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 9 L.A. GEM & JEWELRY DESIGN, INC.

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

L.A. GEM & JEWELRY DESIGN,  
 INC., a California Corporation,  
  
 Plaintiff,  
  
 v.  
  
 SHARON KIM, an individual dba  
 NINETYONE BOUTIQUE, and DOES  
 1-10,  
  
 Defendants.

Case No.: 2:17-cv-06456-TJH-SKx  
  
**HON. TERRY J. HATTER, JR.**  
  
**~~PROPOSED~~ CONSENT DECREE**  
  
 [JS-6]

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1 The Court, having read and considered the Joint Stipulation re Proposed Consent  
2 Decree that has been executed on behalf of Plaintiff L.A. Gem & Jewelry Design, Inc.  
3 dba LA Rocks (“LA Gem” or “Plaintiff”), on the one hand, and Sharon Kim dba  
4 Ninetyone Boutique (“Kim” or “Defendant”), on the other hand, and good cause  
5 appearing therefore, hereby:

6 ORDERS that this Consent Decree shall be and is hereby entered as follows:

7 1. This Court has jurisdiction over the parties to this action and over the  
8 subject matter hereof pursuant to 17 U.S.C. §§ 101, *et seq.*, 28 U.S.C. §§ 1331 and  
9 1338. Service of process was properly made against Defendant.

10 2. Plaintiff LA Gem is the owner of: (1) the “Moon Pendant” Copyright Reg.  
11 No. 1-912-320; (2) the “Friend Pendant” Copyright Registration No. VA 1-949-422; (3)  
12 the “Mom Pendant No. 1” Copyright Registration No. VA 1-889-369 and “Mom  
13 Pendant No. 2,” a derivative work of Mom Pendant No. 1 (the “Mom Pendants”) (the  
14 Moon Pendant, the Friend Pendant, and the Mom Pendants shall be collectively referred  
15 to herein as the “Subject Designs”), which rights are valid, subsisting and in full force  
16 and effect.

17 3. Plaintiff has expended considerable resources in the design, creation,  
18 manufacture, production, distribution, protection, and commercial exploitation of the  
19 Subject Designs, and in the enforcement of its intellectual property rights in the Subject  
20 Designs.

21 4. Plaintiff has alleged that Defendant has copied, reproduced, duplicated,  
22 purchased, disseminated, and/or distributed jewelry which infringes upon Plaintiff’s  
23 intellectual property rights in the Subject Designs (the “Accused Jewelry”).

24 5. Defendant and its agents, servants, employees and all persons in active  
25 concert and participation with it who receive actual notice of the injunction are hereby  
26 restrained and joined from:

27 a. Infringing Plaintiff’s copyrights in the Subject Designs, either  
28 directly or contributorily, in any manner, including generally, but not limited to

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copying, reproducing, duplicating, purchasing, disseminating, and/or distributing any Accused Jewelry which features any of the Subject Designs, and, specifically:

b. Copying, reproducing, duplicating, purchasing, disseminating, distributing, advertising, selling, or offering for sale the Accused Jewelry or any other unauthorized products which reproduce, copy, or use the Subject Designs or bear a substantial similarity to any of the Subject Designs.

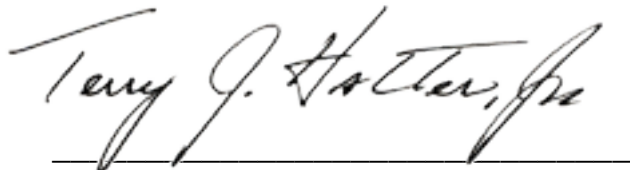
6. Each side shall bear its own fees and costs of suit.

7. This Consent Decree shall be deemed to have been served upon Defendant at the time of its execution by the Court.

8. The Court finds there is no just reason for delay in entering this Consent Decree and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this Consent Decree against Defendants.

9. The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Consent Decree.

DATED: SEPT. 19, 2018



**HON. TERRY J. HATTER, JR.**  
**United States District Court Judge**

Presented by:

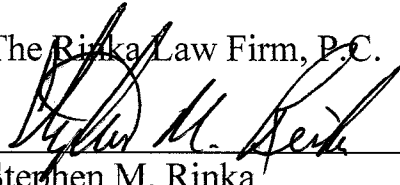
Milord & Associates, P.C.



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Attorneys for Plaintiff  
L.A. GEM & JEWELRY DESIGN, INC.

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1 The Rinka Law Firm, P.C.



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3 Stephen M. Rinka

4 Attorney for Defendant

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