



1           WHEREAS, as set forth in the FAC, Deckers is the owner of U.S. Design  
2 Patent No. D866,941 (“the ’941 Patent”) and the “Fluff Yeah Trade Dress,” which  
3 Deckers contends is an inherently distinctive visual design comprising of the non-  
4 functional elements identified at ¶ 22 of the FAC, examples of the overall appearance  
5 of which are pictured at ¶ 23 of the FAC and reproduced below for reference:



11           WHEREAS, Deckers is the owner of U.S. Design Patent No. D901,870 (“the  
12 ’870 Patent”) and the “Oh Yeah Trade Dress,” which Deckers contends is an  
13 inherently distinctive visual design comprising non-functional elements, examples of  
14 the overall appearance of which are reproduced below for reference:



22           WHEREAS, Deckers is the owner of U.S. Design Patent No. D901,869 (“the  
23 ’869 Patent”) and the “Fuzz Yeah Trade Dress,” which Deckers contends is an  
24 inherently distinctive visual design comprising non-functional elements, examples of  
25 the overall appearance of which are reproduced below for reference:

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7 WHEREAS, both the '869 Patent and the '870 Patent issued on November 17,  
8 2020;

9 WHEREAS, Deckers' FAC asserts causes of action against Yoki for  
10 infringement of Deckers' Fluff Yeah Trade Dress and unfair competition under the  
11 Lanham Act, 15 U.S.C. § 1051 *et seq.*, patent infringement of the '941 Patent, as well  
12 as related claims under the statutory and common law of California, all allegedly  
13 arising from Yoki's offering for sale and sale of certain footwear products identified  
14 as YOKI brand "Snuggles-05" Sandals, an example of which is pictured in ¶ 18 and  
15 reproduced below for reference:



23 WHEREAS, on May 17, 2021, Deckers accused Yoki of infringing Deckers'  
24 Fluff Yeah Trade Dress and the '941 Patent based on Yoki's offering for sale and sale  
25 of certain footwear products identified as YOKI brand "Snuggles-07" Sandals  
26 reproduced below for reference:

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**SNUGGLES-07**

*multi*



WHEREAS, on May 17, 2021, Deckers accused Yoki of infringing Deckers' Oh Yeah Trade Dress and the '870 Patent based on Yoki's offering for sale and sale of certain footwear products identified as YOKI brand "Snuggles-02" reproduced below for reference:

**SNUGGLES-02**

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WHEREAS, on May 17, 2021, Deckers accused Yoki of infringing Deckers' Fuzz Yeah Trade Dress and the '869 Patent based on Yoki's offering for sale and sale of certain footwear products identified as YOKI brand "Snuggles-17" reproduced below for reference:

**SNUGGLES-17**



1           WHEREAS, Plaintiff and Defendant (together, the “Parties”) have entered into  
2 a written Settlement Agreement that fully resolves all claims in this action asserted  
3 against Defendant;

4           WHEREAS, pursuant to the Settlement Agreement, Defendant has agreed to,  
5 and the Parties have stipulated to, Entry of a Permanent Injunction and Dismissal of  
6 this action under the following conditions;

7           THEREFORE, it is HEREBY ORDERED that:

8           1.     The court has personal jurisdiction over Defendant and subject matter  
9 jurisdiction over this action at least pursuant to 15 U.S.C. § 1121.

10          2.     Entry of this Permanent Injunction and any related Order(s) that follow  
11 the Parties’ Stipulation to Entry of a Permanent Injunction, shall serve to bind and  
12 obligate each of the Parties hereto.

13          3.     Defendant, including its employees, servants, successors and assigns, is  
14 permanently enjoined from manufacturing, importing into the U.S., advertising,  
15 marketing, offering for sale, or selling the Accused Products identified as YOKI  
16 brand “Snuggles-05” Sandals, “Snuggles-07” Sandals, “Snuggles-02” Sandals, and  
17 Snuggles-17” Sandals, reproduced above.

18          4.     Defendant, including its employees, servants, successors, and assigns, is  
19 permanently enjoined from manufacturing, importing into the U.S., advertising,  
20 marketing, offering for sale, or selling any product that infringes upon U.S. Design  
21 Patent No. D866,941, U.S. Design Patent No. D901,870, and U.S. Design Patent No.  
22 D901,869.

23          5.     Defendant, including its employees, servants, successors and assigns, is  
24 permanently enjoined from manufacturing, importing into the U.S., advertising,  
25 marketing, offering for sale, or selling any product that bears or uses Deckers’ Fluff  
26 Yeah Trade Dress, Oh Yeah Trade Dress, and Fuzz Yeah Trade Dress.

27          6.     The court shall retain jurisdiction for the purpose of making any further  
28 orders necessary or proper for the enforcement, construction, or modification of the


1 Permanent Injunction entered by this Stipulation, as well as the Parties' written  
2 Settlement Agreement.

3 7. Each Party shall bear its own attorneys' fees and costs associated with the  
4 action and Settlement Agreement, with no Party deemed as a prevailing party for any  
5 purposes.

6 8. Upon entry of the Stipulated Permanent Injunction, all claims alleged  
7 against Defendant Yoki in this action are hereby DISMISSED with prejudice.  
8

9 IT IS SO ORDERED.

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11 Dated: November 22, 2021

  
FERNANDO L. AENLLE-ROCHA  
United States District Judge