

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
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

AKANOC SOLUTIONS, INC., et al.,

Defendants.

) Case No.: C 07-3952 JW (HRL)

)

)

) **VERDICT FORM ON CONTRIBUTORY
TRADEMARK INFRINGEMENT
CLAIM REGARDING:**

)

) **APE168.COM**

)

)

)

)

)

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

1. Has **Ape168.com** used a trademark of Louis Vuitton Malletier in commerce in the United States in connection with the sale or advertising of goods?

Yes _____ No _____

If no, please sign and date form.

2. If yes, was Ape168.com’s use of a Louis Vuitton Malletier trademark likely to confuse an appreciable number of reasonably prudent buyers exercising ordinary care, as to the source of the product?

Yes _____ No _____

If no, please sign and date form.

3. If yes, which trademark(s) were directly infringed by Ape168.com?

_____ Louis Vuitton (Interlocked Letters) in a Circle Design – Class 18

_____ Louis Vuitton (Interlocked Letters) and Monogram Canvas Design – Class 18

_____ LOUIS VUITTON – Class 18

_____ Louis Vuitton (Interlocked Letters) Design – Class 18

_____ LOUIS VUITTON MALLETIER A PARIS in Rectangle – Class 16, 18

_____ Louis Vuitton (Interlocked Letters) in Epi Leather Design – Class 18

_____ Louis Vuitton (Interlocked Letters) and Monogram Canvas Pattern Design – Class 25

_____ Louis Vuitton (Interlocked Letters) Design – Class 16, 25

_____ Louis Vuitton (Interlocked Letters) and Monogram Canvas Design – Class 16

_____ Louis Vuitton (Interlocked Letters) – Class 14, 24

_____ LOUIS VUITTON World Mark – Class 16, 18, 24, 25

_____ Louis Vuitton (Interlocked Letters) Design – Class 34

_____ LOUIS VUITTON – Class 34

_____ Louis Vuitton (Interlocked Letters) Design – Class 25

_____ LOUIS VUITTON PARIS and Damier (pattern design) – Class 18

4. If yes, how was/were the trademark(s) directly infringed by Ape168.com?

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

5. Did Louis Vuitton establish that the person(s) who operate Ape168.com are United States citizens?

Yes _____ No _____

6. Did Louis Vuitton establish that the direct infringement of Louis Vuitton Malletier’s trademark(s) by Ape168.com have a substantial effect on United States commerce?

Yes _____ No _____

7. Did each defendant individually intentionally persuade or influence Ape168.com to infringe Louis Vuitton Malletier’s trademark(s)?

As to Managed Solutions Group, Inc.: Yes _____ No _____

As to Akanoc Solutions, Inc.: Yes _____ No _____

As to Steve Chen: Yes _____ No _____

8. Did each defendant individually directly control Ape168.com’s direct infringement of Louis Vuitton Malletier’s trademark(s)?

As to Managed Solutions Group, Inc.: Yes _____ No _____

As to Akanoc Solutions, Inc.: Yes _____ No _____

As to Steve Chen: Yes _____ No _____

9. Did each defendant individually monitor the infringement of Louis Vuitton Malletier’s trademark(s) on Ape168.com’s website?

As to Managed Solutions Group, Inc.: Yes _____ No _____

As to Akanoc Solutions, Inc.: Yes _____ No _____

As to Steve Chen: Yes _____ No _____

10. If yes to 7, 8 or 9, for each trademark Ape168.com directly infringed, list each such trademark, if any, that each defendant contributorily infringed? If none, please so indicate.

Managed Solutions Group, Inc. _____

Akanoc Solutions, Inc. _____

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

Steve Chen _____

11. Could Ape168.com directly infringe Louis Vuitton Malletier's trademark(s) without using the Internet Service Provider defendants' Internet hosting services?

Yes _____ No _____

12. Did each defendant who received notice regarding Ape168.com take reasonable actions after it received notice from Louis Vuitton Malletier of alleged trademark infringement?

As to Managed Solutions Group, Inc.: Yes _____ No _____

As to Akanoc Solutions, Inc.: Yes _____ No _____

As to Steve Chen: Yes _____ No _____

Date: _____

Jury Foreperson