

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

CHANEL, INC.,

Plaintiff,

-vs-

Case No. 6:08-cv-1557-Orl-31KRS

**DOUGLAS MESADIEU, d/b/a
Replicagalaxy.com, d/b/a leathermoon.com,**

Defendant.

ORDER AND PERMANENT INJUNCTION

This matter came before the Court without oral argument upon consideration of Plaintiff's Motion for Default Judgment (the "Motion") (Doc. 16), and Magistrate Judge Spaulding's Report and Recommendation regarding same (Doc. 22). No party has objected to the Report and Recommendation. Accordingly, it is

ORDERED and **ADJUDGED** that:

1. The Motion is **GRANTED** in part and the Report and Recommendation is **CONFIRMED** and **ADOPTED** as a part of this Order;
2. The Clerk of the Court is directed to enter a final judgment in the amount of \$572,488.14 (which includes \$567,440.00 in statutory damages, \$3,500.00 in attorneys' fees, \$498.14 in investigative costs, and \$1,050.00 in court costs) in favor of Plaintiff Chanel, Inc. and against Defendant Douglas Mesadieu, plus post-judgment interest as provided by law.

3. It is **FURTHER ORDERED** that, pursuant to FED. R. CIV. P. 65, Defendant Douglas Mesadieu and his agents, servants, employees, attorneys and all persons in active concert and participation with him are hereby permanently restrained and enjoined from:

(a) manufacturing, importing, advertising, promoting, distributing, selling or offering to sell counterfeit goods using Chanel, Inc.'s exclusive trademarks;

(b) using Chanel, Inc.'s exclusive trademarks in connection with the sale of any goods not authorized for sale by Chanel, Inc.;

(c) using any logo or layout that is calculated to falsely advertise the services of ReplicaGalaxy.com, LeatherMoon.com, or any other web sites or business, as being sponsored by, authorized by, endorsed by, or in any way associated with Chanel, Inc.;

(d) falsely representing himself or web sites over which he has control as being connected with Chanel, Inc.;

(e) engaging in any act that is likely to falsely cause members of the trade or the purchasing public to believe any goods or services of Douglas Mesadieu, ReplicaGalaxy.com, LetherMoon.com, or any other web site or business, are in any way endorsed by, approved by, or associated with Chanel, Inc.;

(f) using any reproduction, counterfeit, copy, or colorable imitation of Chanel, Inc.'s exclusive trademarks in connection with the publicity, promotion, sale, or advertising of any goods, including, without limitation, handbags, backpacks, caps, bedding, sunglasses, swim wear, clothing, ties, key chains and watches;

(g) affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or

represent goods by Douglas Mesadieu, ReplicaGalaxy.com, LetherMoon.com, or any other web site or business, as being those of Chanel, Inc. or in any way endorsed by Chanel, Inc.;

(h) secreting, destroying, altering, removing, or otherwise dealing with any books or records that contain any information related to the importation, manufacture, production, distribution, circulation, sale, marketing, advertising, promotion, renting or displaying of any products that infringe Chanel, Inc.'s exclusive trademarks; and


(i) effecting assignments or transfers, forming new entities or associations, or utilizing any other device or artifice for the purpose of circumventing or otherwise avoiding the prohibitions set forth, *supra*.

The Clerk of the Court is directed to close the file.

DONE and **ORDERED** in Chambers, Orlando, Florida on August 12, 2009.

Copies furnished to:

Counsel of Record
Unrepresented Party


GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE