

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ADOBE SYSTEMS INCORPORATED,
et al.,

Plaintiff,

v.

DAVID FAR, et al.,

Defendants.

Case No.: 2:15-cv-06192 AB (AJWx)

**[PROPOSED]
PERMANENT INJUNCTION
AGAINST DEFENDANTS
NAZANIN ARAN AND DAVID
FAR AND DISMISSAL OF
ENTIRE ACTION, WITH
PREJUDICE**

Honorable Judge André Birotte Jr.

The Court, pursuant to the Stipulation for Entry of Permanent Injunction and Dismissal between Plaintiff Adobe Systems Incorporated (“Plaintiff”), on the one hand, and Defendants Nazanin Aran and David Far (“Defendants”), on the other hand, hereby **ORDERS, ADJUDICATES and DECREES** that a permanent injunction shall be and hereby is entered against Defendants as follows:

1. **PERMANENT INJUNCTION.** Defendants are hereby restrained and enjoined from engaging in, directly or indirectly, any of the following activities in the United States and throughout the world:

1 (i) copying, cloning, downloading, importing, exporting,
2 marketing, displaying, purchasing, selling, offering for sale, reproducing,
3 acquiring, transferring, brokering, consigning, storing, shipping, licensing,
4 developing, delivering, distributing and/or dealing in any product or service that
5 uses, or otherwise makes any use of, references or relates to Plaintiff or any of
6 Plaintiff's registered trademarks and copyrights, including but not limited to the
7 **ADOBE** (USPTO, Reg. No. 1,475,793); **ADOBE PHOTOSHOP** (USPTO, Reg.
8 No. 1,651,380); **ADOBE PREMIERE** (USPTO, Reg. No. 1,769,184);
9 **PHOTOSHOP** (USPTO, Reg. No. 1,850,242); **A ADOBE** (design mark)
10 (USPTO, Reg. No. 1,901,149); **A** (design mark) (USPTO, Reg. No. 2,081,343);
11 **Photoshop** (USPTO, Reg. No. 2,920,764); **ADOBE ILLUSTRATOR** (USPTO,
12 Reg. No. 1,479,408); **FIREWORKS** (USPTO, Reg. No. 2,043,911); **AFTER**
13 **EFFECTS** (USPTO, Reg. No. 1,970,781); **ILLUSTRATOR** (USPTO, Reg. No.
14 2,060,488); **DREAMWEAVER** (USPTO, Reg. No. 2,294,926); **FLASH** (USPTO,
15 Reg. No. 2,855,434); **INDESIGN** (USPTO, Reg. No. 2,439,079); **FLASH**
16 **BUILDER** (USPTO, Reg. No. 3,857,720); **ADOBE ENCORE** (USPTO, Reg. No.
17 2,916,709); **ENCORE** (USPTO, Reg. No. 2,949,766); **ADOBE AUDITION**
18 (USPTO, Reg. No. 2,861,671); **CREATIVE SUITE** (USPTO, Reg. No.
19 3,111,341); **PRELUDE** (USPTO, Reg. No. 4,262,546); **SPEEDGRADE** (USPTO,
20 Reg. No. 4,142,777); and **ACROBAT** (USPTO Reg. Nos. 1,833,219 and
21 1,852,943) registered marks ("Adobe's Trademarks"), *Adobe Creative Suite 6*
22 *Master Collection*. (Reg. No. TX0007568685) registered work ("Adobe's
23 Copyrights"), and/or any intellectual property that references or relates to Plaintiff
24 or any of Adobe's Trademarks and Adobe's Copyrights (collectively, "Adobe's
25 Trademarks and Copyrights") except where the above actions are performed in
26 accordance with the use and terms of validly licensed and registered Adobe
27 software;

28

1 (ii) using Adobe's Trademarks and Copyrights, in commerce,
2 whether such use is as, on, in or in connection with any trademark, service mark,
3 trade name, logo, design, Internet use, website, domain name, metatags,
4 advertising, promotions, solicitations, commercial exploitation, television, web-
5 based or any other program, or any product or service, or otherwise except where
6 the above actions are performed in accordance with the use and terms of validly
7 licensed and registered Adobe software;

8 (iii) copying or downloading, other than for personal or business use
9 of a validly licensed and registered software, any of Plaintiff's ADOBE®-branded
10 software programs bearing and/or comprised of Adobe's Trademarks and
11 Copyrights;

12 (iv) using any Internet domain name or website that unlawfully
13 includes any of Adobe's Trademarks and Copyrights.

14 2. This Permanent Injunction shall be deemed to have been served upon
15 Defendants at the time of its execution by the Court.

16 3. The Court finds there is no just reason for delay in entering this
17 Permanent Injunction against Defendants, and, pursuant to Rule 54(a) of the
18 Federal Rules of Civil Procedure, the Court directs immediate entry of this
19 Permanent Injunction against Defendants.

20 4. **NO APPEALS AND CONTINUING JURISDICTION.** No
21 appeals shall be taken from this Permanent Injunction against Defendants, and
22 Plaintiff and Defendants waive all rights to appeal. This Court expressly retains
23 jurisdiction over this matter to enforce the settlement agreement that precipitated
24 this Stipulation and the terms of this Permanent Injunction by Defendants.

25 5. **NO FEES AND COSTS.** Each party shall bear its own attorneys'
26 fees and costs incurred in this matter.

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. **DISMISSAL OF THE ACTION.** The Court hereby dismisses the action in its entirety, with prejudice, upon entry of this Permanent Injunction against Defendants.

IT IS SO ORDERED, ADJUDICATED and DECREED this 10th day of August, 2016.



HON. ANDRÉ BIROTTE JR.
United States District Judge
Central District of California