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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**

13 BACK SHOP TIEFKÜHL GMBH, a Foreign
14 Corporation

15 Plaintiff,

16 vs.

17 GN TRADE, INC., A California Corporation;
18 VLADIMIR DEMIN; VLADIMIR
19 SHEVCHENKO; ALEX ALMANSKY; and
20 DOES 1 through 10, inclusive,

21 Defendants.

22 Case No. 2:12-CV-00540-WBS-KJN

23 **STIPULATION AND ORDER FOR**
24 **JUDGMENT AND PERMANENT**
25 **INJUNCTION**

26 **JUDGMENT AND PERMANENT INJUNCTION**

27 Counsel for Plaintiff Back Shop Tiefkühl GmbH (“Plaintiff”), and Counsel for Defendant
28 Alex Almansky (“Almansky”) respectfully submit this stipulation for approval and entry by the
Court.

Pursuant to a written settlement agreement executed concurrently with this stipulation, the
parties have agreed as follows:

A. Plaintiff, Back Shop Tiefkuhl GmbH, has filed a Complaint against the defendant, Alex
Almansky, individually, in connection with which Plaintiff seeks injunctive relief.

B. Almansky does not admit the allegations in the Complaint, except he admits that the
Court has jurisdiction over him and over the subject matter of this action.



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C. Almansky consents to entry of this Final Judgment of Permanent Injunction without admission of liability for the claims and allegations alleged.

STIPULATIONS

Based upon the foregoing, the parties hereby stipulate and agree to the following relief:

1. That Plaintiff exclusively possesses all rights to reproduce, sell, distribute and sublicense the copyrighted works underlying this lawsuit and protected by the following certificates of registration: U.S. Copyright Office Service Request No. 1-731472931 (dated 2/28/12); Title: Back Shop Die Tiefkühlbäcker Web Site; Nature of Work: On line Work- Photos and Text. Evidence that Plaintiff has filed, and the Copyright Office has received the required application, fees and material being registered is attached hereto marked Exhibit "1". (Herein "copyrights in suit").

2. That the copyrights in suit are valid and enforceable.

3. That Almansky be permanently enjoined and shall now and henceforth cease and desist using, running, downloading or reproducing any version of Plaintiff's web site and/or the text and images portrayed therein, as well as Plaintiff's article numbers depicted in Plaintiff's product catalogue. Almansky shall not knowingly aid or facilitate others to do any act prohibited by this paragraph. Plaintiff has approved the web site pages used by Almansky and his company UA Trade, Inc. dba BreadMeister, ("UA Trade") including the text, images and article numbers used therein as non-infringing and consistent with Exhibit 3 of the parties' settlement agreement. Neither Almansky nor UA Trade shall have any derivative liability for the acts or omissions of persons or entities that he or it does not control, nor knowingly act in concert with.

4. That Almansky and his respective agents, servants, employees, attorneys, and other persons in active concert or participation with them, is permanently enjoined from directly or indirectly using in commerce the trademarks BACK SHOP, HARRY BROT, or any words, marks, or phrases confusingly similar thereto, either alone or in combination with other words, marks, or phrases, and including any plural forms, in any style, form or media whatsoever, including without limitation, on or in connection with the Internet, such as in an Internet domain name, as a sponsored link or associated keyword, in connection with an Internet web page, or as HTML code for an Internet website in any manner, such as the title or keyword portions of a metatag, or

