Name & Address:
Mark A. Serlin
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813 F Street, 2nd Floor
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Entrepreneur Media, Inc.,
a California corporation,

Plaintiff(s)

v.

Scott Smith,
dba Entrepreneurpr,

Defendant(s)

CASE No. CV 10 80188 MISC JF
CV 98-3607 FMC (CTx)
HRL

CERTIFICATION OF JUDGMENT FOR REGISTRATION IN ANOTHER DISTRICT

I Terry Nafisi, Clerk of this United States District Court certify that the attached judgment is a true and correct copy of the original judgment entered in this action on July 10, 2003 (Date) as it appears in the record of this court, and that* *(see below)*

an appeal was taken from this judgment and this judgment was affirmed by mandate of the Court of Appeals issued on July 2, 2004.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on 14 JUL 2010 (Date)

TERRY NAFISI
CLERK, U.S. DISTRICT COURT

By: _____
Deputy Clerk

* Insert the appropriate language:

"No notice of appeal from this judgment has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed."

"No notice of appeal from this judgment has been filed, any motions of the kind s listed in Rule 4(a) of the Rules of Appellate Procedure [*] have been disposed of, the latest order disposing of such a motion having been entered on [date]."

"An appeal was taken from this judgment and this judgment was affirmed by mandate of the Court of Appeals issued on [date]."

"An appeal was taken from this judgment and the appeal was dismissed by order entered on [date]."

[**NOTE:** The motions listed in Rule 4(a), Federal Rules of Appellate Procedure are: judgment not withstanding the verdict; amend or make additional findings of fact; alter or amend the judgment; new trial; and extension of time for filing a notice of appeal.]

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Attorneys for Plaintiff
ENTREPRENEUR MEDIA, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ENTREPRENEUR MEDIA, INC., a California corporation,

Plaintiff,

vs.

SCOTT SMITH dba ENTREPRENEURPR,

Defendant.

Case No. 98-3607 FMC (CTx)

[PROPOSED] JUDGMENT AND PERMANENT INJUNCTION FOLLOWING COURT TRIAL

This case was tried by the Court sitting without a jury on April 29, April 30, and May 2, 2003. Based upon the Findings of Facts and Conclusions of Law adopted by the Court, and having considered all of the evidence and argument presented at trial by the parties and in the written closing arguments, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff Entrepreneur Media, Inc. be awarded Judgment and a permanent injunction in this action against defendant Scott Smith dba EntrepreneurPR as follows:

1. Defendant Scott Smith dba EntrepreneurPR, and his officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with them, must immediately cease, and are permanently enjoined from, using the marks ENTREPRENEUR, ENTREPRENEURPR, ENTREPRENEUR ILLUSTRATED, and/or ENTREPRENEURPR.COM, or any other mark, trade name, or domain name that is a colorable imitation thereof or likely to cause confusion therewith, in commerce or in connection with the sale, offering for sale, distribution, and/or advertising of (1) paper goods and printed matter, and/or (2) advertising and business services, including online services. This permanent injunction specifically includes, but is not limited to, the "public relations" activities that Scott Smith dba EntrepreneurPR has previously provided under the marks referenced above.

2. Defendant Scott Smith dba EntrepreneurPR, and his officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with them, are hereby ordered to immediately surrender to Entrepreneur Media, Inc. all advertising, publications, goods, labels, signage, packages, and any other materials that contain the marks ENTREPRENEUR, ENTREPRENEURPR, ENTREPRENEUR ILLUSTRATED, and/or ENTREPRENEURPR.COM, or any other mark that is a colorable imitation thereof or likely to cause confusion therewith.

3. Plaintiff Entrepreneur Media, Inc. is awarded damages in the amount of $669,656, which includes damages of $12,500 incurred after February 11, 2002.

4. Because this is an exceptional case, in that defendant Scott Smith

dba EntrepreneurPR intentionally and willfully infringed Entrepreneur Media, Inc.'s trademark, plaintiff Entrepreneur Media, Inc. is awarded its attorneys' fees in the amount of _____.

5. Plaintiff Entrepreneur Media, Inc. is awarded its costs in the amount of _____.

6. To the extent that defendant Scott Smith dba EntrepreneurPR asserted any rights or claims against plaintiff Entrepreneur Media, Inc., such rights and claims are denied.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

DATED: July 9, 2003

Florence-Marie Cooper

Honorable Florence-Marie Cooper
District Court Judge

Presented By:

LATHAM & WATKINS LLP

By: _____
Mark A. Finkelstein
Attorneys for Plaintiff
Entrepreneur Media, Inc.

I hereby attest and certify on 7-14-10 that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

_____
DEPUTY CLERK

1207

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins, 650 Town Center Drive, Suite 2000, Costa Mesa, CA 92626-1925.

On July 3, 2003, I served the following document described as:

[PROPOSED] JUDGMENT AND PERMANENT INJUNCTION FOLLOWING COURT TRIAL

by serving a true copy of the above-described document in the following manner:

BY U.S. MAIL

I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP's interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Jeffrey S. Kravitz
Kravitz Law Office
2728 J. Street, Suite 204
Sacramento, CA 95816

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury that the foregoing is true and correct.

Executed on July 3, 2003, at Costa Mesa, California.

Sandra L. McNeff

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ENTREPRENEUR MEDIA, INC., a California Corporation,

Plaintiff - Appellee,

v.

SCOTT SMITH, an individual EntrepreneurPR,

Defendant - Appellant.

No. 03-56431
D.C. No. CV-98-03607-FMC

JUDGMENT

Appeal from the United States District Court for the Central District of California, Los Angeles.

This cause came on to be heard on the Transcript of the Record from the United States District Court for the Central District of California, Los Angeles and was duly submitted.

On consideration whereof, it is now here ordered and adjudged by this Court, that the judgment of the said District Court in this cause be, and hereby is **AFFIRMED**.

Filed and entered July 2, 2004

256