

KAYE | SCHOLER LLP

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**JS-6**

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION**

PFIZER INC; PHARMACIA &  
UPJOHN COMPANY LLC,  
  
Plaintiffs,  
  
v.  
  
URBAN STASH SPOT CLOTHING,  
INC.; JERMARIO FIELDS,  
  
Defendants.

Case No. 5:16-cv-00081-VAP (KKx)

**FINAL JUDGMENT AND  
PERMANENT INJUNCTION**

**ORDER AND PROHIBITED PRACTICES**

IT IS HEREBY ORDERED THAT:

- A. Pfizer shall have judgment in its favor against Defendants.
- B. Defendants and their officers, directors, agents, employees, servants, attorneys, successors, assigns and others controlling, controlled by or affiliated with Defendants and all those in privity or active concert or participation with any of the foregoing (including without limitation each advertiser, publisher, manufacturer,

1 distributor or reseller of Defendants' products), and all those who receive actual  
2 notice by personal service or otherwise are enjoined:

- 3 i. from using on or in connection with any products or in any other  
4 medium or manner whatsoever, for any purpose, (a) the XANAX  
5 mark, or any other mark, name or designation that is confusingly  
6 or substantially similar to the XANAX mark or that dilutes the  
7 XANAX mark; and (b) any version of the XANAX logo, or any  
8 other mark or trade dress confusingly similar thereto or dilutive  
9 thereof;
- 10 ii. from stating, implying, or suggesting in any way that plaintiffs or  
11 the XANAX brand or any other of plaintiffs' brands have  
12 sponsored, endorsed, or authorized any product made, advertised,  
13 distributed, or sold by Defendants; and
- 14 iii. from otherwise competing unfairly with Pfizer.

15 C. Defendants shall immediately recall from all chains of distribution and  
16 disable all internet access to all goods, product packaging, product displays,  
17 promotional materials, advertisements, commercials, infomercials and other items,  
18 the dissemination by Defendants of which would violate the injunction herein  
19 requested;

20 D. Defendants shall immediately take down any online material that  
21 displays the XANAX trademark or any similar mark, whether in pictures or in text,  
22 including, but not limited to, on the Urban Stash website, Facebook, Instagram, and  
23 other social media websites, eBay, and any other website;

24 E. Defendants shall immediately cease all advertisement, distribution, and  
25 sales of any products using the XANAX trademark or any similar mark on all  
26 websites, social media accounts and other channels, including, but not limited to, the  
27 Urban Stash website, Facebook, Instagram, eBay, and any other website;

28 F. Defendants shall immediately cease all advertisement, distribution, and

1 sales of any products using the XANAX trademark or any similar mark in any  
2 offline channel;


3 G. Defendants shall immediately deliver up for destruction to counsel for  
4 Pfizer any and all goods, product packaging, product displays, promotional  
5 materials, advertisements, commercials and other items in the possession, custody, or  
6 control of Defendants which, if sold, displayed, or used, would violate the injunction  
7 herein granted;

8 H. Defendants shall immediately disable all web sites to the extent they  
9 contain any content, the display or use of which would violate the injunction herein  
10 requested;

11 I. Pursuant to Section 34(a) of the Lanham Act, 15 U.S.C. § 1116(a),  
12 Defendants shall serve upon plaintiffs within thirty (30) days after service on  
13 Defendants of an order granting an injunction, or such extended period as the Court  
14 may direct, a report in writing under oath setting forth in detail the manner and form  
15 in which Defendants have complied with this Final Judgment and Permanent  
16 Injunction.

17 J. Failure to comply with this order may subject Defendants to civil and  
18 criminal penalties, payment of attorney’s fees, and other penalties and relief.

19 **IT IS SO ORDERED.**



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21 Dated: March 7, 2016

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22 Hon. Virginia A. Phillips  
23 UNITED STATES DISTRICT JUDGE  
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