO DEFENDANT BELLEAIR TRADING INTERNATIONAL, LLC ON CLAIMS BROUGHT BY PLAINTIFF RIN, INC. AND PLAINTIFF-IN-INTERVENTION SHAMROCK ENTERTAINMENT, LTD.

AND COUNTERCLAIMS AND CLAIMS IN INTERVENTION

1 **JUDGMENT**

2 Having considered the Stipulation of Plaintiff Rin, Inc. (“Rin”) and Plaintiff-
3 in-intervention Shamrock Entertainment, Ltd. (“Shamrock”), on the one hand, and
4 Defendant Belleair Trading International, LLC (“Belleair”), on the other hand, for
5 entry of Judgment, and having, after trial to the Court, issued the Court’s Findings of
6 Fact and Conclusions of Law as to Rin and Shamrock’s claims for cancellation of
7 federal trademark registrations (Document No. 210), and having found that entry of
8 Judgment as provided herein as to Rin and Shamrock’s claims against Belleair
9 pursuant to Fed. R. Civ. P. 54(b) is appropriate, with no just reason for delay, the
10 Court hereby **ORDERS AND ADJUDGES** that the following federal trademark
11 registrations, and each of them, be and hereby are **CANCELLED**:

12 1. “RIN TIN TIN” Mark (stylized), Reg. No. 1763135, originally
13 registered to Daphne Hereford (“Hereford”) on April 6, 1993, International Class
14 031 for live German Shepherd puppies;

15 2. “RIN TIN TIN CANINE AMBASSADOR CLUB,” Reg. No. 2384745,
16 originally registered to Rin Tin Tin, Inc. (“RTTI”) on June 20, 2000, International
17 Class 041 for the promotion of responsible dog ownership through programs
18 presented to schools and groups;

19 3. “RIN TIN TIN,” Reg. No. 2538312, originally registered to Hereford
20 on February 12, 2002, International Class 041 for mail order fan club service
21 providing materials promoting the breeding, training, raising, and showing of
22 authentic Rin Tin Tin German Shepherd dog lineage;

23 4. “RIN TIN TIN,” Reg. No. 2969852, originally registered to Hereford on
24 July 19, 2005, International Class 016 for printed publications, namely, magazines,
25 pamphlets, books, and comic books about German Shepherd dogs; activity and
26 coloring books, posters, stickers, business cards, and cards in the nature of greeting
27 cards and trading cards; International Class 028 for playing cards; and International
28 Class 41 for entertainment services in the nature of an ongoing television series in

1 the field of variety and motion pictures featuring a German Shepherd dog as a live or
2 animated character;

3 5. "RIN TIN TIN," Reg. No. 3111161, originally registered to Hereford on
4 July 4, 2006, International Class 016 for printed publications, namely children's books;

5 6. "RIN TIN TIN," Reg. No. 3215700, originally registered to Hereford
6 on March 6, 2007, International Class 018 for dog clothing, dog collars, dog leashes,
7 dog shoes, handbags, purses, and tote bags; International Class 021 for bowls,
8 brushes for pets, cups, mugs, pet brushes, and pet feeding brushes; International
9 Class 025 for caps, hats, jackets, muffs, scarves, slippers, sweat shirts, and t-shirts;
10 and International Class 028 for board games, dog toys, plush toys, puzzles, and soft
11 sculpture plush toys;

12 7. "RIN TIN TIN," Reg. No. 3380788, originally registered to Hereford
13 on February 12, 2008, International Class 031 for dog food;

14 8. "RIN TIN TIN," Reg. No. 3582436, originally registered to Hereford
15 on March 3, 2009, International Class 031 for live German Shepherd dogs of Rin
16 Tin Tin lineage; and International Class 041 for animal exhibitions and live animal
17 performances featuring a German Shepherd dog; and

18 9. "RIN TIN TIN," Reg. No. 4263551, originally registered to Hereford
19 on December 25, 2012, International Class 041 for entertainment services in the
20 field of motion pictures featuring a German Shepherd dog (collectively, the "Rin Tin
21 Tin Trademark Registrations").

22 **IT IS FURTHER ORDERED AND ADJUDGED** that the United States
23 Patent and Trademark Office is directed to cancel the Rin Tin Tin Trademark
24 Registrations.

25 **IT IS FURTHER ORDERED AND ADJUDGED** that, upon entry by the
26 Court of this Judgment, all of Rin and Shamrock's claims against Belleair not
27 adjudicated by this Judgment shall be and hereby are dismissed with prejudice.

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IT IS FURTHER ORDERED AND ADJUDGED that the Court shall retain jurisdiction of this matter for purposes of enforcement of Rin, Shamrock, and Belleair's Settlement Agreement dated as of November 6, 2015.

IT IS FURTHER ORDERED AND ADJUDGED that Rin and Shamrock, on the one hand, and Belleair, on the other hand, shall each bear their respective costs and attorneys' fees.

Dated: December 7, 2015



HONORABLE ANDRÉ BIROTTE JR.
UNITED STATES DISTRICT JUDGE