

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ENTREPRENEUR MEDIA, INC.,
Plaintiff,
v.
KIRTON COMMUNICATIONS GROUP
LIMITED, *et al.*,
Defendants.

Case No. [15-cv-01415-SI](#)

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

In accordance with the Order Granting Plaintiff's Application for Default Judgment Against Kirton Communications Group Limited and MAS Financial & Corporate Services Limited, dated September 22, 2015, judgment is hereby entered in favor of plaintiff Entrepreneur Media, Inc. and against defendants Kirton Communications Group Limited and MAS Financial and Corporate Services, Limited.

In addition said defendants, and their principals, officers, directors, members, partners, agents, servants, employees, and attorneys, and all other persons acting in concert or participating with them, who receive actual notice of this injunction by personal or other service, are PERMANENTLY ENJOINED as follows: they shall permanently:

1. cease all use and never use the ENTREPRENEUR SPIRIT mark, the EMI marks, or any other mark likely to cause confusion with the EMI marks, in connection with the promotion, advertising, offering for sale, or sale, of any products or services;
2. never use any false designation of origin, false representation, or any false or misleading description of fact, that can, or is likely to, lead the consuming public or individual members thereof, to believe that any products or services produced, offered, promoted, marketed, advertised, provided, or sold by defendants are in any manner associated or connected with EMI, or are licensed, approved, or authorized in any way by EMI;

1 3. never represent, suggest in any fashion to any third party, or perform any act that
2 may give rise to the belief, that defendants, or any of their goods or services, are related to,
3 authorized by, or sponsored by EMI;

4 4. cease all use of the domain name entrepreneurspirit.org and any similar domain
5 names, and never register any domain names that contain any of the EMI marks, or any domain
6 names confusingly similar to any of the EMI marks;

7 5. cease all advertising of products or services under the ENTREPRENEUR SPIRIT
8 mark, including but not limited to defendants' magazine, Facebook page, Twitter account, and
9 iTunes application;

10 6. never unfairly compete with EMI in any manner whatsoever, or engage in any
11 unfair, fraudulent, or deceptive business practices that relate in any way to the production,
12 distribution, marketing, and/or sale of products and services bearing any of the EMI marks; and

13 7. never apply for or seek to register the ENTREPRENEUR SPIRIT mark or any
14 mark that is likely to cause confusion with any of the EMI marks.

15 The Court further ORDERS defendants and their officers, directors, members, agents,
16 servants, employees, and attorneys, and all other persons acting in concert or participating with
17 them, to transfer to EMI all domain names in defendants' possession, custody, or control that
18 include the word "entrepreneur" or any misspelling thereof, or are otherwise confusingly similar
19 to, or contain any of, the EMI Marks, including but not limited to entrepreneurspirit.org.

20 The Court further ORDERS defendants to file with the Court and serve upon EMI's
21 counsel, within thirty (30) days after service of this order, a report in writing and under oath
22 setting forth in detail the manner and form in which Defendants have complied with this
23 injunction.

24 **IT IS SO ORDERED, ADJUDGED AND ENJOINED.**

25
26
27
28

Dated: September 22, 2015



SUSAN ILLSTON
United States District Judge