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6
 7 THE UNITED STATES DISTRICT COURT
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	TIFFANY (NJ), LLC., a Delaware limited)	Case No. C 11-1563 MMC
10	liability company,)	
11	Plaintiff,)	FILED UNDER SEAL
12	v.)	
13	MIKI BOUTIQUE, INC., a dissolved)	
14	California corporation, and MEI NG, an)	
15	individual, individually and jointly, d/b/a)	
16	YUKI BOUTIQUE and DOES 1-10,)	
17	Defendants.)	
18)	
19)	
20)	

21 **STIPULATED CONSENT PRELIMINARY**
INJUNCTION AND ORDER CONFIRMING SEIZURE

22 WHEREAS, this action having been commenced by Plaintiff, Tiffany (NJ), LLC
 23 ("Tiffany") against the Defendants, Miki Boutique, Inc., a dissolved California corporation, and
 24 Mei Ng, an individual, individually and jointly, d/b/a Yuki Boutique (collectively "Defendants"),
 25 alleging *inter alia*, trademark counterfeiting and trademark infringement, and false designation
 26 of origin and a copy of the Summonses, Complaint, Temporary Restraining Order and Seizure
 27

1 Order, supporting papers, and Orders issued to date having been served upon each of the
2 Defendants:

3 IT IS STIPULATED, ORDER, ADJUDGED AND DECREED that:

4 1. This Court has jurisdiction of the subject matter of all counts of this action and
5 over all of the named parties hereto.

6 2. Tiffany is the owner and/or exclusive licensee of the following trademarks (the
7 "Tiffany Marks") in connection with high quality jewelry, including bracelets, necklaces,
8 earrings and rings:
9

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
TIFFANY & CO	0,023,573	September 5, 1893
TIFFANY	0,133,063	July 6, 1920
TIFFANY & CO.	1,228,189	February 22, 1983
TIFFANY	1,228,409	February 22, 1983

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17 3. Defendants and their respective officers, agents, servants, employees, and
18 attorneys, and all persons in active concert and participation with them are hereby restrained and
19 enjoined, pending termination of this action, from, intentionally and/or knowingly:

- 20 A. manufacturing or causing to be manufactured, importing, advertising, or
21 promoting, distributing, selling or offering to sell counterfeit and infringing
22 goods; bearing the Tiffany Marks;
23
24 B. using the Tiffany Marks in connection with the sale of any unauthorized
25 goods;
26
27 C. using any logo, and/or layout which may be calculated to falsely advertise
28 the services or products of the Defendants as being sponsored by,

1 authorized by, endorsed by, or in any way associated with the Plaintiff;

2 D. using any reproduction, counterfeit, copy, or colorable imitation of the
3 Tiffany Marks in connection with the publicity, promotion, sale or
4 advertising of any goods sold by the Defendants, including, without
5 limitation, high quality jewelry, including bracelets, necklaces, earrings
6 and rings;

7 E. affixing, applying, annexing or using in connection with the sale of any
8 goods, a false description or representation, including words or other
9 symbols tending to falsely describe or represent the Defendants' goods as
10 being those of the Plaintiff, or in any way endorsed by the Plaintiff;

11 F. offering such goods in commerce; and from otherwise unfairly competing
12 with the Plaintiff;

13 G. secreting, destroying, altering, removing, or otherwise dealing with the
14 unauthorized products or any books or records which contain any
15 information relating to the importing, manufacturing, producing,
16 distributing, circulating, selling, marketing, offering for sale, advertising,
17 promoting, renting or displaying of all unauthorized products which
18 infringe the Tiffany Marks; and

19 H. effecting assignments or transfers, forming new entities or associations or
20 utilizing any other device for the purpose of circumventing or otherwise
21 avoiding the prohibitions set forth in subparagraphs (A) through (G).

22 4. The seizure effected on April 5, 2011 pursuant to this Court's Order is hereby
23 confirmed and the hearing scheduled for April 15, 2011 at 9:00 a.m. is hereby canceled.
24

1 5. The seal in this matter is hereby removed, and the Clerk is instructed to return this
2 file to the public portion of the Court records.

3 6. The bond posted by the Plaintiff in compliance with the Court's Order dated April
4 1, 2011 is hereby released.

5 7. The protective order detailed in the Order, dated April 1, 2011, issued in this case
6 is hereby vacated, and Tiffany is authorized to review all documents, things, etc. detailed in
7 subparagraph Q(2) which were seized from the Defendants in connection with this matter.
8

9 SO STIPULATED:

10 Plaintiff: Tiffany (NJ), LLC


11 Dated: April 14 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

12 By: 
13 ANNE E. KEARNS
14


15 Defendant: ^{Yuki EP} ~~Miki~~ Boutique, Inc.

16 Dated: April 13 2011

17 By: 
18 Printed Name: Mei Ng
19 Title: Owner


20 Defendant: Mei Ng

Dated: April 13 2011


21 MEI NG

22 IT IS SO ORDERED.

23 Dated: April 14, 2011

24 
25 MAXINE M. CHESNEY
26 United States District Judge
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