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Third Estate LLC, dba Dope and
7 Dope Couture

JS-6

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

11 THIRD ESTATE LLC, dba DOPE
and DOPE COUTURE,

Case No. CV 13-09380 FMO (JCGx)

12 Plaintiff,

**CONSENT JUDGMENT AND
PERMANENT INJUNCTION**

13 v.

14 PAISLEE LTD., PAISLEE MV
15 INCORPORATED, THE ADONI
GROUP, INC.; and DOES 1 through
16 10,

17 Defendants.

18
19 **[PROPOSED] CONSENT JUDGMENT**
20 **AND PERMANENT INJUNCTION**

21 Plaintiff Third Estate LLC, dba Dope and Dope Couture (“Third Estate”) and
22 Defendants Paislee MV Incorporated, and The Adoni Group, Inc. dba
23 paisleeltd.com (collectively, “Paislee”) (Third Estate and Paislee are from time to
24 time referred to as “the Parties” and individually as “Party”), having agreed to a
25 settlement of the claims between them asserted in this lawsuit (the “Settlement
26 Agreement”), and having stipulated to entry of this Consent Judgment,
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1 It is hereby ORDERED, ADJUDGED AND DECREED:

2 Third Estate has filed this action asserting claims for trademark infringement
3 and unfair competition, among others and wherein it alleges that, *inter alia*, Paislee
4 has distributed, offered for sale and sold at wholesale and/or retail various
5 merchandise, apparel and services using various marks owned by Third Estate.
6 Paislee denies such allegations.

7 Third Estate alleges it is a widely recognized designer and retailer of
8 contemporary and high end street-wear, including clothing, apparel, jewelry and
9 accessories, and alleges that it sells its products through both an on-line retail store
10 outlet located at <http://shop.dopecouture.com> and www.dope.com (“DOPE
11 Website”), and a physical retail store located in 454 N. Fairfax Avenue, Los
12 Angeles, California (“DOPE Store”).

13 Third Estate alleges that, at all relevant times, it has used the DOPE
14 COUTURE trademark and trade name (“DOPE COUTURE Mark”) and the DOPE
15 trademark and trade name (“DOPE Mark”) in interstate commerce (collectively,
16 “DOPE Marks”), including through the DOPE Store and the DOPE Website. Third
17 Estate alleges that, at all relevant times, it has prominently displayed its DOPE
18 Marks in connection with fashion apparel sold in the DOPE Store and DOPE
19 Website.

20 Third Estate is the owner of multiple U.S. Trademark Registrations for the
21 Dope Marks in connection with men’s and women’s fashion and jewelry, as
22 follows:

23	<u>DOPE</u>	
24	No. 4,403,067	IC25
25	No. 4,338,806	IC28
26	No. 4,387,143	IC14
27	No. 4,414,043	IC41
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DOPE COUTURE

No. 4,075,682 IC25

No. 4,414,044 IC25

Paislee MV Incorporated is a New York corporation with a principal place of business located at 247 W. 38th St., 3rd Floor, New York, NY 10018. Paislee MV Incorporated engages, inter alia, in the retail and wholesale of apparel.

The Adoni Group, Inc. dba paisleeltd.com, is a New York corporation with a principal place of business located at 247 W. 38th St., 3rd Floor, New York, NY 10018. The Adoni Group, Inc. engages, inter alia, in the retail and wholesale of apparel.

This Court has jurisdiction over Paislee and over the subject matter at issue in this action. Paislee consents to jurisdiction of this Court for the purpose of construing, executing and enforcing this Consent Judgment and Permanent Injunction, and this Court retains jurisdiction for this purpose.

Paislee and each of its members, officers, directors, agents, employees, subsidiaries, affiliates, partners, predecessors, successors and/or other related companies (the “Paislee Parties”) are permanently enjoined, as of January 28, 2014, from manufacturing, advertising, marketing, promoting, offering to sell, selling or otherwise distributing headgear, men’s and women’s fashion and jewelry bearing the word “dope” in the United States, through any means whatsoever, including but not limited to through any website or physical stores and/or through any third parties. However, nothing restricts Paislee from using “dope” descriptively.

Paislee will, within 5 days of the execution of the Settlement Agreement, provide a copy of the Consent Judgment and Permanent Injunction to each of its members, officers, directors, agents, employees, subsidiaries, affiliates, predecessors, successors and/or other related companies and all such persons who receive actual notice of this Consent Judgment by personal service or otherwise, are permanently enjoined as set forth above.

1 Paislee shall make the settlement payment to Third Estate as set forth in the
2 parties' Settlement Agreement.

3 The provisions of this Consent Judgment and Permanent Injunction shall be
4 deemed to extend to and inure to the benefit of the Parties' respective successors-in-
5 interest, assigns, transferees, grantees, and representatives, and to extend to and
6 obligate the Parties' respective successors-in-interest, assigns, transferees, grantees,
7 heirs, executors, administrators and representatives.

8 The Parties represent that they are duly authorized to execute and enter into
9 this Consent Judgment and Permanent Injunction.

10 We hereby consent to entry of this Consent Judgment and Permanent
11 Injunction:

12 Dated: February ____, 2014 PAISLEE MV INCORPORATED

14 By: _____
15 Name:
16 Its:

17 Dated: February ____, 2014 THE ADONI GROUP, INC. DBA PAISLEELTD.COM

19 By: _____
20 Name:
21 Its:

22 Dated: February ____, 2014 THIRD ESTATE LLC, DBA DOPE AND DOPE
23 COUTURE

24 By: _____
25 Name: Matte Fields
26 Its: Owner

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Approved as to form:

Dated: February ___, 2014 **ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

By: _____
David Martinez

**Attorneys for Plaintiff, Third Estate LLC, dba
Dope and Dope Couture**

Dated: February ___, 2014 **MISKIN & TSUI-YIP LLP**

By: _____

Gloria Tsui-Yip, Esq. (NY Bar No. 2820413)
Not Admitted in the U.S.D.C. Central District

**Attorneys for The Adoni Group, Inc. dba
paisleeld.com and Paislee MV Incorporated**

The Court shall retain jurisdiction to enforce the terms of the parties'
Settlement Agreement and of this Consent Judgment and Permanent Injunction.

IT IS SO ORDERED.

Dated: February 27, 2014 _____/s/_____

**The Honorable Fernando M. Olguin
UNITED STATES DISTRICT COURT JUDGE**