



1           1.       Defendant Duong in not a minor, incompetent person, nor member of the military  
2 service of the United States;

3           2.       Defendant Duong did not appear or otherwise defend in this action.

4           **IT IS HEREBY ORDERED** that:

5           As to Defendant VT Corp, the Motion for Entry of Default Judgment is **GRANTED** for  
6 its trademark infringement claims under the Lanham Act and California common law, and unfair  
7 competition claims under California Business & Professions Code, section 17200, et seq. and  
8 California common law; it is

9           **FURTHER GRANTED** that Plaintiff’s Request for Declaratory Judgment that Plaintiff  
10 owns the trademarks “Vietnam Reform Party,” “Việt Nam Canh Tân Cách Mạng Đảng,” “Việt  
11 Tân”, and “Viet Tan,” and Defendants have infringed on Plaintiff’s rights to those Marks. The  
12 Court further **GRANTS** Plaintiff’s Request for Permanent Injunction, consistent with the language  
13 below:

14           Defendant VT Corp, and all its officers, agents, servants, employees, and attorneys, and  
15 all those in active concert or participation with any of them, **ARE PERMANENTLY**  
16 **RESTRAINED AND ENJOINED FROM:**

- 17           1. Using “Vietnam Reform Party,” “Việt Nam Canh Tân Cách Mạng Đảng,”  
18           “Việt Tân”, and “Viet Tan,” (collectively “the Marks”), or any confusingly  
19           similar version or variation of the Marks, in any jurisdiction in the United  
20           States, except to refer to Plaintiff.
- 21           2. Representing to any media, person, entity, or the public that Defendant has any  
22           rights to the Marks.
- 23                 a. For purposes of the injunction, the term “person” shall be defined as  
24                 set forth in 15 U.S.C. § 1127, which includes, but is not limited to,  
25                 Plaintiff’s members, the media, or any other person.
- 26           3. Sending cease-and-desist-letters, or any other communication as defined in 18  
27           U.S.C. § 2510, asserting any right to preclude others, including but not limited  
28           to plaintiff, from using the Marks.

1 **IT IS FURTHER ORDERED** that:

2           Upon a showing made to this Court, Plaintiff is entitled to a Judgment against said  
3 Defendant for reasonable attorneys' fees and cost incurred in prosecution of this action. Plaintiff  
4 shall submit evidence of its reasonable attorneys' fees within 14 days of the date of this Order.

5 **IT IS SO ORDERED.**

6  
7 DATED: 9/30/2019

8   
9 United States District Court Judge