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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
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12 WILLIAMS-SONOMA, INC., a California
13 corporation,

14 Plaintiff,

15 v.

16 ONLINE MARKETING SERVICES, LTD., a
17 corporation, UNIMASTER, LTD., a
18 corporation, ANDREJ KORCHEV,
19 YETISCASH, a corporation, ALES LEXICO,
20 VLADIMIR TECHL, DAVID GREENWALD,
21 ANDRE SCHNEIDER, SWEETHELDA
22 BALLESTEROS, EDDIE MORGAN, STEIN
23 TVEDT and DOES 9 THROUGH 20,

24 Defendants.

Case No. C 06-6572 JSW

~~PROPOSED~~ JUDGMENT

25 Plaintiff Williams-Sonoma Inc. ("WSI") alleged in its First Amended Complaint that each of
26 the defendants was infringing and diluting WSI's Pottery Barn Trademark. The defendants all
27 defaulted. The matter initially was referred for consideration to Magistrate Judge Maria Elena James
28 who recommended on December 6, 2007 that default judgment, including an award of attorneys' fees,
an accounting of profits and an award of attorneys' fees, should be entered. (Dkt. No. 66). On March
4, 2008, the Court adopted and modified the Magistrate Judge's report and recommendation on WSI's
motion for entry of default judgment against the Defaulting Defendants Online Marketing Services,

~~PROPOSED~~ JUDGMENT

1 Ltd., Unimaster, Ltd., Andrej Korchev., YetisCash, Ales Lexico, Vladimir Techl, Sweethelda
2 Ballesteros, Stein Tvedt, and Eddie Morgan. (Dkt. No. 70.) The Court reserved entry of final
3 judgment upon WSI's submission of its request for an attorneys' fee award and Defendants' accounting
4 of their profits. On March 28, 2008, the Court awarded WSI \$100,000.00 in attorneys fees and
5 \$590.00 in costs, jointly and severally from the Defaulting Defendants. (Docket No. 80). The Court
6 invited WSI to submit a proposed judgment if it chose, rather than waiting for the results of an
7 accounting, which it now has done.

8 Accordingly, **FINAL JUDGMENT IS HEREBY ENTERED** in favor of plaintiff WSI. and
9 against Online Marketing Services, Ltd., Unimaster, Ltd., Andrej Korchev., YetisCash, Ales Lexico,
10 Vladimir Techl, Sweethelda Ballesteros, Stein Tvedt, and Eddie Morgan ("Defaulting Defendants"),
11 as follows:

12 1. Defaulting Defendants are jointly and severally obliged to pay WSI the sum of
13 \$100,590.00.

14 2. Defaulting Defendants, their agents, employees, successors, and all persons acting in
15 concert with them who receive notice of this Order, are permanently enjoined from infringing or
16 diluting in a manner WSI's POTTERY BARN family of marks. They are permanently enjoined
17 from any commercial use of the marks POTTERY BARN®, pottery barn kids®, PBteen®,
18 P.B.Kids®, or any colorable imitation or variations of these marks.

19 3. Defaulting Defendants, their agents, employees, successors, and all persons acting in
20 concert with them who receive notice of this Order, are enjoined temporarily from selling, assigning,
21 encumbering, or transferring in any manner the domain names that Defaulting Defendants used to
22 infringe and/or dilute WSI's trademarks as alleged in the First Amended Complaint, including the
23 following domain names: <www.filthserver.com>, <www.onlinemarketingservices.biz>,
24 <www.slutty-teens.net>, www.just-a-porn-corn.com>, and <www.sexcountry.net>. Notice of this
25 Judgment shall be delivered to the relevant domain name registries, registrars, and other authorities
26 with control over the disposition of these domain names. This temporary injunction shall expire as to
27 each domain name upon the respective Defaulting Defendants' full payment of the monetary portion
28 of this Judgment.

~~PROPOSED~~ JUDGMENT

1 4. Upon any violation of this Court's injunction, Defaulting Defendants shall provide an
2 accounting of their profits relating to their infringement of the POTTERY BARN trademarks,
3 including any profits relating to the conduct challenged in this action, for the purpose of awarding
4 such profits, and any related attorneys' fees and costs, to WSI.

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6 DATED: May ⁵____, 2008



Jeffrey S. White
United States District Judge

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