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JS-6

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NATIONAL ACADEMY OF  
RECORDING ARTS & SCIENCES,  
INC., a Delaware corporation,

Plaintiff,

v.

HOLLYWOOD ENTERTAINMENT  
GROUP LLC, a Nevada Limited  
Liability Company, d/b/a VIP  
CONCIERGE, INC.; and CRAIG  
BANASZEWSKI, an individual,

Defendants.

) Case No. 2:15-cv-00594 JFW (AFMx)

) ORDER ENTERING PERMANENT  
) INJUNCTION AGAINST  
) DEFENDANTS AND DISMISSING  
) ACTION WITH PREJUDICE

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ORDER ENTERING PERMANENT INJUNCTION AGAINST DEFENDANTS AND DISMISSING ACTION  
WITH PREJUDICE (CASE NUMBER 2:15-cv-00594 JFW (AFMx))

1 THIS MATTER comes before the Court upon the Stipulation of Plaintiff  
2 National Academy of Recording Arts & Sciences, Inc. (“The Recording Academy<sup>®</sup>”  
3 or “Plaintiff”) and defendants Hollywood Entertainment Group LLC d/b/a VIP  
4 Concierge, Inc. and Craig Banaszewski (“VIP Concierge” and “Banaszewski,”  
5 collectively “Defendants”) for entry of a stipulated permanent injunction and  
6 dismissal *with prejudice* (the “Order”). Plaintiff and Defendants may be referred to  
7 herein as the “Parties.”

8 Having considered the Complaint, Answer and the Stipulation of the Parties  
9 in this action, the Court finds that:

- 10 1. The Parties have stipulated and agreed to the entry of this Order.
- 11 2. The Defendants waive all rights to seek judicial review or otherwise  
12 challenge or contest the validity of their Stipulation hereto or this Order.
- 13 3. This Court has jurisdiction over the subject matter of this case and over all  
14 parties hereto, and venue in this district is proper.
- 15 4. The entry of this Order is in the public interest.

16 **ORDER**

17 **IT IS THEREFORE ORDERED, ADJUDICATED AND DECREED** that,  
18 a permanent injunction shall be and hereby is entered against Defendants as follows:

- 19 1. Defendants, and each of Defendants’ respective officers, agents,  
20 servants, employees, successors and assigns, and all those acting in concert or  
21 participation with any such persons, including any company owned or  
22 controlled (now or in the future) by Craig Banaszewski, are hereby  
23 PERMANENTLY enjoined from engaging in, or assisting others in engaging  
24 in, the following conduct:
  - 25 a. Purchasing, selling or transferring, attempting to purchase, sell or  
26 transfer or soliciting the purchase, sale or transfer of, any ticket,  
27 badge, credential or anything entitling access to any future  
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1 GRAMMY Awards ceremony of The Recording Academy,  
2 restricted members only seating at the Latin GRAMMY Awards  
3 ceremony of Latin Academy of Recording Arts & Sciences, Inc.  
4 (“The Latin Recording Academy”), and/or the following private  
5 pre- and post-ceremony events sponsored by or affiliated with The  
6 Recording Academy, The Latin Recording Academy, The  
7 GRAMMY Foundation and/or the MusiCares Foundation: The  
8 Recording Academy’s official GRAMMY after-party, The Latin  
9 Recording Academy’s official Latin GRAMMY after-party, the  
10 MusiCares Person of the Year event, the Clive Davis pre-  
11 GRAMMY Awards party (also known as the Pre-GRAMMY Gala),  
12 the Entertainment Law Initiative Luncheon, the Music Preservation  
13 Project event, GRAMMY Camp – Basic Training, the Special Merit  
14 Awards Ceremony & Nominees Reception, and restricted members-  
15 only seating at GRAMMY Salute or other GRAMMY-branded  
16 special events;

- 17 b. Offering to perform, attempting to perform, or performing any act as  
18 an intermediary, broker or middleman relating to the purchase, sale  
19 or transfer of tickets, badges, credentials or anything entitling access  
20 to any future GRAMMY Awards ceremony of The Recording  
21 Academy, restricted members only seating at the Latin GRAMMY  
22 Awards ceremony of The Latin Recording Academy, and/or the  
23 following private pre- and post-ceremony events sponsored by or  
24 affiliated with The Recording Academy, The Latin Recording  
25 Academy, The GRAMMY Foundation and/or the MusiCares  
26 Foundation: The Recording Academy’s official GRAMMY after-  
27 party, The Latin Recording Academy’s official Latin GRAMMY  
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1 after-party, the MusiCares Person of the Year event, the Clive Davis  
2 pre-GRAMMY Awards party (also known as the Pre-GRAMMY  
3 Gala), the Entertainment Law Initiative Luncheon, the Music  
4 Preservation Project event, GRAMMY Camp – Basic Training, the  
5 Special Merit Awards Ceremony & Nominees Reception, and  
6 restricted members-only seating at GRAMMY Salute or other  
7 GRAMMY-branded special events;

8 c. Advertising or publishing any offer to purchase, sell, transfer or  
9 broker, or to otherwise act as an intermediary, broker or middleman,  
10 relating to the purchase, sale or transfer of tickets, badges,  
11 credentials or anything entitling access to any future GRAMMY  
12 Awards ceremony of The Recording Academy, restricted members  
13 only seating at the Latin GRAMMY Awards ceremony of The Latin  
14 Recording Academy, and/or the following private pre- and post-  
15 ceremony events sponsored by or affiliated with The Recording  
16 Academy, The Latin Recording Academy, The GRAMMY  
17 Foundation and/or the MusiCares Foundation: The Recording  
18 Academy’s official GRAMMY after-party, The Latin Recording  
19 Academy’s official Latin GRAMMY after-party, the MusiCares  
20 Person of the Year event, the Clive Davis pre-GRAMMY Awards  
21 party (also known as the Pre-GRAMMY Gala), the Entertainment  
22 Law Initiative Luncheon, the Music Preservation Project event,  
23 GRAMMY Camp – Basic Training, the Special Merit Awards  
24 Ceremony & Nominees Reception, and restricted members-only  
25 seating at GRAMMY Salute or other GRAMMY-branded special  
26 events;

- 1 d. Gaining or attempting to gain unauthorized access to any future  
2 GRAMMY Awards ceremony of The Recording Academy or  
3 restricted members only seating at the Latin GRAMMY Awards  
4 ceremony of The Latin Recording Academy, and/or the following  
5 private pre- and post-ceremony events sponsored by or affiliated  
6 with The Recording Academy, The Latin Recording Academy, The  
7 GRAMMY Foundation and/or the MusiCares Foundation: The  
8 Recording Academy’s official GRAMMY after-party, The Latin  
9 Recording Academy’s official Latin GRAMMY after-party, the  
10 MusiCares Person of the Year event, the Clive Davis pre-  
11 GRAMMY Awards party (also known as the Pre-GRAMMY Gala),  
12 the Entertainment Law Initiative Luncheon, the Music Preservation  
13 Project event, GRAMMY Camp – Basic Training, the Special Merit  
14 Awards Ceremony & Nominees Reception, and restricted members-  
15 only seating at GRAMMY Salute or other GRAMMY-branded  
16 special events;
- 17 e. Participating in, aiding or facilitating, or attempting to participate in,  
18 aid or facilitate, any effort by any person to gain unauthorized  
19 access to any future GRAMMY Awards ceremony of The  
20 Recording Academy, restricted members only seating at the Latin  
21 GRAMMY Awards ceremony of The Latin Recording Academy,  
22 and/or the following private pre- and post-ceremony events  
23 sponsored by or affiliated with The Recording Academy, The Latin  
24 Recording Academy, The GRAMMY Foundation and/or the  
25 MusiCares Foundation: The Recording Academy’s official  
26 GRAMMY after-party, The Latin Recording Academy’s official  
27 Latin GRAMMY after-party, the MusiCares Person of the Year  
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1 event, the Clive Davis pre-GRAMMY Awards party (also known as  
2 the Pre-GRAMMY Gala), the Entertainment Law Initiative  
3 Luncheon, the Music Preservation Project event, GRAMMY Camp  
4 – Basic Training, the Special Merit Awards Ceremony & Nominees  
5 Reception, and restricted members-only seating at GRAMMY  
6 Salute or other GRAMMY-branded special events;

7 f. Receiving any compensation, whether in money, in kind or  
8 otherwise, for any of the acts described in paragraphs (a) through (e)  
9 above;

10 g. Using or displaying for any purpose any registered mark, or any  
11 depiction, image, photograph, picture, illustration or other visual  
12 representation containing any registered mark, which is owned by  
13 The Recording Academy, The Latin Recording Academy and/or any  
14 of their respective affiliates, including without limitation The  
15 GRAMMY Foundation and/or the MusiCares Foundation, and  
16 which is specified (i) at ¶ 35 of the Complaint in this action (the  
17 MUSIC’S BIGGEST NIGHT mark); (ii) at ¶ 36 of the Complaint in  
18 this action (the Gramophone Logo, the registration of which is  
19 Exhibit G to the Complaint); and/or (iii) on Exhibit 1 attached  
20 hereto; and

21 h. Using or displaying for any purpose any copyright-protected  
22 material, or any depiction, image, photograph, picture, illustration or  
23 other visual representation containing any copyright-protected  
24 material, which is owned by The Recording Academy, The Latin  
25 Recording Academy and/or any of their respective affiliates,  
26 including without limitation The GRAMMY Foundation and/or the  
27 MusiCares Foundation, and which is specified (i) at ¶ 37 of the  
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Complaint in this action (the Gramophone Logo); or (ii) at ¶ 39 of the Complaint in this action (the GRAMMY Photographs, which are Exhibits H, I, J, K, L and M to the Complaint).

2. For the avoidance of doubt and the purpose of clarification (and it being understood that Plaintiff reserves all rights with respect to the following activities), nothing contained herein shall prohibit Defendants (and/or any of Defendants’ respective officers, agents, servants, employees, successors and assigns, or those acting in concert or participation with any such persons) from:

- a. Engaging in any of the acts described in paragraphs 1.a. through 1.f. above with respect to seating at the Latin GRAMMY Awards ceremony of The Latin Recording Academy, which The Latin Recording Academy offers for sale to the general public;
- b. Using or displaying the words “Latin GRAMMY Awards” to engage in the acts described in paragraph 1.i. above; and/or
- c. Engaging in any of the acts described in paragraphs 1.a. through f. above with respect to events not enumerated therein.

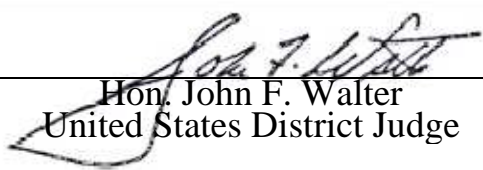
**IT IS FURTHER ORDERED** that the Court hereby dismisses the action, *with prejudice*, upon entry of this Permanent Injunction, with each party to bear its/his own costs and attorneys’ fees.

**IT IS FURTHER ORDERED** that this Court shall retain jurisdiction of this matter for all purposes of construction, modification, and enforcement of this Order.

DATED: \_\_\_February 10, 2016

**SO ORDERED**

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Hon. John F. Walter  
United States District Judge




# EXHIBIT 1





<b>TRADEMARK/ SERVICE MARK</b>	<b>REGISTRATION OR APPLICATION NO(S).</b>	<b>DESIGN (IF APPLICABLE)</b>
ARCHITECTS OF SOUND	4,669,897 4,702,278	
BE A PART OF THE HEART	4,126,632	
BUSINESS, BEATS & INSPIRATION	4,286,268 4,286,266	
CAPITOL TRACKS	3,227,589	
COUNTRY MUSIC`S BIGGEST NIGHT	3,436,008	
ENTERTAINMENT LAW INITIATIVE	3,630,823	
FEEL THE POWER OF MUSIC	3,915,250 3,958,236 4,161,539	
FUNDAÇÃO CULTURAL LATIN GRAMMY (and design) Portuguese version	86/609,070 86/609,028	
FUNDAÇÃO CULTURAL LATIN GRAMMY (Portuguese version)	86/344,871 86/344,867	
FUNDACIÓN CULTURAL LATIN GRAMMY (and design) Spanish Version	86/609,084 86/609,095	
FUNDACIÓN CULTURAL LATIN GRAMMY (Spanish version)	86/344,858 86/344,864	
GRAMMIUM	4,646,756	



TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
GRAMMY	3,897,969 1,865,177 3,584,791 3,202,214 4,368,858 4,609,970 3,202,216 887,642 2,332,258 3,202,215	
GRAMMY AMPLIFIER	4,432,566 4,432,567	
GRAMMY ARTISTS REVEALED	3,905,148	
GRAMMY AWARDS	3,202,217 3,251,375 3,202,218 3,655,981 2,827,248	
GRAMMY AWARDS PREMIERE CEREMONY	86/421,747 86/421,742 86/421,723 86/421,737 86/421,703 86/421,727	
GRAMMY BLOCK PARTY	3,683,193	

<b>TRADEMARK/ SERVICE MARK</b>	<b>REGISTRATION OR APPLICATION NO(S).</b>	<b>DESIGN (IF APPLICABLE)</b>
GRAMMY CAMP	3,726,688 3,068,321	
GRAMMY CELEBRATION	3,630,822	
GRAMMY CREATORS ALLIANCE	86/472,738	
GRAMMY EXPERIENCE	4,664,364 4,675,957	
GRAMMY FOUNDATION	2,583,348	
GRAMMY GALLERY	86/524,160	
GRAMMY GLAM	4,360,630 4,360,629	
GRAMMY HALL OF FAME	3,122,166 2,500,319 3,160,983	
GRAMMY IN THE SCHOOLS	2,364,216	
GRAMMY LABEL	85/661,536 85/661,539	
GRAMMY LEGEND AWARDS	2,046,118	
GRAMMY LIVE	4,221,408	
GRAMMY MUSEUM	3,568,414 3,911,527 3,904,794	

TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
GRAMMY MUSEUM (and design)	3,901,082 3,570,669 3,894,410	
GRAMMY MUSEUM DESIGN	3,570,670	
GRAMMY MUSICTECH SUMMIT	3,638,305	
GRAMMY ON THE HILL DESIGN (U.S. Capitol dome/gramophone in circle)	3,606,045	
GRAMMY PREMIERE CEREMONY	86/248,033 86/248,041 86/248,030 86/248,035 86/248,023 86/248,012	




TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
GRAMMY PRESENTS	86/421,732 86/421,711 86/421,714 86/421,721	
GRAMMY PRO	4,645,914 85/912,241	
GRAMMY RADIO	4,361,506	
GRAMMY RECORDINGS	3,055,518	
GRAMMY SALUTE TO CHINA	86/456,017	
GRAMMY SALUTE TO CLASSICAL MUSIC	3,697,928	
GRAMMY SALUTE TO COUNTRY MUSIC	3,829,451	
GRAMMY SALUTE TO COUNTRY MUSIC (stylized)	3,829,458	
GRAMMY SALUTE TO FASHION	3,630,825	
GRAMMY SALUTE TO GOSPEL MUSIC	3,630,827	
GRAMMY SALUTE TO INDUSTRY ICONS	3,630,826	
GRAMMY SALUTE TO JAZZ	3,697,929	
GRAMMY SHOWCASE	3,055,519	
GRAMMY SOUNDCHECKS	3,746,131	
GRAMMY SOUNDTABLES	3,068,332	

TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
GRAMMY STYLE STUDIO	3,068,331	
GRAMMY U	3,732,398 3,732,397	
GRAMMY U AMPLIFIED	4,542,014	
GRAMMY U EDUCATE. CREATE. INSPIRE. (and design)	3,533,791 3,533,789 3,533,787	
GRAMMY UNIVERSITY NETWORK	3,533,786 3,533,790	
GRAMMY365	3,819,632 3,819,631	
GRAMMYS	2,630,880	
GRAMMYS ON THE HILL	3,129,764	
HEART W/MUSIC NOTE DESIGN	2,764,001	
IN THE MIX	3,126,624	
LA ACADEMIA LATINA DE LA GRABACION	3,066,078	


TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
LATIN GRAMMY	2,819,093 3,274,996 4,149,419 2,723,879	
LATIN GRAMMY AWARDS	86/469,779	
LATIN GRAMMY CULTURAL FOUNDATION	4,739,988 4,739,987	
LATIN GRAMMY CULTURAL FOUNDATION (and design)	86/296,041 86/296,049	 <p data-bbox="1224 821 1419 961">Latin GRAMMY Cultural Foundation</p>
LATIN GRAMMY PREMIERE	86/439,426 86/439,421 86/439,425 86/439,434 86/439,430 86/439,429	
MAP FUND	3,151,083	
MODERN REVERSE GRAMOPHONE DESIGN	1,944,354	

TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
MODERN SILHOUETTE GRAMAPHONE DESIGN	3,055,517	
MUSIC MAKES ME	85/894,052	
MUSIC REVOLUTION PROJECT	4,532,155	
MUSIC SPEAKS VOLUMES	85/818,856	
MUSIC`S BIGGEST NIGHT	3,089,285	
MUSICARES	3,151,010 3,420,650 3,786,977 1,665,539	
MUSICARES FOR MUSIC PEOPLE	86/437,071 86/437,060 4,755,644 4,755,650	
MUSICARES FOUNDATION	3,153,839 3,162,302	
MUSICARES MAP FUND	3,971,855 3,971,858 3,971,856 3,971,857	



TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
NATIONAL ACADEMY OF RECORDING ARTS & SCIENCES	1,139,523	
PRODUCERS & ENGINEERS WING	3,634,596 3,634,594 3,634,595 3,634,597	
PRODUCERS & ENGINEERS WING (and design)	3,111,649 3,097,843 3,097,842 3,095,380	
RECORDING ARTISTS' COALITION	3,776,889	
REFRESHED GRAMOPHONE DESIGN	1,675,416 1,018,537 1,704,527 3,955,966 3,742,176 2,761,514	
REFRESHED LATIN GRAMOPHONE DESIGN (B/W)	3,923,021 4,005,739 2,475,524 2,831,457	

TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
REFRESHED LATIN GRAMOPHONE DESIGN (RED)	3,925,299	
SAFE HARBOR ROOM	2,996,309 3,115,600	
THE BIGGEST NIGHT IN LATIN MUSIC	4,556,741	
THE LATIN ACADEMY OF RECORDING ARTS & SCIENCES	3,418,163	
THE LATIN RECORDING ACADEMY	2,836,039 3,677,848	
THE POWER OF MUSIC	85/818,860	
THE RECORDING ACADEMY	3,720,052 3,150,567 1,239,821	
THE RECORDING ACADEMY HONORS	3,254,822	
TRADITIONAL GRAMOPHONE DESIGN	3,068,324	

TRADEMARK/ SERVICE MARK	REGISTRATION OR APPLICATION NO(S).	DESIGN (IF APPLICABLE)
TRADITIONAL OUTLINED GRAMOPHONE STATUETTE DESIGN	2,831,458	
WHERE MUSIC SPARKS AMAZING	86/324,773 86/324,765 86/324,783	