

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

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MOPHIE, INC., a California
corporation,

Plaintiff,

v.

DHARMESH SHAH A.K.A. DAVID
SHAH D/B/A SOURCE VISTA, an
individual; LIVINGSOCIAL, INC., a
Delaware corporation; and SERVE
GLOBAL, LLC, a Texas limited
liability company D/B/A
SOURCEVISTA.COM,

Defendants.

) Case No.:
) SACV 13-01321 DMG (JEMx)
)
) **AMENDED FINAL**
) **JUDGMENT AND**
) **PERMANENT INJUNCTION**

1 This matter came before the Court for a jury trial from December 16-19,
2 2014. The jury returned a verdict on December 19, 2014. The Court now enters
3 JUDGMENT as follows:

4 1. Plaintiff mophie, Inc. (“mophie”) shall have and recover the
5 following damages against Defendants Dharmesh Shah and Serve Global LLC
6 (“Defendants”): \$1,800,000 in actual damages and profits for copyright
7 infringement and \$2,700,000 in statutory damages for willful counterfeiting
8 of mophie’s registered trademarks for a total award of \$4,500,000.

9 2. DEFENDANTS ARE HEREBY ENJOINED AS FOLLOWS:

10 a. Defendants shall not reproduce, distribute copies of, or make
11 derivative works from the product packaging depicted in U.S. Copyright
12 Registration No. VA 1-814-020 or U.S. Copyright Registration No. VA
13 1-780-916, attached hereto as Exhibits 1 and 2, respectively.

14 b. Defendants shall not reproduce, distribute copies of, or make
15 derivative works from the user’s manuals depicted in U.S. Copyright
16 Registration No. VA 1-814-020 or U.S. Copyright Registration No. VA
17 1-780-916, attached hereto as Exhibits 1 and 2, respectively.

18 c. Defendants shall not use in commerce the trademarks JUICE
19 PACK[®], JUICE PACK PLUS[®], JUICE PACK PRO[®], or any confusingly
20 similar trademark.

21 d. Defendants shall not use in commerce the trade dress
22 depicted below, or any confusingly similar trade dress.
23
24
25
26
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



e. Pursuant to 17 U.S.C. § 503 and 15 U.S.C. § 1118, Defendants shall deliver to mophie their entire inventory of product packaging and user's manuals found to infringe mophie's copyrights, trademarks and trade dress. This delivery shall be completed no later than fourteen (14) calendar days after the date of entry of this Judgment.

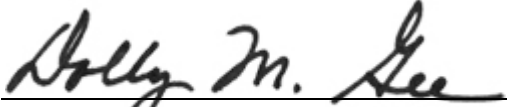
f. Pursuant to Rule 65(d)(2) of the Federal Rules of Civil Procedure, this injunction shall bind not only Defendants, but also

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

Defendants' officers, agents, servants, employees, and attorneys, and all other persons who are in active concert or participation with any of the aforementioned persons.

IT IS SO ORDERED AND ADJUDGED.

DATED: December 11, 2015



DOLLY M. GEE
UNITED STATES DISTRICT JUDGE