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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

6 **FACEBOOK, INC.,**
7
8 **Plaintiff,**
9 **vs.**
10 **BANANA ADS, LLC et al.,**
11 **Defendants.**

Case No.: 11-CV-03619 YGR
**DEFAULT JUDGMENT AGAINST NEWGATE
SERVICES, LTD., INC.**

12 **DEFAULT JUDGMENT** is **ENTERED** in favor of Plaintiff Facebook, Inc. (“Facebook”) and
13 against Defendant(s) Newgate Services, Ltd., Inc., also known as SMTM Enterprises Ltd.,
14 (“Newgate”), as follows:

15 Pursuant to 15 U.S.C. § 1117(d), Defendant Newgate shall pay total statutory damages in the
16 amount of **\$1,340,000**.

17 Pursuant to 15 U.S.C. § 1125(d)(1)(C), within 21 days of Facebook sending by email and
18 overnight mail a copy of this Judgment to Defendant Newgate, Defendant shall transfer to Facebook
19 all rights to the infringing domain names: <faasbook.com>, <facbnook.com>, <faceboobok.com>,
20 <facbookl.com>, <facboox.com>, <facebuk.com>, <faceabok.com>, <facebboc.com>,
21 <facebnbook.com>, <facebocke.com>, <facebof.com>, <faceboobok.com>, <faceboooik.com>,
22 <faceboooks.com>, <facebot.com>, <facesbooc.com>, <facewebook.com>, <faeccbook.com>,
23 <faesebook.com>, <faicbooc.com>, <fascceboo.com>, <faseboox.com>, <faycbok.com>,
24 <fcfacebook.com>, <feacboo.com>, <feacbooke.com>, <fecbbok.com>, <feook.com>,
25 <ferabook.com>, <fescebook.com>, <ficeboock.com>, <www-facbook.com>,
26 <wwwfacebppk.com>, <wwwfcaebook.com>, <wwwfeibook.com>, <facebookck.com>,
27 <facebookforteens.com>, <facebookkloging.com>, <facebooktrucos.com>, <thefacebookl.com>,
28 <facebookloin.com>, <facebooknew.com>, <facebookwelcome.com>, <faboock.com>,

United States District Court
Northern District of California

1 <facebokbook.com>, <fcaebbok.com>, and <wwwrfacebook.com>. In the event that the infringing
2 domain names are not transferred to Facebook within the above time period, the current domain
3 name registrar(s) for the infringing domain names shall transfer the infringing domain names to
4 Facebook within 21 days of Facebook sending by email and overnight mail a copy of this Judgment
5 to the current domain name registrar(s).

6 Defendant Newgate and its agents, servants, employees, attorneys, affiliates, distributors,
7 successors, assigns, and any other persons acting in concert or in participation with Defendant
8 Newgate are now and forever **ENJOINED** from:

- 9 1. Registering, using, trafficking in, or benefiting from Internet domain names that
10 incorporate the FACEBOOK mark or incorporate words, numbers, or symbols that, collectively or
11 in isolation, are confusingly similar to the FACEBOOK mark; and
- 12 2. Knowingly providing services to any person or entity who registers, uses, traffics in,
13 or benefits from Internet domain names that incorporate the FACEBOOK mark or incorporate
14 words, numbers, or symbols that, collectively or in isolation, are confusingly similar to the
15 FACEBOOK mark; and
- 16 3. Using the FACEBOOK mark or any confusingly similar marks in advertisements or
17 otherwise in commerce in any manner likely to confuse consumers as to the association, affiliation,
18 endorsement, or sponsorship of Facebook; and
- 19 4. Engaging in any infringing acts involving the FACEBOOK mark or other Facebook
20 marks; and
- 21 5. Engaging in any unlawful, misleading, deceptive, or malicious activities directed at
22 or relating to Facebook's website, Facebook's services, Facebook users, or potential Facebook
23 users; and
- 24 6. Inducing, encouraging, causing, materially contributing to, or aiding and abetting any
25 other person or entity to do the acts described in (1) to (5), above.

26 **IT IS SO ORDERED.**

27 **Date: June 28, 2013**

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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE