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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

BUY MORE, INC., a California
corporation; AVERAPC, a business of
unknown classification; MOJDEH
ALAM, an individual, a/k/a MOJI
ALAM and d/b/a AVERAPC;
LAPTOP OUTLET CENTER INC., a
California corporation; SIDE MICRO,
INC., a business of unknown
classification; MARYAM SAJJAD, an
individual, d/b/a SIDE MICRO, INC.;
MISSION SOFTWARES, a business of
unknown classification a/k/a MISSION
SOFTS; MOHSEN RAVANBAKHSH,
an individual a/k/a MOHSEN RAVAN
and d/b/a MISSION SOFTWARES
a/k/a MISSION SOFTS; CALISTECH,
a California corporation; VEHID
ABDULLAHI, an individual a/k/a
VICTOR ALLENI; SHAHRAM
SHIRAZI, an individual, a/k/a

Case No. 14-cv-9697 R (PLAx)

JUDGMENT AGAINST
DEFENDANT CALISTECH

1 SHAWN SHIRAZ; and DOES 1
2 through 10,
3 Defendants.

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5 This action came before the Court, the Honorable Manuel L. Real, United
6 States District Judge presiding, on the motion of Plaintiff Microsoft Corporation
7 (“Microsoft”) for default judgment and a permanent injunction against Defendant
8 Calistech, a California corporation (“Calistech”). The evidence presented having
9 been fully considered and a decision having been duly rendered,

10 **IT IS ORDERED AND ADJUDGED that,**

11 1. By its unauthorized distribution of Microsoft’s trademarks and service
12 mark in commerce and in connection with Microsoft Windows 7 software,
13 Defendant Calistech has infringed the following registered trademarks and service
14 mark owned by Microsoft:

- 15 a. 1,200,236 (“MICROSOFT”);
- 16 b. 1,872,264 (“WINDOWS”);
- 17 c. 2,744,843 (COLORED FLAG DESIGN); and
- 18 d. 3,361,017 (COLORED FLAG START BUTTON).

19 2. Calistech has also infringed Microsoft’s registered copyright in the
20 following work: TX 7-009-361 (“Windows 7”).

21 3. Calistech’s use of Microsoft’s marks has resulted in the placement in
22 commerce of infringing items that are strikingly similar to genuine Microsoft, or
23 Microsoft-licensed, programs that are or were likely to cause confusion, mistake or
24 deception in the market as to the source of those items.

25 4. By its trafficking in counterfeit and illicit Microsoft Certificate of
26 Authenticity Labels, Calistech has violated the Anti-Counterfeiting Amendments
27 Act of 2004, 18 U.S.C. § 2318.
28

1 5. Calistech's distribution of infringing Microsoft software also
2 constitutes federal false designation of origin, false description and false
3 representation (15 U.S.C. § 1125 et seq.), and unfair competition under California
4 common law.

5 6. By misrepresenting to Microsoft that it would abide by the terms of the
6 Registered Refurbisher Program in order to obtain access to Microsoft Registered
7 Refurbisher Certificates of Authenticity and Product Keys, when it had no intention
8 of doing so, Calistech is liable to Microsoft for fraud in the inducement, conversion
9 and unjust enrichment.

10 7. The likelihood of confusion that existed in this instance by virtue of
11 Calistech's distribution of counterfeit, infringing and illicit Microsoft software
12 components in interstate commerce is an appropriate predicate upon which to base
13 permanent injunctive relief against the unauthorized reproduction, replication
14 and/or distribution by Calistech of any unauthorized, illegal, and/or counterfeit
15 Microsoft items. This Court contemporaneously issues a separate permanent
16 injunction.

17 8. Microsoft is awarded \$30,000 in statutory damages against Calistech
18 under the Copyright Act.

19 9. Microsoft is awarded \$800,000 in statutory damages against Calistech
20 under the Lanham Act.

21 10. Microsoft is awarded \$25,000 in statutory damages against Calistech
22 under the Anti-Counterfeiting Amendments Act of 2004.

23 11. Microsoft is awarded \$20,700 in attorneys' fees and costs.

24 12. The total judgment against Calistech is \$875,700.

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13. This judgment shall accrue interest, compounded annually, pursuant to 28 U.S.C. § 1961.

DATED: December 14, 2015



HONORABLE MANUEL L. REAL
United States District Judge

1 Approved as to form and content.

2 **PERKINS COIE LLP**

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4 By: /s/ Katherine M. Dugdale
Katherine M. Dugdale

5 Attorneys for Plaintiff Microsoft
6 Corporation

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