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JS-6

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

ATHENA COSMETICS, a Nevada Corporation,

Plaintiff,

vs.

ATHENA BIOSCIENCE, a California Limited Liability Corporation,

Defendant.

CASE NO. SACV08-0532 AG (MLGx)

JUDGMENT AGAINST ATHENA BIOSCIENCE, LLC AND IN FAVOR OF ATHENA COSMETICS

TRIAL DATE: none set

After considering the sworn testimony and documents presented into evidence and the pleadings submitted in connection with this matter, the Court having GRANTED plaintiff Athena Cosmetic’s application for a default judgment on October 27, 2008, and good cause showing, the Court orders, adjudges and decrees that:

1. This Court has jurisdiction over the parties and the causes of action asserted herein. Venue is proper in this Judicial District.

2. Plaintiff Athena Cosmetics is entitled to judgment against defendant Athena Bioscience, LLC on the following claims in the complaint: (i) violations of the Lanham Act, 15 U.S.C. section 1114; (ii) violation of the Lanham Act, 15

1 U.S.C. section 1125; and (iii) for permanent injunctive relief pursuant to 15 U.S.C.
2 section 1116.

3 3. Plaintiff Athena Cosmetics shall have judgment against defendant
4 Athena Bioscience, LLC in the amount of \$258,600. This sum consists of
5 \$250,000 as damages and restitution (based upon the evidence submitted by
6 plaintiff as to defendant's sales), and \$8,600 for attorney's fees and costs incurred
7 by plaintiff in this action.

8 4. Defendant Athena Bioscience, LLC, and its officers, directors,
9 members, affiliates and other persons, acting in concert or participation with it, are
10 permanently enjoined from in any manner infringing or contributing to or
11 participating in the infringement of the following trademarks:

12
13 ATHENA COSMETICS U.S. Registration No. 3413360
14 REVITALASH U.S. Registration No. 3246814
15 REVITALIZE YOUR LASHES. U.S. Registration No. 3306082
16 LONGER, THICKER, FULLER
17

18 5. This Court retains jurisdiction over the parties for the purpose of
19 ensuring compliance with the terms of this Judgment and Injunction, enabling the
20 parties to apply to this Court at any time for further orders, and modifying this
21 Injunction as future events warrant.

22 So ordered, adjudged and decreed.

23
24
25 Dated: November 25, 2008



HON. ANDREW J. GUILFORD