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DFSB Kollective Co. Ltd. et al v. Kuoch

Entertainment, and Paragon Music Corp. (collectively the "DFSB Plaintiffs") and Defendant Phillip Kuoch, an individual and d/b/a kaboomza.com and kaboomza.blogspot.com ("Defendant"), in this action, and good cause appearing therefore, hereby:

ORDERS that based on the Parties' stipulation and only as to Defendant, his successors, heirs, and assignees, this Injunction shall be and is hereby entered in the within action as follows:

- 1) This Court has jurisdiction over the parties to this action and over the subject matter hereof pursuant to 17 U.S.C. § 101 *et seq.*, and 28 U.S.C. §§ 1331 and 1338. Service of process was properly made against Defendant.
- 2) The DFSB Plaintiffs are the respective owners of all rights in and to certain copyright registrations, including, but not limited to, the copyrights which are the subject of the registrations listed in Exhibit "A" attached hereto and incorporated herein by this reference (collectively referred to herein as the "DFSB Plaintiffs' Works").
- 3) The DFSB Plaintiffs have alleged that Defendant has made unauthorized uses of the DFSB Plaintiffs' Works and/or materially contributed to the infringement of the DFSB Plaintiffs' Works by others and/or induced the infringement of the DFSB Plaintiffs' Works by others.
- 4) The Defendant and his agents, servants, employees and all persons in active concert and participation with him who receive actual notice of the injunction are hereby restrained and enjoined from:
 - a) Infringing the DFSB Plaintiffs' Works, either directly or secondarily, in any manner, including generally;
 - b) Copying, reproducing, distributing, advertising, publicly performing, and/or publicly displaying the DFSB Plaintiffs' Works, without authorization from the DFSB Plaintiffs, specifically including, but not limited to:
 - i) Posting images of any album cover art from any of the DFSB Plaintiffs'
 Works on any website(s), forum(s), blog(s), social networking platform(s),
 video site(s), online storage locker(s), or any other online platforms;

- Uploading any of the DFSB Plaintiffs' Works to any website(s), forum(s),blog(s), social networking platform(s), video site(s), online storage locker(s),or any other online platforms;
- iii) Streaming any of the DFSB Plaintiffs' Works on any website(s), forum(s), blog(s), social networking platform(s), video site(s), online storage locker(s), or any other online platforms; and
- iv) Offering for download any of the DFSB Plaintiffs' Works on any website(s), forum(s), blog(s), social networking platform(s), video site(s), online storage locker(s), or any other online platforms;
- Contributing to, assisting, aiding, abetting, or facilitating the copying, reproduction, distribution, advertisement, public performance, and/or public display of the DFSB Plaintiffs' Works, specifically including, but not limited to:
 - i) Compiling, organizing, and/or posting links to any website(s), forum(s),
 blog(s), social networking platform(s), video site(s), online storage locker(s),
 or any other online platforms which offer unauthorized copies of the DFSB
 Plaintiffs' Works for download;
 - ii) Compiling, organizing, and/or posting links to any website(s), forum(s), blog(s), social networking platform(s), video site(s), online storage locker(s), or any other online platforms which offer unauthorized copies of the DFSB Plaintiffs' Works for streaming; and
 - iii) Providing instructions and/or answering questions on how to find, download, and/or stream unauthorized copies of the DFSB Plaintiffs' Works;
- d) Inducing the copying, reproduction, distribution, advertisement, public performance, and/or public display of the DFSB Plaintiffs' Works, specifically including, but not limited to:
 - i) Compiling, organizing, and/or posting links to any website(s), forum(s),
 blog(s), social networking platform(s), video site(s), online storage locker(s),

- or any other online platforms which offer unauthorized copies of the DFSB Plaintiffs' Works for download;
- Compiling, organizing, and/or posting links to any website(s), forum(s),
 blog(s), social networking platform(s), video site(s), online storage locker(s),
 or any other online platforms which offer unauthorized copies of the DFSB
 Plaintiffs' Works for streaming;
- iii) Providing instructions and/or answering questions on how to find, download, and/or stream unauthorized copies of the DFSB Plaintiffs' Works; and
- iv) Encouraging, enticing, persuading, and/or intending any third-parties to engage in any form of infringement of the DFSB Plaintiffs' Works, including those other acts proscribed herein.
- 5) Each side shall bear its own fees and costs of suit.
- 6) Except as provided herein, all claims alleged in the Complaint are dismissed with prejudice.
- 7) This Injunction shall be deemed to have been served upon Defendant at the time of its execution by the Court.
- 8) The Court finds there is no just reason for delay in entering this Injunction and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this Injunction against Defendant.
- 9) The Court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this Injunction.
- 10) The above-captioned action, shall, upon filing by the DFSB Plaintiffs of the Settlement Agreement, Stipulation for Entry of Judgment and [Proposed] Final Judgment, and requesting entry of judgment against Defendants, be reopened should Defendant default under the terms of the Settlement Agreement.
- 11) This Court shall retain jurisdiction over Defendants for the purpose of making further orders necessary or proper for the construction or modification of this consent decree and judgment; the

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enforcement hereof; the punishment of any violation	is hereof: and for the possible entry o
Judgment Pursuant to Stipulation in this action.	is noted, and for the possible entry o
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DATED:	
	Hay James Fog I Judge, United States District Court for the Central District of California
PRESENTED BY:	- 1960 (1 m 1 m 2 m 1 m 1 m 1 m 1 m 1 m 1 m 1 m
. Andrew Coombs, A Prof. Corp.	
By /s/ Nicole L. Drey	
J. Andrew Coombs Nicole L. Drey Attorneys for Plaintiffs DFSB Kollective	
Co. Ltd., in conjunction with Jungle Entertainment, Woolim Entertainment,	
Aftermoon Music Entertainment, Inc., BooHwal Entertainment, and Paragon Music Corp.	120
M COMMENT	
Phillip Kuoch, an individual and d/b/a kaboomza.com and kaboomza.blogspot.com	
BV: P(L	
Phillip Kuoch, an individual and d/b/a kaboomza.com and kaboomza.blogspot.com	
Defendant, in pro se	

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EXHIBIT A

THE DFSB PLAINTIFFS' WORKS

Performer	Track	Album	Registration Number	Copyright Claimant			
	[Seug Gak Eeh Na]	25th Anniversary:		BooHwal			
BooHwal	Remembering	Retrospect (Vol.1)	PA 1-673-477	Entertainment			
	[Tto Da Si Sa Rang	25th Anniversary:		BooHwal			
BooHwal	Eeh] Again Love Again	Retrospect (Vol.1)	PA 1-673-477	Entertainment			
		25th Anniversary:		BooHwal			
BooHwal	OZ	Retrospect (Vol.1)	PA 1-673-477	Entertainment			
		25th Anniversary:		BooHwal			
BooHwal	[Uh Jae] Yesterday	Retrospect (Vol.1)	PA 1-673-477	Entertainment			
	[Seul Peun Sa Seum]	25th Anniversary:		BooHwal			
BooHwal	Sad Dear	Retrospect (Vol.1)	PA 1-673-477	Entertainment			
BooHwal	[Heuk Baek Young Hwah] Black & White Movie	25th Anniversary: Retrospect (Vol.1)	PA 1-673-477	BooHwal Entertainment			
Dok2	I'm Back	Thunderground	PA 1-673-478	Woolim Entertainment			
Dok2	You Don't Know	Thunderground	PA 1-673-478	Woolim Entertainment			
DOKZ	It's Me (feat. Joo	Thunderground	1111-073-476	Woolim			
Dok2	Young)	Thunderground	PA 1-673-478	Entertainment			
DOKE	1 oung)	Thunderground	1711 075 170	Woolim			
Dok2	Beyond	Thunderground	PA 1-673-478	Entertainment			
	[Hoom Chuh] Rob It			Woolim			
Dok2	(feat. Double K)	Thunderground	PA 1-673-478	Entertainment			
	64% (feat. Beatbox			Woolim			
Dok2	DG)	Thunderground	PA 1-673-478	Entertainment			
	[Ma Ji Mak] Last (feat.	<u> </u>		Woolim			
Dok2	Mr.Gordo)	Thunderground	PA 1-673-478	Entertainment			
	It's Me (feat. Epik High			Woolim			
Dok2	& MYK)	Thunderground	PA 1-673-478	Entertainment			
				Woolim			
Epik High	[Suh Rap] Shelves	Epilogue	PA 1-673-425	Entertainment			
				Woolim			
Epik High	Run	Epilogue	PA 1-673-425	Entertainment			
	[Ba Bo] Fool (feat.			Woolim			
Epik High	Bumkey)	Epilogue	PA 1-673-425	Entertainment			
	• /			Woolim			
Epik High	Wordkill	Epilogue	PA 1-673-425	Entertainment			
				Woolim			
Epik High	Blossom	Epilogue	PA 1-673-425	Entertainment			
	[Bi Neul] Skin (feat.			Woolim			
Epik High	Yankie)	Epilogue	PA 1-673-425	Entertainment			

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D 11 771 1			D. 1 (52 125	Woolim
Epik High	[Jap Eum] Distorted	Epilogue	PA 1-673-425	Entertainment
E 1 II 1		г 1	DA 1 (72 425	Woolim
Epik High	Coffee (feat. SungAh)	Epilogue	PA 1-673-425	Entertainment
Emile High	Ovvan	Emilagua	DA 1 672 425	Woolim Entertainment
Epik High	Over	Epilogue	PA 1-673-425	Woolim
Epik High	[Soop] Roots	Epilogue	PA 1-673-425	Entertainment
Lpik High	[Soop] Roots	Lphogue	1A 1-0/3-423	Aftermoon Music
House Rulez	Happy 2010	Winter 2010	PA 1-673-475	Entertainment Inc.
110 000 1100102	114467 2010	, , , , , , , , , , , , , , , , , , ,		Aftermoon Music
House Rulez	Dee	Winter 2010	PA 1-673-475	Entertainment Inc.
	[Gyuh Oor Eeh Ya Gi]			Aftermoon Music
House Rulez		Winter 2010	PA 1-673-475	Entertainment Inc.
	[Gyuh Oor Eeh Ya Gi]			
	Winter Story (Sax			Aftermoon Music
House Rulez	Version)	Winter 2010	PA 1-673-475	Entertainment Inc.
				Aftermoon Music
House Rulez		Winter 2010	PA 1-673-475	Entertainment Inc.
_	No.5 (Rap feat.Eun			Paragon Music
J.ae	JiWon)	Sentimental	PA 1-674-065	Corporation
т.		G .: . 1	DA 1 (74 0(5	Paragon Music
J.ae	[Gnh Jit Mar] Lie	Sentimental	PA 1-674-065	Corporation
	ShaReuReu (I Wanna			Damagan Music
J.ae	be Your Love) (feat. Jung Yup)	Sentimental	PA 1-674-065	Paragon Music Corporation
J.ac	[Kkeut Eul Mar Har	Schumentar	1 A 1-0/4-003	Corporation
	Soon Up Uh Do] Can't			
	Say it's Over (feat.			Paragon Music
J.ae	MBLAQ 'Zio')	Sentimental	PA 1-674-065	Corporation
	Angel's Disguise (From			1
	Coreana Cosmetics			
	OVLEAU TV			Paragon Music
J.ae	Commercial)	Sentimental	PA 1-674-065	Corporation
	[Nur Sa Rang Het Eul			Paragon Music
J.ae	Kka?] Did I Love You?	Sentimental	PA 1-674-065	Corporation
_	_			Paragon Music
J.ae	Love	Sentimental	PA 1-674-065	Corporation
I CC	Intro (Hexagonal) (feat.	111 1	DA 1 (72 712	Jungle
LeeSSang	Enzo.B)	Hexagonal	PA 1-673-512	Entertainment
	[Woo Ri Ji Geum Man			
	Na) Let's Meet Now			Jungla
LeeSSang	(feat. Chang Kiha & The Faces)	Hexagonal	PA 1-673-512	Jungle Entertainment
Lecobally	[HaeUhJiJiMotHaNeun	Tichagonai	1111-0/3-312	Littertailinellt
	YuhJa, Ttuh			Jungle
LeeSSang	NaGaJiMotHaNeunNa	Hexagonal	PA 1-673-512	Entertainment
			1	

		mJa) Can't Breakup			
.		Girl, Can't Breakaway			
		Boy (feat. Jung In)			
,		Carousel (feat. Lee			Jungle
	LeeSSang	Juk)	Hexagonal	PA 1-673-512	Entertainment
		[Byun Hae Ga Nae)			
		Changing (feat. Jung			Jungle
	LeeSSang	In)	Hexagonal	PA 1-673-512	Entertainment
		[Bu Suh Jin Dong Nae)			
		Shattered			
		Neighborhood (feat.			Jungle
I	LeeSSang	Lucid Fall)	Hexagonal	PA 1-673-512	Entertainment
		[Il Tuh) Workplace			Jungle
l	LeeSSang	(feat. Bizzy)	Hexagonal	PA 1-673-512	Entertainment
					Jungle
	LeeSSang	Journey (feat. Casker)	Hexagonal	PA 1-673-512	Entertainment
		Dying Freedom (feat.			Jungle
	LeeSSang	Kim Bada)	Hexagonal	PA 1-673-512	Entertainment
		Skit - [Bur Chik]			Jungle
	LeeSSang	Penalty	Hexagonal	PA 1-673-512	Entertainment
		[Woon Myung] Fate			Jungle
	LeeSSang	(feat. Malo)	Hexagonal	PA 1-673-512	Entertainment
					Jungle
	LeeSSang	Run (feat. YB)	Hexagonal	PA 1-673-512	Entertainment
					Jungle
	LeeSSang	To. LeeSSang	Hexagonal	PA 1-673-512	Entertainment
					Jungle
	LeeSSang	Canvas	Hexagonal	PA 1-673-512	Entertainment
		Skit - [Nae Mom Eun			
		Nuh Reul Ji Wot Da]		D. 1 (72 712	Jungle
	LeeSSang	My Body Erased You	Hexagonal	PA 1-673-512	Entertainment
	***	[Ttuh Na Ji Ma] Please	DI D I C	D. 1 (72 100	Jungle
	Yoonmirae	Don't Go	Please Don't Go	PA 1-673-400	Entertainment
		[Ttuh Na Ji Ma] Please			
١		Don't Go	DI D I C	DA 1 (72 400	Jungle
	Yoonmirae	(Instrumental)	Please Don't Go	PA 1-673-400	Entertainment

PROOF OF SERVICE

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the below-entitled cause. I am employed by a member of the Bar of the United States District Courts of California. My business address is 517 East Wilson Avenue, Suite 202, Glendale, California 91206.

On October 6, 2011, I served the:

- JOINT STIPULATION RE ENTRY OF [PROPOSED] CONSENT DECREE AND PERMANENT INJUNCTION
 - [PROPOSED] CONSENT DECREE AND PERMANENT INJUNCTION

for the following civil action:

DFSB Kollective Co. Ltd., et al. v. Phillip Kuoch, et al.

on the following interested parties in this action:

Phillip Kuoch, an individual and d/b/a kaboomza.com and kaboomza.blogspot.com
75 Henderson Rd.
Keysborough 3173
Melbourne Australia
phillipkuoch@hotmail.com

by placing a true and correct copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California, in the ordinary course of business. I am aware that on motion of the party served, service may be presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Place of Mailing: Glendale, California

Executed on October 6, 2011, at Glendale, California

Katrina Bartolome