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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MERSCORP HOLDINGS, INC., a Delaware corporation, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation,

Plaintiff,

vs.

MERS, INC, a California corporation, MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. (MERS), a California corporation,

Defendants.

No.: 16-cv-04380-BLF

~~PROPOSED~~ JUDGMENT AND PERMANENT INJUNCTION

1 The Court having granted Plaintiffs' motion for default judgment,
2 Judgment is HEREBY ENTERED for Plaintiffs and against Defendants on all claims set
3 forth in the complaint, and permanent injunctive relief is HEREBY ORDERED as follows:

4 1. Defendants MERS, Inc. and Mortgage Electronic Registration System, Inc. (MERS),
5 whose corporate names have been changed to "Jack Lyles, Inc." and "Connie Vargas, Inc."
6 respectively (collectively "Defendants") are liable for infringement of Plaintiff MERSCORP
7 HOLDINGS, INC.'s ("MERSCORP") federally registered MERS® word mark (U.S. Trademark
8 Registration No. 2,084,831) under 15 U.S.C. Section 114.

9 2. Defendants are liable for false designation of origin under 15 U.S.C. Section 1125(a)
10 based on their use of names substantially similar to Plaintiff MERSCORP and Mortgage Electronic
11 Registration Systems, Inc.'s (collectively "Plaintiffs") trade names.

12 3. Defendants are liable for unfair competition under California Business and
13 Professions Code Section 17200, et seq.

14 4. Defendants, their officers, agents, servants, employees and attorneys and those in
15 active concert or participation with them, are hereby permanently restrained and enjoined from:

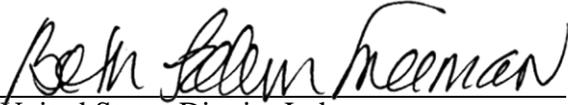
16 a. Using the MERS® Mark, MERSCORP trade name, or MORTGAGE
17 ELECTRONIC REGISTRATION SYSTEMS, INC. trade name, or any confusingly similar versions
18 thereof, in commerce in the United States;

19 b. Maintaining an active corporation with the name MERS, INC or
20 MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC. (MERS) or any confusingly
21 similar name; and

22 c. Assisting, aiding, or abetting any other person or entity in engaging in or
23 performing any of the activities referred to in subparagraphs (a) and (b) above.

24 **IT IS SO ORDERED AND ADJUDGED.**

25 DATED: May 3, 2017

26 
United States District Judge