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JS-6

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

KREATION JUICERY, INC.,

Plaintiff,

v.

EIMAN SHEKARCHI et al.,

Defendants.

Case No.: CV 14-658-DMG (ASx)

**JUDGMENT AND
PERMANENT INJUNCTION
[43]**

1 Plaintiff Kreation Juicery, Inc. (Kreation) and defendants Eiman Shekarchi
2 and April Heidarian (erroneously named as April Shekarchi) have entered into a
3 settlement agreement resolving their dispute in its entirety and have stipulated,
4 with the approval of the Court, to the entry of the permanent injunction and an
5 order of dismissal of this entire action with prejudice as set forth below. It is
6 therefore ORDERED, ADJUDGED, AND DECREED that:

7 1. The Court has jurisdiction over the parties and the subject matter of this
8 action.

9 2. Kreation owns a valid and enforceable trademark for the term “kreation”
10 in connection with restaurant and café services (the “Kreation Mark”).

11 3. Kreation owns valid and enforceable trade dress in its distinctive living
12 wall as described in paragraphs 30 and 47 of its Complaint (the “Kreation Trade
13 Dress”).

14 4. Defendants Eiman Shekarchi and April Heidarian and their respective
15 agents, servants, employees, heirs, assigns, and all other persons acting in concert
16 with or in participation with them are hereby permanently restrained and enjoined
17 from any and all of the following acts:

18 a) Using the Kreation Mark or any confusingly similar name in
19 connection with their current or future business activities;

20 b) Using any living walls confusingly similar to the Kreation Trade
21 Dress in connection with their current or future business activities;

22 c) Registering, using, or trafficking in any domain name that is identical
23 or confusingly similar to the Kreation Mark; and

24 d) Assisting, aiding, or abetting any person or business entity in
25 engaging in or performing any of the activities referred to in
26 subparagraphs (a) through (c) above.

27 5. This Stipulated Judgment and Permanent Injunction is final and may not
28 be appealed by any party.

1 6. The Court shall retain jurisdiction to enforce this Stipulated Judgment
2 and Permanent Injunction and the parties' settlement agreement.

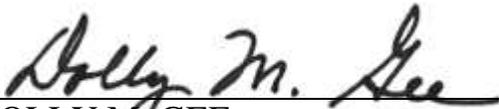
3 7. Kreation's claims against Defendants are hereby dismissed with
4 prejudice, with each party to bear its own costs and attorneys' fees.

5 8. The Final Pretrial Conference on January 20, 2015 and the Jury Trial on
6 February 17, 2015 are hereby VACATED.

7 9. The Clerk is ordered to return the bond in the amount of \$7,500 to
8 Kreation.

9
10 IT IS SO ORDERED.

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12 DATED: December 2, 2014



DOLLY M. GEE
UNITED STATES DISTRICT JUDGE

13
14 **cc: Fiscal Services**
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