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 9

10 **UNITED STATES DISTRICT COURT**  
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 ALPI INTERNATIONAL, LTD.,  
 13 Plaintiff,  
 14 v.  
 15 AD-LINE INDUSTRIES, INC.,  
 16 Defendant.

Case No. C 12-03050 WHA

**STIPULATED PERMANENT  
 INJUNCTION AND DISMISSAL**

18  
 19 **STIPULATED DISMISSAL AND PERMANENT INJUNCTION**

20 COME NOW Plaintiff ALPI International, Ltd and Defendant AD-LINE  
 21 Industries, Inc. and enter into this stipulated permanent injunction and order of  
 22 dismissal. The parties agree as follows:

- 23 1. For purposes of this Stipulated Dismissal and Permanent Injunction, the  
 24 following definitions shall apply:  
 25 (a) "Defendant" shall mean AD-LINE INDUSTRIES, INC. and any  
 26 individuals acting on behalf of or in concert with it.  
 27

1 (b) "Plaintiff" shall mean ALPI INTERNATIONAL, LTD and any  
2 individuals acting on behalf of or in concert with it.

3 (c) "Party" shall mean either Defendant or Plaintiff individually.

4 (d) "Parties" shall mean Defendant and Plaintiff collectively.

5 (e) "Copyrighted Works" shall mean each of those works of Plaintiff  
6 identified in the Complaint filed in this matter and enumerated in  
7 Exhibit A thereto, namely chicken, dog, penguin, cat, cow, dolphin, killer  
8 whale, ladybug, policeman and seal.

9 (f) "Accused Products" shall mean each of those products of Defendant  
10 identified in the Complaint filed in this matter and enumerated in  
11 Exhibit B thereto, namely chicken, dog, penguin, cat, cow, dolphin, killer  
12 whale, ladybug, policeman and seal.

13 2. Defendants, and all of their officers, directors, agents, servants, and employees,  
14 and all persons in active concert or participation or in privity with any of them,  
15 ARE HEREBY PERMANENTLY RESTRAINED AND ENJOINED from  
16 copying or distributing any of the Accused Products or any other product which  
17 represents a copy of the Copyrighted Works.

18 3. Violation of this Stipulated Consent Judgment and Permanent Injunction shall  
19 expose Defendants and all other persons bound by this Stipulated Consent  
20 Judgment and Permanent Injunction to all applicable penalties, including  
21 contempt of Court. In addition, should Defendant Ad-Line Industries, Inc. again  
22 sell or otherwise distribute any copies of the Accused Products, Defendant  
23 Ad-Line Industries, Inc. shall be liable to Plaintiff Alpi International, LTD in the  
24 amount of \$300,000.00 per occurrence.

25 4. All claims and defenses that were or could have been brought in this action are  
26 hereby resolved by this Stipulated Consent Judgment and Permanent Injunction  
27 and dismissed with prejudice. Each party shall bear its own costs and fees.

1 5. The parties agree that this Permanent Injunction constitutes a significant and  
2 material component of the dismissal of this matter.

3 6. ~~This Court shall retain continuing jurisdiction over the Parties and the action for  
4 purposes of enforcing this Stipulated Consent Judgment and Permanent  
5 Injunction and/or enforcing the Parties' Settlement Agreement.~~

6 Dated: October 16, 2013

7 Respectfully submitted,

8 /s/ Philip P. Mann

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20 Alpi International, Ltd.

21 /s/ Otto O. Lee

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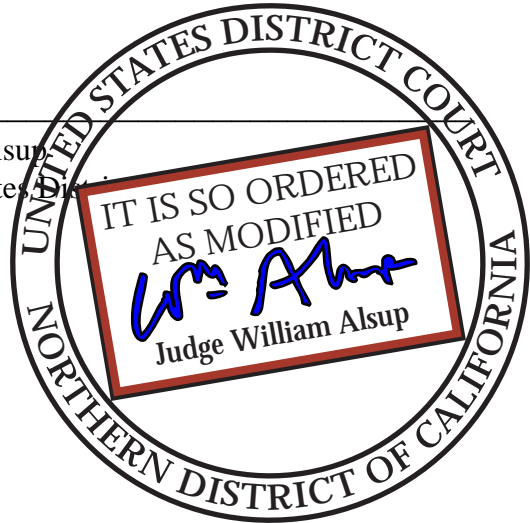
Attorneys for Defendant  
Ad-Line Industries, Inc.

Pursuant to the foregoing stipulation of the parties,

IT IS SO ORDERED.

DATED this 17 day of October, 2013.

William Alsup  
United States



Presented by:

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