

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. **07-22046**

CURTIS JAMES JACKSON,  
p/k/a 50 CENT,

**CIV - HUCK**

Plaintiff,

MAGISTRATE JUDGE  
SIMONTON

v.

GRUPO INDUSTRIAL HOTELERO,  
S.A., a Mexican corporation d/b/a "COCO BONGO"  
nightclub, ROBERTO NOBLE, SR.,  
and ISAAC HALABE,

Defendants.

2007 JUN 13 10 55 AM  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CIVIL DIVISION  
[Handwritten signature]

**COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF**

Plaintiff, Curtis James Jackson, p/k/a/ 50 Cent ("50 Cent"), by and through his undersigned counsel, sues Defendants Grupo Industrial Hotelero, S.A. d/b/a "Coco Bongo" nightclub ("GIH"), Roberto Noble, Sr. ("Noble") and Isaac Halabe ("Halabe") (collectively "Defendants") and alleges:

**NATURE OF ACTION**

1. This is an action for trademark infringement and false designation of origin under the Trademark Act of 1946, as amended (The Lanham Act, 15 U.S.C. § 1051 *et seq.*), for violation of Section 540.08, Florida Statutes, and for unfair competition as a result of Defendants' unauthorized use of 50 Cent's image and likeness and the unauthorized use of the federally registered trademark G-UNIT in connection with advertising Defendants' Coco Bongo nightclub.

## **JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 (actions arising under the Federal Trademark Act), 28 U.S.C. § 1338(a) (acts of Congress relating to trademarks) and 28 U.S.C. § 1338(b) (pendent state law claims).

3. The Court has jurisdiction over Defendants pursuant to Florida Statutes § 48.193(1)(b) and 49.193(1)(f)(1), Florida's Long Arm Statute, as Defendants have committed a tortious act within this State which is likely to and has caused confusion among consumers within the State of Florida or, in the alternative, Defendants have caused injury to persons or property within this State arising out of an act or omission by the Defendants outside this State. Moreover, this Court's exercise of jurisdiction over Defendants is appropriate pursuant to Rule (4)(k)(2) of the Federal Rules of Civil Procedure.

4. Venue is proper in this District of Florida pursuant to 28 U.S.C. § 1391(b) because a substantial part of events involved in this action occurred in this District.

## **THE PARTIES**

### **50 Cent**

5. Plaintiff, 50 Cent is a world-renowned, recording artist, rap and hip-hop performer, record producer, actor and entrepreneur. In 2003, 50 Cent released his official debut album *Get Rich Or Die Tryin'* which sold 872,000 units in the first four days of its release and is currently ten times platinum worldwide. His second album The Massacre, released in 2005, is now seven times platinum worldwide. 50 Cent has also

starred in the 2005 movie Get Rich or Die Tryin' and has earned 11 Grammy nominations. Attesting to his worldwide popularity, "Get Rich Or Die Tryin'" reached #2 in the U.K. and #1 in Australia, while "The Massacre" reached #1 in both those countries, #2 in Sweden, and is the biggest-selling rap album in India, where it has been certified double platinum, selling more than 2,000,000 copies.

6. As a result of his enormous fame, 50 Cent's image and likeness enjoys wide-spread recognition and monetary value. 50 Cent has a huge fan base largely comprised of the 18-35 year-old age demographic.

### **G-UNIT**

7. In addition to being a solo recording artist, record producer and rap and hip-hop performer, 50 Cent is a member of the rap and hip-hop group known as "G-Unit." In 2003, 50 Cent created the G-Unit Clothing Company, which is now a top contender in the urban fashion market. Inspired by 50 Cent and fellow members of G-Unit, the clothing line is marketed and promoted under the trademark G-UNIT.

8. 50 Cent owns various federal trademark registrations for the G-UNIT mark including: U.S. Registration No. 2787451 for entertainment services in the nature of live performances by the musical group in International Class 041; for pre-recorded phonograph records, compact discs, audio and video cassettes, and dvds featuring music in International Class No. 09; and clothing, namely, hats, t-shirts, jackets, shirts, sweatshirts and sweat pants, and jerseys in International Class No. 25. 50 Cent also currently owns U.S. Registration No. 2992615 for the G-UNIT mark for printed matter and publications, namely, newsletters relating to entertainment; photographs; posters; and

pressure sensitive stickers in International Class No. 16. See Composite Exhibit A attached hereto.

9. 50 Cent has two (2) other pending federal trademark applications for the G-UNIT mark including U.S. Serial No. 78690694 for non-fiction books in the field of urban street themes in International Class 16; and U.S. Serial No. 78338216 for jewelry; wrist watches and pocket watches in International Class No. 9; magazines relating to entertainment; calendars in International Class 16; and travel bags, back packs, wallets, purses, umbrellas in International Class No. 18. See Composite Exhibit B attached hereto.

10. The G-UNIT mark has become a strong, well and favorably known designation of origin to the general public throughout the United States for the goods and services of 50 Cent with sales exceeding \$150 million. As a result, 50 Cent has established extensive goodwill and public recognition for the G-UNIT mark as an exclusive identification of the services offered by 50 Cent.

### **Defendants**

11. Defendant GIH is a Mexican corporation with its principal place of business in Cancun, Mexico. GIH owns and manages the Coco Bongo nightclub in Cancun, Mexico.

12. Defendant Noble is an individual residing in Cancun, Mexico. Noble owns and manages the Coco Bongo nightclub and is the majority shareholder of Defendant GIH.

13. Defendant Halabe is an individual residing in Cancun, Mexico. Halabe is the General Director/Chief Operating Officer of GIH and manages the Coco Bongo nightclub.

### **GENERAL ALLEGATIONS**

#### **The Coco Bongo Nightclub**

14. Coco Bongo is a nightclub and bar in Cancun, Mexico. Defendants' Coco Bongo nightclub is premised in large part on the unauthorized use of third parties' valuable intellectual property.

15. An attraction of the Coco Bongo nightclub is a nightly show that includes the unauthorized use of music videos by popular recording artists, such as Madonna, Beyonce, Jennifer Lopez, Michael Jackson, Kiss, Britney Spears and Elvis Presley and movie clips of popular movies, such as Beetlejuice, The Matrix and The Passion of the Christ. The show, which is several hours long each night, is comprised of celebrity impersonators and other performers lip-syncing and dancing to popular songs while the original and unauthorized music videos and movie clips are played, without permission or authorization, on large screens behind the performers. See Exhibit C, "About Us" page from Defendants' official internet website. Photographs of portions of the show, such as is described above, can be viewed on Defendants' official internet website under the section entitled "Shows," which also permits the user to rate each "act" and view other users' ratings of various performances.

16. Defendants, without permission or authorization, repeatedly and continuously use the images and likenesses of countless celebrities, trademarks and

movies to promote their Coco Bongo nightclub, including but not limited to, 50 Cent, G-UNIT, Madonna, Beyonce, Elvis Presley, Britney Spears, XBOX 360, Rolling Stone, The New York Times, People, USA Today, MTV, E!, The Godfather, Star Wars, Spiderman, Matrix, Kill Bill, Memoirs of a Geisha, Studio 54, Moulin Rouge and The Mask.

17. Defendants significantly target United States tourists in their promotional efforts for the Coco Bongo nightclub. In fact, more than half of Coco Bongo's customers are comprised of United States tourists, including U.S. college students. One of the largest groups targeted by Defendants is between the ages of eighteen (18) and thirty-five (35) years.

18. Defendants rely heavily on advertising and promoting the Coco Bongo nightclub in Cancun by distributing advertisements within the United States, including through its official internet website [www.cocobongo.com.mx](http://www.cocobongo.com.mx). The website is created and maintained by Noble and Halabe, who both have control over the content placed upon the website. Noble has the ultimate authority to approve all advertisements and content on the website. Through the official internet website, Defendants' customers can reserve tickets for the Coco Bongo nightclub.

19. In addition, Defendants' website offers the following interactive features under the section entitled "Interactive" or "Coco- Interactive": (1) register to become an online member of the website and receive a user name and password to use every time the user visits the website (Exhibit D); (2) "wallpaper," where the user can download Coco Bongo wallpaper for his or her computer containing various unauthorized images including the image and likeness of Madonna, Elvis Presley, Britney Spears and

Beyonce, Spiderman, Beetlejuice (See Exhibit E); (3) “forum,” where users can rate the Coco Bongo nightclub and post photographs and reviews for other users to review and can view other users’ photographs and reviews (see Exhibit F); (4) “chat,” where users can chat live with each other on the website (see Exhibit G); (5) “shows,” where the user can view photographs of various acts from the nightly shows at Coco Bongo, rate each performance, view other user’s ratings and send an e-card to another user’s email of a photograph which is sent from the Coco Bongo website server (see Exhibit H); and (6) “gallery,” where the user can also view as many as 49,879 files in 480 albums of photographs taken at Coco Bongo or at a Coco Bongo sponsored special event, rate each photograph, view other user’s ratings, add photographs to the user’s “favorites” list and send an e-card to another user’s email of the photograph which is sent from the Coco Bongo website server. (See Exhibit I). Each photograph has the cocobongo.com.mx website address printed at the bottom of the page.

20. Defendants also advertise and promote the Coco Bongo nightclub through business relationships with several travel/tourist agencies and tour operators located in Florida and throughout the United States. These U.S. travel/tourist agencies sell admission passes to the Coco Bongo nightclub directly to United States tourists, including college students, on Coco Bongo’s behalf. The U.S. travel and tourist agencies also distribute coupons for discounted admissions to the Coco Bongo nightclub to United States tourists, including students on college campuses.

21. Moreover, Defendants promote and advertise their Coco Bongo nightclub in the United States by distributing various advertisements and promotional material

through U.S. magazines, travel publications, on U.S. companies' websites and on college campuses.

22. Furthermore, Defendants regularly attend travel trade shows many times throughout the year in Florida and throughout the United States such as the MPI Mexico Roadshow in Miami and WEC/World Education Congreso in Miami.

23. The most profitable time of the year for the Coco Bongo nightclub is "Spring Break" (approximately February-April of each year). Over 100,000 U.S. teenagers and young adults travel to Cancun for Spring Break every year which is why Defendants rely so heavily on advertising and promoting the Coco Bongo nightclub to U.S. college and high school students and other members of their 18-35 year-old target demographic in Florida and throughout the United States.

## **DEFENDANTS' INFRINGING ACTIVITIES**

### **The Infringing Advertisement**

24. Defendants, knowingly and without the authorization, permission, or consent of 50 Cent, have appropriated and used 50 Cent's image and likeness and the G-UNIT mark to advertise, promote, endorse and draw attention to the Coco Bongo nightclub.

25. Specifically, Defendants advertised a promotion for Spring Break 2007 using 50 Cent's image and likeness and the G-UNIT mark (the "Infringing Advertisement"). The Infringing Advertisement contains a photograph/image of 50-Cent wearing a hat and t-shirt with the G-UNIT mark along with the words "Action



Night, XBOX 360 Spring Break 2007.” The Infringing Advertisement also appeared under the section of the website entitled “calendar.” See Exhibit J. In addition to 50 Cent’s image and likeness and the G-UNIT marks, Defendants lack consent to use the XBOX 360 mark in connection with their advertising and promotional efforts. XBOX 360 is an extremely popular and well-known video game system (especially among Coco Bongo’s 18-35 year-old target demographic). Defendants also used XBOX 360 to specifically promote Wednesday and Sunday nights of the 2007 spring break season which causes the viewer to mistakenly believe that XBOX 360 was the corporate sponsor for spring break 2007 at the Coco Bongo nightclub. Defendants’ use of 50 Cent’s image together with G-UNIT and XBOX trademarks to promote spring break 2007 is a deliberate attempt to trade off the already established popularity of these images and marks to attract more customers of the 18-35 year-old target demographic to their nightclub.

26. The Infringing Advertisement appeared on Defendants’ official internet website [www.cocobongo.com.mx](http://www.cocobongo.com.mx) through at least the 2007 Spring Break season (approximately February – April). The Infringing Advertisement appeared on the Defendants’ website in a continuous loop along with other advertisements promoting nightly “special events” at the nightclub. The Infringing Advertisement appeared on Defendants’ website as highly popular original sound recordings were played, without permission or authorization, on the website, such as “Gold Digger” by Kanye West, “Check On It” by Beyonce and “Yeah” by Usher.

27. Moreover, the Infringing Advertisement was distributed on flyers to promote Coco Bongo’s 2007 spring break season. See Exhibit K. Similar to the

continuous loop on the website, the flyer contains a different promotion for each night of the week, including 50 Cent's image and likeness and the G-UNIT mark.

**The Infringing Video- "Spring Break 2007 in Cocobongo"**

28. In addition, Defendants have utilized the Infringing Advertisement in a video entitled "Spring Break 2007 in Cocobongo" (the "Infringing Video") to promote the nightclub, which Defendants have distributed and made available on its official internet website [www.cocobongo.com.mx](http://www.cocobongo.com.mx) and on various popular websites such as youtube.com and google.com. The Infringing Video displays the Infringing Advertisement while a popular original sound recording entitled "Laid" by the band Better Than Ezra is played, without permission or authorization, in the background.

29. The Infringing Video currently appears on the YouTube.com website at <http://www.youtube.com/watch?v=E9BWn431IU0> which is also accessible by clicking a link on Defendants' website, "Click On You Tube," which takes the user to [www.youtube.com/cocobongovip](http://www.youtube.com/cocobongovip), Defendants' exclusive account (cocobongovip) on youtube.com. See Exhibit L. YouTube.com attracts the same 18-35 year-old demographic as the Coco Bongo nightclub targets.

30. During the 2007 spring break season, the video also appeared on google.com at <http://video.google.com/videoplay?docid=5722333287741016217&q=genre%3Atravel+is%3Afree>. See Exhibit M. Video.google.com attracts the same 18-35 year-old demographic as the Coco Bongo nightclub targets.

31. The Infringing Video also currently appears on the AOL Video website at <http://video.aol/video-detail/id/2406724125> (see Exhibit N) and on Video Sear.ch website at <http://www.videosear.ch/watch/2406724125/spring-break-2007-in-cocobongo/> (see Exhibit O).

32. Defendants' Infringing Advertisement and Infringing Video containing 50 Cent's image and likeness and the G-UNIT mark are false representations to the public that 50 Cent and G-UNIT endorse, are employed, sponsored, associated or affiliated with, or otherwise approve of Defendants, the Coco Bongo nightclub and business activities, their trademark or logo, none of which is true. The Infringing Advertisement and Infringing Video are also intended to suggest and do suggest to the public that 50 Cent and G-UNIT sponsored special events during Spring Break 2007 at Defendants' Coco Bongo nightclub, which is not true.

33. 50 Cent has never consented to the use by Defendants, or any of them, of his image and likeness or the G-UNIT mark in connection with Defendants' Coco Bongo nightclub or any other product or service of any sort sold or offered for sale by Defendants.

34. 50 Cent never consented to endorse, promote, recommend, or be associated or affiliated with Defendants or their products or services.

35. Defendants were and are undoubtedly familiar with the fame of 50 Cent and the G-UNIT mark, especially among their 18-35 year-old target demographic, including U.S. high school and college students, which is evident by virtue of their decision to use 50 Cent's image and likeness and the G-UNIT mark to help promote and

advertise Spring Break at the nightclub. Therefore, coupled with Defendants' practice of using third parties' intellectual property without permission or authorization, Defendants' actions alleged herein were done knowingly and intentionally without regard for the rights of 50 Cent including his federal trademark rights and the right to control and direct the use of his image and likeness.

36. 50 Cent has retained the undersigned counsel to represent him in this action and is obligated to pay counsel their reasonable attorney's fees.

## COUNT I

### **Violation of Section 32 of the Lanham Act Infringement of Federal Trademarks**

37. 50 Cent hereby re-alleges and incorporates by reference the allegations of paragraphs 1 through 36 of this Complaint as if fully set forth herein.

38. The Infringing Advertisement and Infringing Video using 50 Cent's image and likeness and the G-UNIT mark have been and are being distributed in interstate commerce in the United States via the internet through its website [www.cocobongo.com.mx](http://www.cocobongo.com.mx) and other popular internet websites such as youtube.com and google.com described herein.

39. Defendants have infringed 50 Cent's G-UNIT mark by various acts, including, without limitation, promoting and advertising its Coco Bongo nightclub without permission or authority of 50 Cent and said use is likely to cause confusion, to cause mistake and/or to deceive.

40. Defendants' conduct and infringing activities have caused and are likely to cause confusion and mistake among the general public, and/or have deceived and are

likely to deceive the general public into believing that 50 Cent is affiliated, connected, or associated with Defendants, and that 50 Cent licensed, sponsored, or approved of Defendants and their products and services.

41. Defendants' unauthorized use of the G-UNIT mark, as set forth above, violates Section 32 of the Lanham Act, 15 U.S.C. § 1114(1).

42. The acts and conduct of Defendants, and each of them, as alleged herein, are causing and, unless enjoined and restrained by the Court, will continue to cause 50 Cent great and irreparable injury which cannot adequately be compensated or measured in money. 50 Cent has no adequate remedy at law. 50 Cent is entitled to preliminary and permanent injunctive relief.

43. In addition, as a direct and proximate result of Defendants' violations of the Lanham Act, 50 Cent is entitled to damages and Defendants' profits, treble damages and attorney's fees pursuant to 15 U.S.C. § 1117.

## **COUNT TWO**

### **Violation of Section 43(a) of the Lanham Act False Designation of Origin**

44. 50 Cent hereby re-alleges and incorporates by reference the allegations of paragraphs 1 through 36 of this Complaint as if fully set forth herein.

45. Defendants have used the designation "G-UNIT" in promoting and advertising the Coco Bongo nightclub without permission or authority of 50 Cent and said use is likely to cause confusion, to cause mistake and/or to deceive. Said use of the designation "G-UNIT" is a false designation of origin, a false or misleading description and representation of fact which is likely to cause confusion and to cause mistake, and to

deceive as to the affiliation, connection or association of Defendants with 50 Cent. Defendants' unauthorized use of the G-UNIT mark, as set forth above, violates Section 43(a) of the Lanham Act, §15 U.S.C. § 1125(A).

46. The acts and conduct of Defendants, and each of them, as alleged herein, are causing and, unless enjoined and restrained by the Court, will continue to cause 50 Cent great and irreparable injury which cannot adequately be compensated or measured in money. 50 Cent has no adequate remedy at law. 50 Cent is entitled to preliminary and permanent injunctive relief.

47. In addition, as a direct and proximate result of Defendants' violations of the Lanham Act, 50 Cent is entitled to damages and Defendants' profits, treble damages and attorney's fees pursuant to 15 U.S.C. § 1117.

**COUNT THREE**  
**Unauthorized Use Of Likeness In Violation of § 540.08, Florida Statutes**

48. 50 Cent re-alleges and incorporates by reference the allegations of paragraphs 1 through 36 of this Complaint as if fully set forth herein.

49. Defendants gained great pecuniary benefit from the authorized use of 50 Cent's image and likeness to advertise the Coco Bongo nightclub.

50. Defendants' unauthorized use of 50 Cent's image and likeness in advertising the Coco Bongo nightclub, as alleged herein, constitutes the unauthorized public use of 50 Cent's image and likeness for commercial and advertising purposes thereby violating § 540.08, Florida Statutes.

51. As a result of Defendant's unauthorized use of 50 Cent's image and likeness, 50 Cent has suffered and continues to suffer damages.

52. In addition, as a direct and proximate result of Defendants' violations of § 540.08, Florida Statutes, 50 Cent is entitled to a reasonable license fee for use of his image and likeness.

**COUNT FOUR**  
**Common Law Unfair Competition and Trademark Infringement**

53. 50 Cent re-alleges and incorporates by reference the allegations of paragraphs 1 through 36 of this Complaint as if fully set forth herein.

54. Defendants' activities as stated herein constitute unfair competition and an infringement of 50 Cent's common law trademark rights in the name G-UNIT within the State of Florida and in violation of Florida law.

55. Defendants' wrongful and infringing activities have caused, and unless enjoined by this Court will continue to cause, irreparable injury and other damage to 50 Cent's business, reputation and good will in his G-UNIT mark.

**WHEREFORE**, Plaintiff, Curtis James Jackson, p/k/a 50 Cent, requests this Court to:

a. preliminarily and permanently enjoin and restrain Defendants and their agents, officers, servants, employees, successors and assigns and all others acting in concert or in privity with Defendant, from using, imitating and/or copying 50 Cent's image and likeness and G-UNIT mark and from imprinting, producing, marketing, selling, transporting, distributing, moving and/or otherwise circulating any and all

services or products which bear 50 Cent's image and likeness and G-UNIT mark, or any colorable simulation or imitation thereof;

b. preliminarily and permanently enjoin and restrain Defendants, and their agents, officers, servants, employees, successors and assigns and all others acting in concert or in privity with Defendants, from using 50 Cent's image and likeness and G-UNIT mark or any colorable simulation or imitation thereof, in connection with any promotion, advertisement, display, sale or circulation of any services or products, which in any way might, could or does falsely relate or associate Defendants with 50 Cent;

c. require Defendants, and their agents, officers, servants, employees, successors and assigns and all others acting in concert or in privity with Defendants to account for and pay over to 50 Cent all gains, profits, enrichments and advantages derived from Defendants' actions referred to herein;

d. order an accounting and the imposition of a constructive trust over all sums (and all interest and other proceeds of all sums), received, directly or indirectly, by Defendants, and each of them, as a result of the authorized use of 50 Cent's image and likeness, and as a result of their approving, permitting, facilitating, and/or causing the authorized use of 50 Cent's likeness.

e. require Defendants to pay 50 Cent, in accordance with 15 U.S.C. § 1117, a sum equal to three times all damages suffered by 50 Cent by reason of Defendants' activities referred to herein;

f. require Defendants to pay a reasonable license fee for the unauthorized public use of 50 Cent's likeness;

g. award compensatory and punitive damages;



h. require Defendants to pay 50 Cent, in accordance with 15 U.S.C. § 1117, its costs, including 50 Cent's attorney's fees and other expenses referred to herein; and

i. award such other relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

50 Cent demands trial by jury on all issues so triable.

Dated: August 8, 2007.

Respectfully submitted,  
LAW OFFICES OF KAREN L. STETSON, ESQ.  
Attorney for Plaintiff,  
Curtis James Jackson p/k/a 50 Cent  
P.O. Box 403023  
Miami, Florida 33140  
Telephone (305) 532-4845  
Facsimile (305) 604-0598

By: Karen L. Stetson

Karen L. Stetson  
Florida Bar No. 742937  
Meredith A. Frank  
Florida Bar No. 502235



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**Typed Drawing**

<b>Word Mark</b>	<b>G-UNIT</b>
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Electrical Apparatus, namely, pre-recorded phonograph records, compact discs, audio and video cassettes, and dvds featuring music. FIRST USE: 20030206. FIRST USE IN COMMERCE: 20030206
	IC 025. US 022 039. G & S: Clothing, namely, hats, T-shirts, jackets, shirts, sweatshirts and sweat pants, and jerseys. FIRST USE: 20030201. FIRST USE IN COMMERCE: 20030201
	IC 041. US 100 101 107. G & S: Entertainment services in the nature of live performances by the musical group. FIRST USE: 20021013. FIRST USE IN COMMERCE: 20021013
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	76455804
<b>Filing Date</b>	September 30, 2002
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	February 25, 2003
<b>Registration Number</b>	2787451
<b>Registration Date</b>	November 25, 2003
<b>Owner</b>	(REGISTRANT) Jackson, Curtis INDIVIDUAL UNITED STATES c/o Cutler & Sedlmayr, LLP 200 Park Avenue South, Ste. 1408 New York NEW YORK 10003
<b>Attorney of Record</b>	THEODOR K. SEDLMAYR, ESQ.

Exhibit A

**Type of Mark** TRADEMARK, SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# G-UNIT

<b>Word Mark</b>	<b>G-UNIT</b>
<b>Goods and Services</b>	IC 016. US 002 005 022 023 029 037 038 050. G & S: PRINTED MATTER AND PUBLICATIONS, NAMELY, NEWSLETTERS RELATING TO ENTERTAINMENT; PHOTOGRAPHS; POSTERS; AND PRESSURE SENSITIVE STICKERS. FIRST USE: 20021029. FIRST USE IN COMMERCE: 20021029
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78975808
<b>Filing Date</b>	December 9, 2003
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A;1B
<b>Published for Opposition</b>	June 14, 2005
<b>Registration Number</b>	2992615
<b>Registration Date</b>	September 6, 2005
<b>Owner</b>	(REGISTRANT) Jackson, Curtis INDIVIDUAL UNITED STATES c/o Sedlmayr & Associates, P.C. 200 Park Avenue South, Suite 1408 New York NEW YORK 10003

**Attorney of Record**      Theodor K. Sedlmayr  
**Prior Registrations**      2787451  
**Type of Mark**      TRADEMARK  
**Register**      PRINCIPAL  
**Live/Dead Indicator**      LIVE

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[LAST DOC](#)

Please logout when you are done to release system resources allocated for you.

List At: \_\_\_\_\_ OR  to record: **Record 5 out of 17**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
 ( Use the "Back" button of the Internet Browser to return to TESS)

# G-UNIT

**Word Mark** G-UNIT  
**Goods and Services** IC 016. US 002 005 022 023 029 037 038 050. G & S: Series of books, namely, non-fiction books in the field of urban street themes  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 78690694  
**Filing Date** August 11, 2005  
**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Published for Opposition** August 1, 2006  
**Owner** (APPLICANT) Jackson, Curtis INDIVIDUAL UNITED STATES c/o Sedlmayr & Associates 200 Park Avenue South, Suite 1408 New York NEW YORK 10003  
**Attorney of Record** W. Mack Webner  
**Prior Registrations** 2787451;2992615;3003854  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)
[PREV LIST](#)
[CURR LIST](#)

Exhibit B



**United States Patent and Trademark Office**

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

**Trademarks > Trademark Electronic Search System (TESS)**

TESS was last updated on Tue Aug 7 04:10:03 EDT 2007

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[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[BOTTOM](#)
[HELP](#)
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[CURR LIST](#)

[NEXT LIST](#)
[FIRST DOC](#)
[PREV DOC](#)
[NEXT DOC](#)
[LAST DOC](#)

Please logout when you are done to release system resources allocated for you.

List At: \_\_\_\_\_ OR  to record: **Record 13 out of 17**

[TARR Status](#)
[ASSIGN Status](#)
[TDR](#)
[TTAB Status](#)
 ( Use the "Back" button of the Internet Browser to return to TESS)

# G-UNIT

**Word Mark** G-UNIT

**Goods and Services** IC 014. US 002 027 028 050. G & S: Jewelry; wrist watches and pocket watches

IC 016. US 002 005 022 023 029 037 038 050. G & S: Magazines relating to entertainment; calendars

IC 018. US 001 002 003 022 041. G & S: Travel bags, back packs, wallets, purses, umbrellas

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78338216

**Filing Date** December 9, 2003

**Current Filing Basis** 1B

**Original Filing Basis** 1A;1B

**Published for Opposition** April 19, 2005

**Owner** (APPLICANT) Curtis Jackson INDIVIDUAL UNITED STATES c/o Sedlmayr & Associates, P.C. 200 Park Avenue South, Suite 1408 New York NEW YORK 10003

**Attorney of Record** Theodor K. Sedlmayr

**Prior Registrations** 2787451

**Type of Mark** TRADEMARK

Register PRINCIPAL  
Live/Dead Indicator LIVE

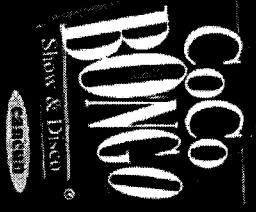
---

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#) [PREV LIST](#) [CURR LIST](#)  
[NEXT LIST](#) [FIRST DOC](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

---

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HOME



4 9 4 2 6 0



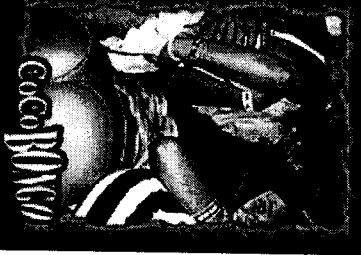
ABOUT US |

Coco BONGO was set in 1976... located in the heart of the bustling hotel zone... the multi-level parking and nearby Food & Roll and Sals & Bars... Coco BONGO's original four piece... and unique dance... Coco BONGO's extraordinary musical... taking from the 1940's & 50's... Tulum, Playa del Carmen... Coco BONGO's 24 hour dance floor is always full!



ROBERTO NOBLES  
right club. Throughout the years...

1976	SKYROS	MEXICO CITY
1977	KARMA	QUEPESAN
1979	BANDASHA	MEXICO CITY
1981	MARILYN	MEXICO CITY
1982	MAGIC CIRCUS	MEXICO CITY
1983	ELECTRICAL	EN BODON, CA
1989	IGUINES	TULUMA
1991	EL DORADO	MEXICO CITY
1995	COCO BONGO	MEXICO CITY
1997	COCO BONGO	CANCUN



What would you like to find in Coco Bongo website?

- Customer pics
- Shows pics
- Discussion forum
- Videos

Vote Result

E-mail  Go!

Exhibit C

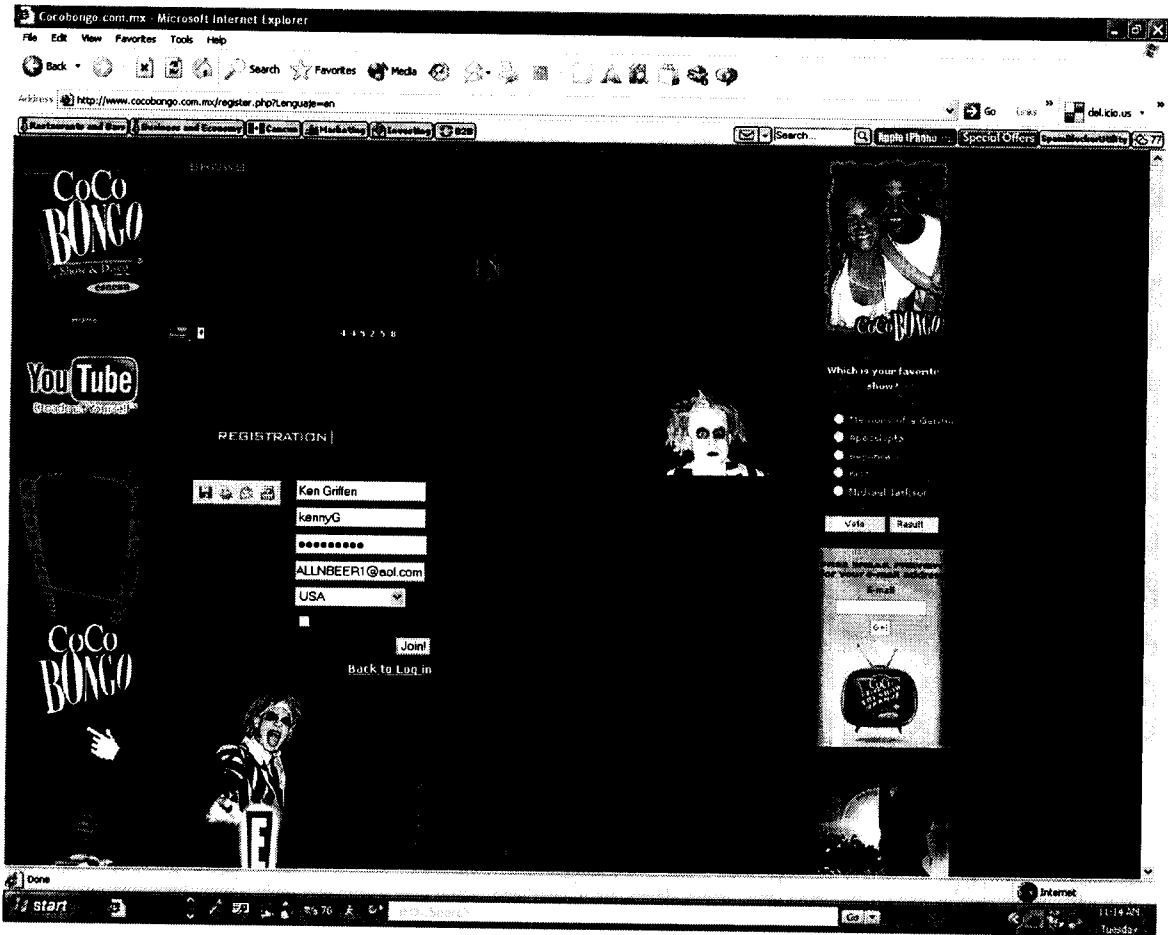
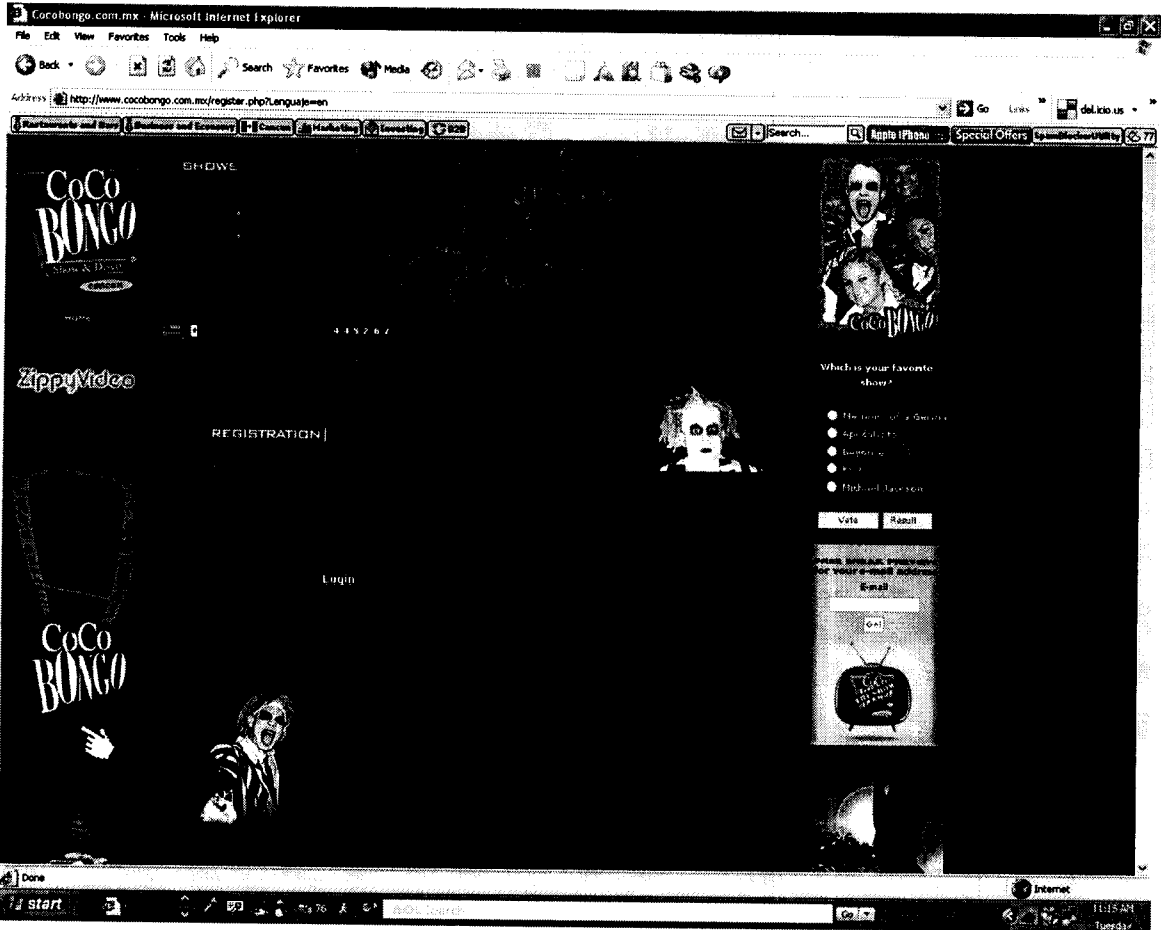


Exhibit D



Cocobongo.com.mx - Microsoft Internet Explorer


File Edit View Favorites Tools Help

Back Search Favorites Home

Address http://www.cocobongo.com.mx/userinfo.php?language=es&user=alernyG

Restaurante y Bar Productos y Servicios Contamos Marketing Envíenos tu voto

Search Apple iPhone Special Offers




hi5

MY ACCOUNT

Edit account information


Back



Which is your favorite show?

- The name of the character
- The subject
- The actor
- The plot
- The special effects

Vote Result



Done

start

Internet

1:17:41 PM Tuesday

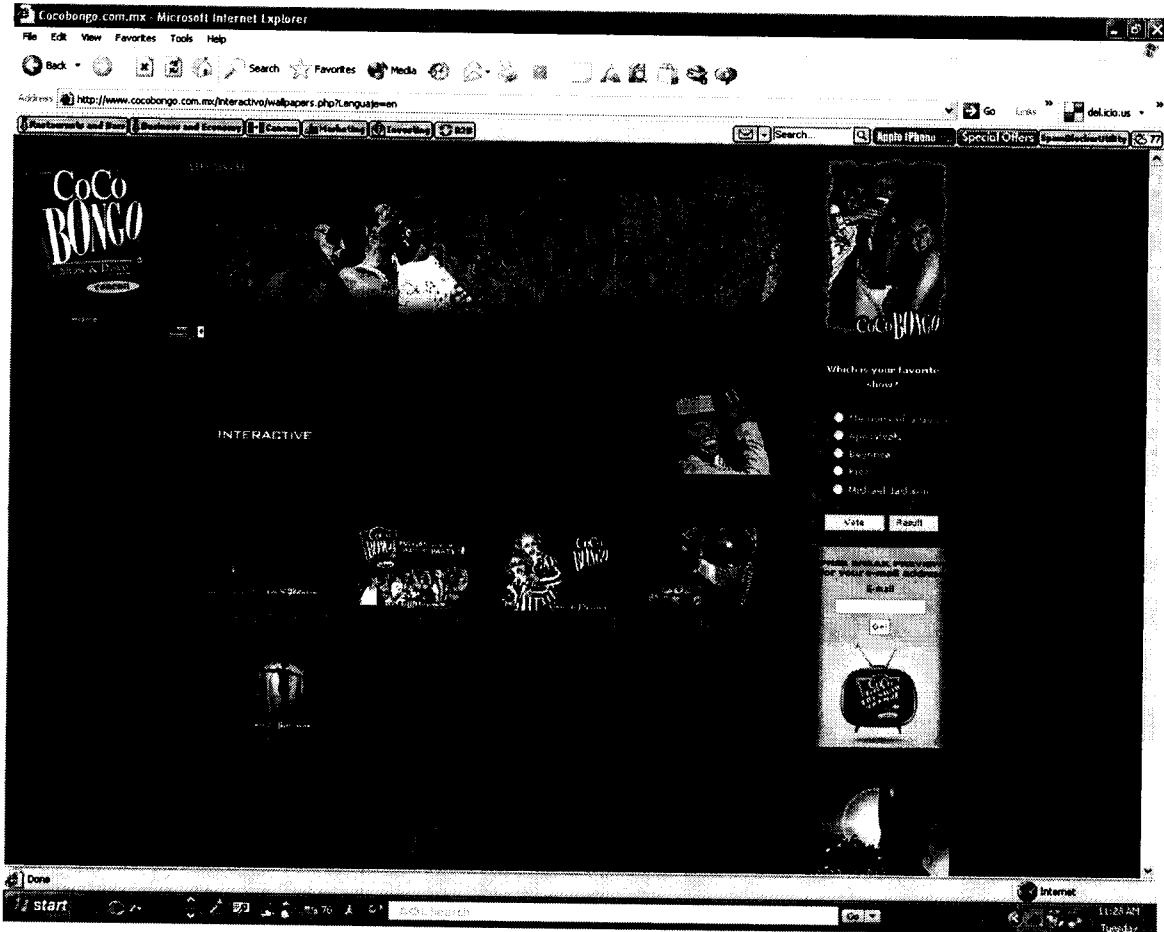


Exhibit E

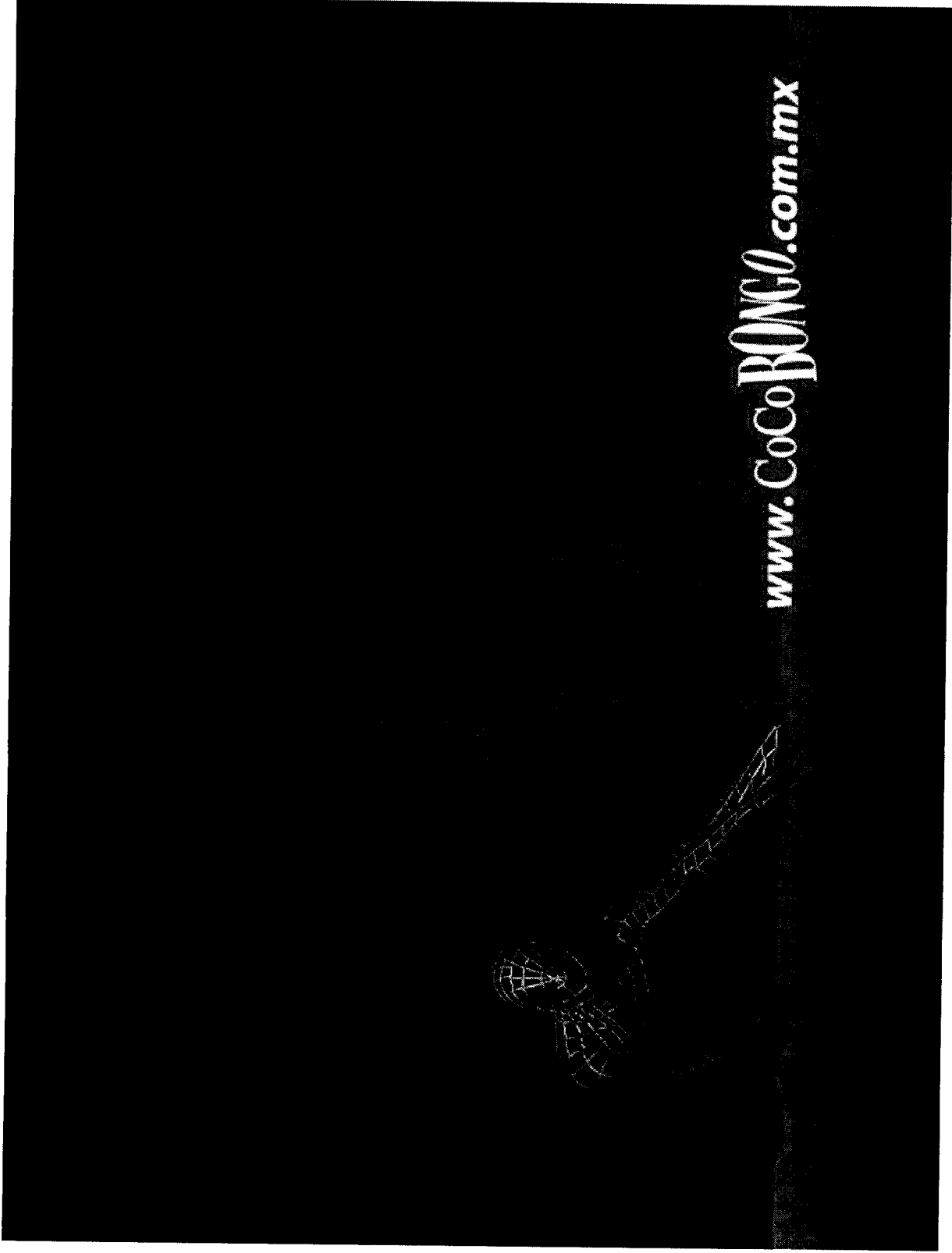


**COCo BONGO**<sup>®</sup>  
Show & Disco  
cancun

"VEGAS SHOWTIME  
MEETS THE PARTY!"

[www.CocoBONGO.com.mx](http://www.CocoBONGO.com.mx)

The advertisement features a black and white collage of performers in various styles, including a woman in a sequined outfit, a woman in a white dress, and a man in a white shirt. The background is dark with a sparkling effect at the bottom.







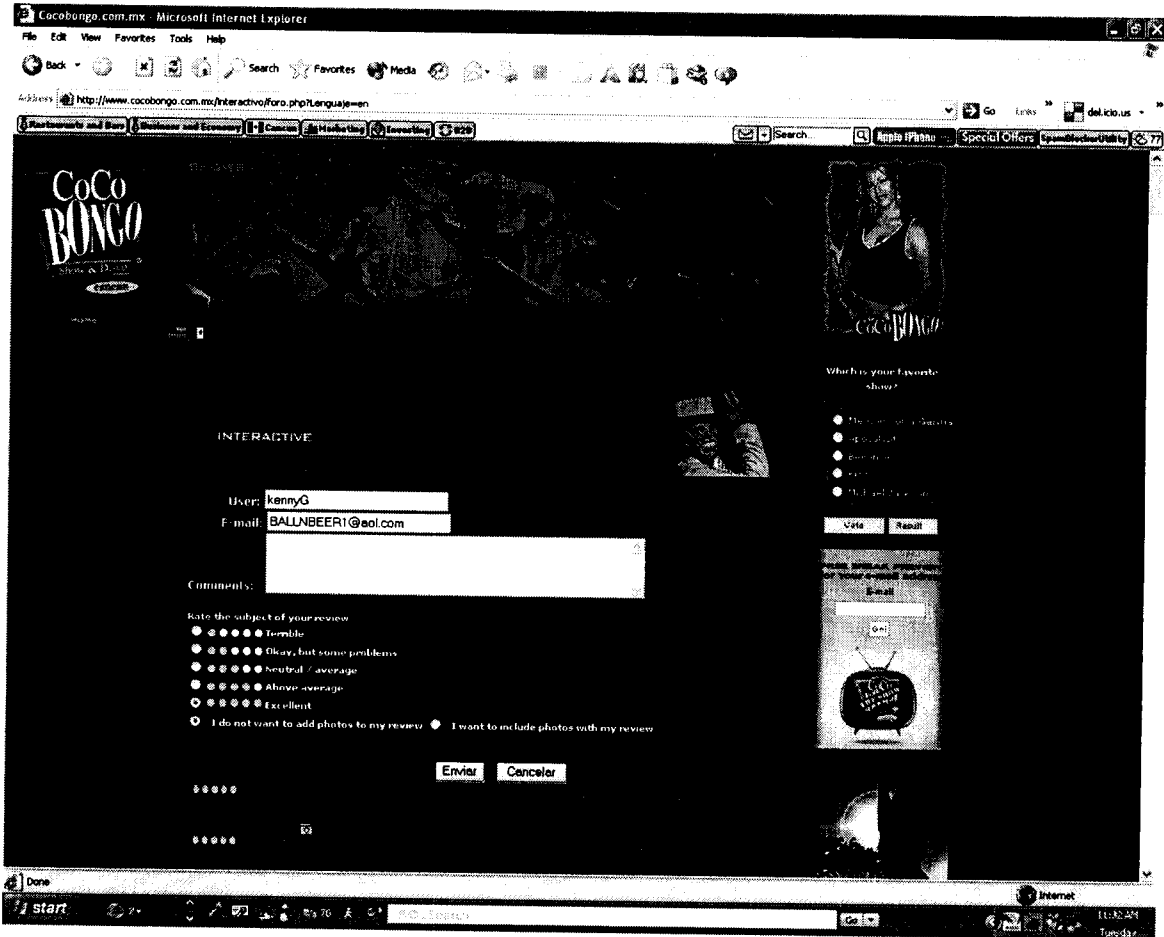


Exhibit F

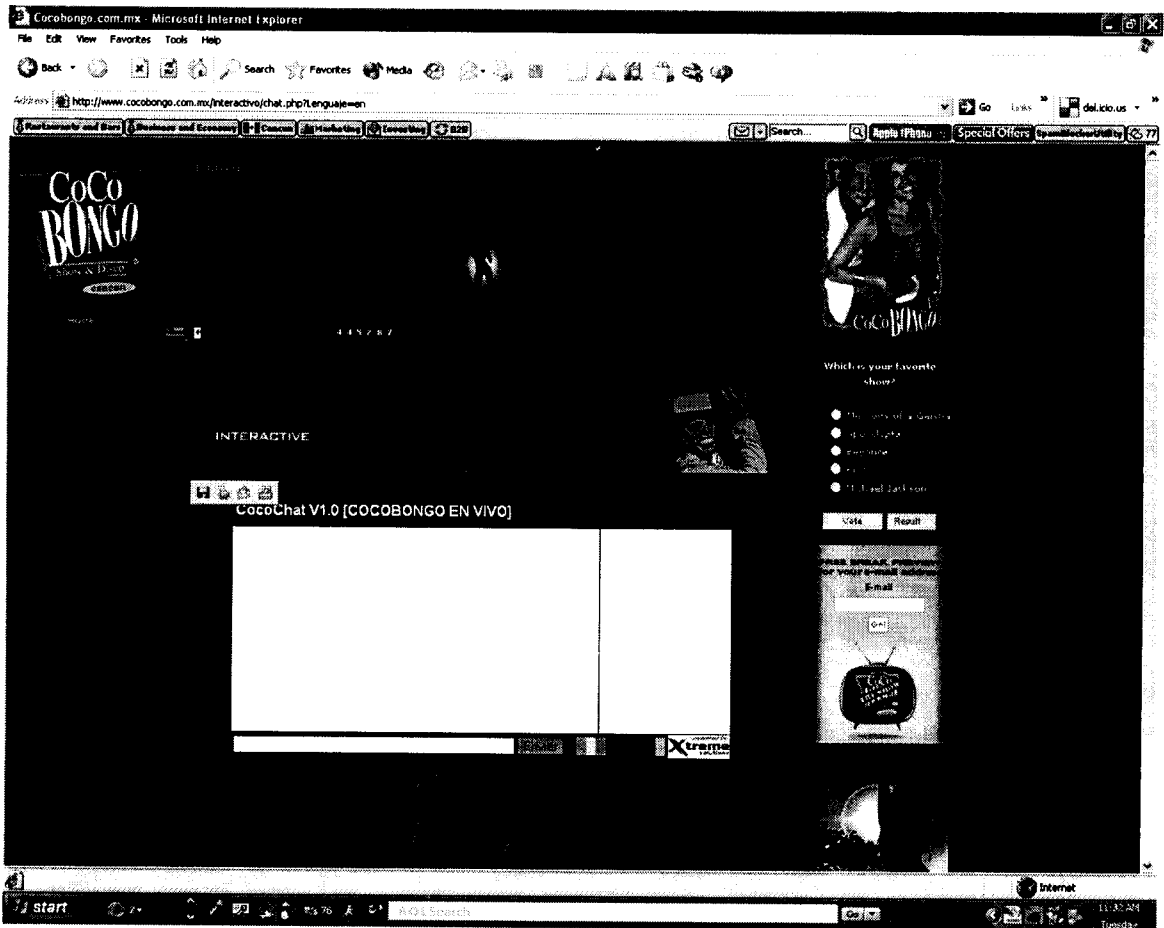


Exhibit G

**CoCo BONGO**  
Show & Disco

493314

**el Jimador**

SHOWS |

**FANTASY ISLAND**

**CASTING**

What would you like to find in Coco Bongo website?

- Customer pics
- Shows pics
- Discussion forum
- videos

Vote Result

E-mail

Go!

**AUGUST**  
10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup>

**Congo**

RESERVATIONS concierges

Exhibit H

CoCo BONGO Show & Discos

El Jimador

FANTASY ISLAND

AUGUST 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup>

GALLERY |

www.CoCoBONGO.com.mx

What would you like to find in Coco Bongo website?

- Customer pics
- Shows pics
- Disussion foru n
- videos

Vote Result

E-mail

Go!

RESERVATIONS concierges

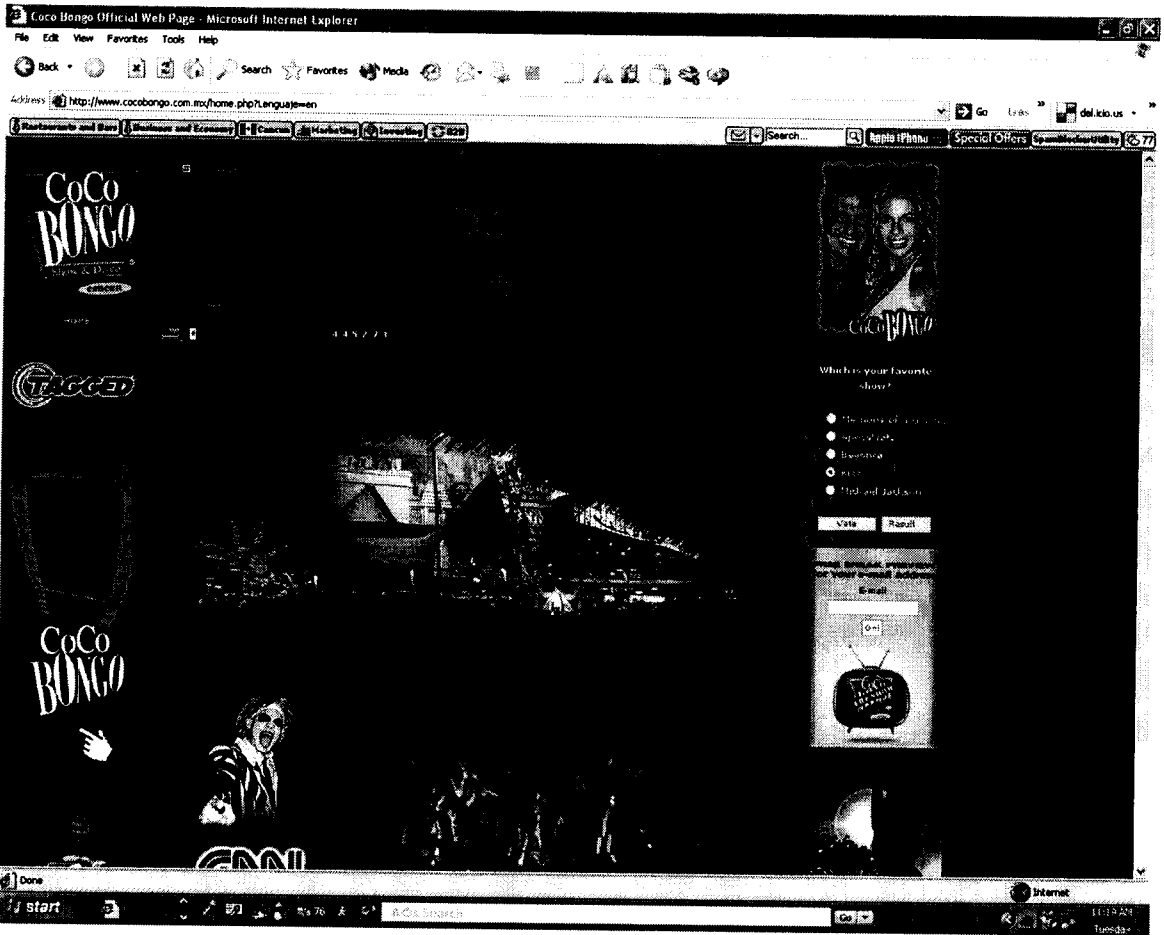
Send Comments Cancel

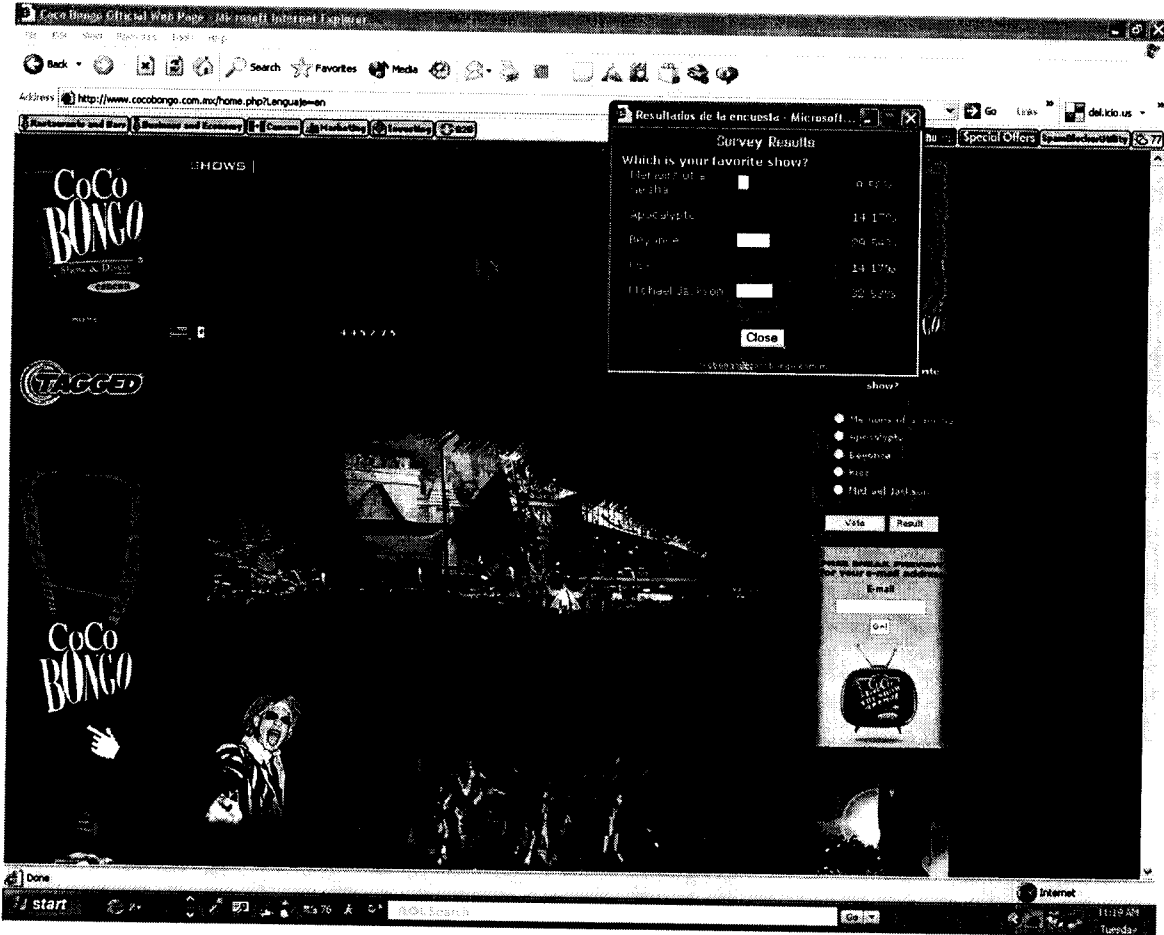
user: oflores email: oflores@cocobongo.com.mx date: 2005-11-27 time: 21:35:54

fenomenal!!!!

[Back]

Allrights reserved to www.cocobongo.com.mx





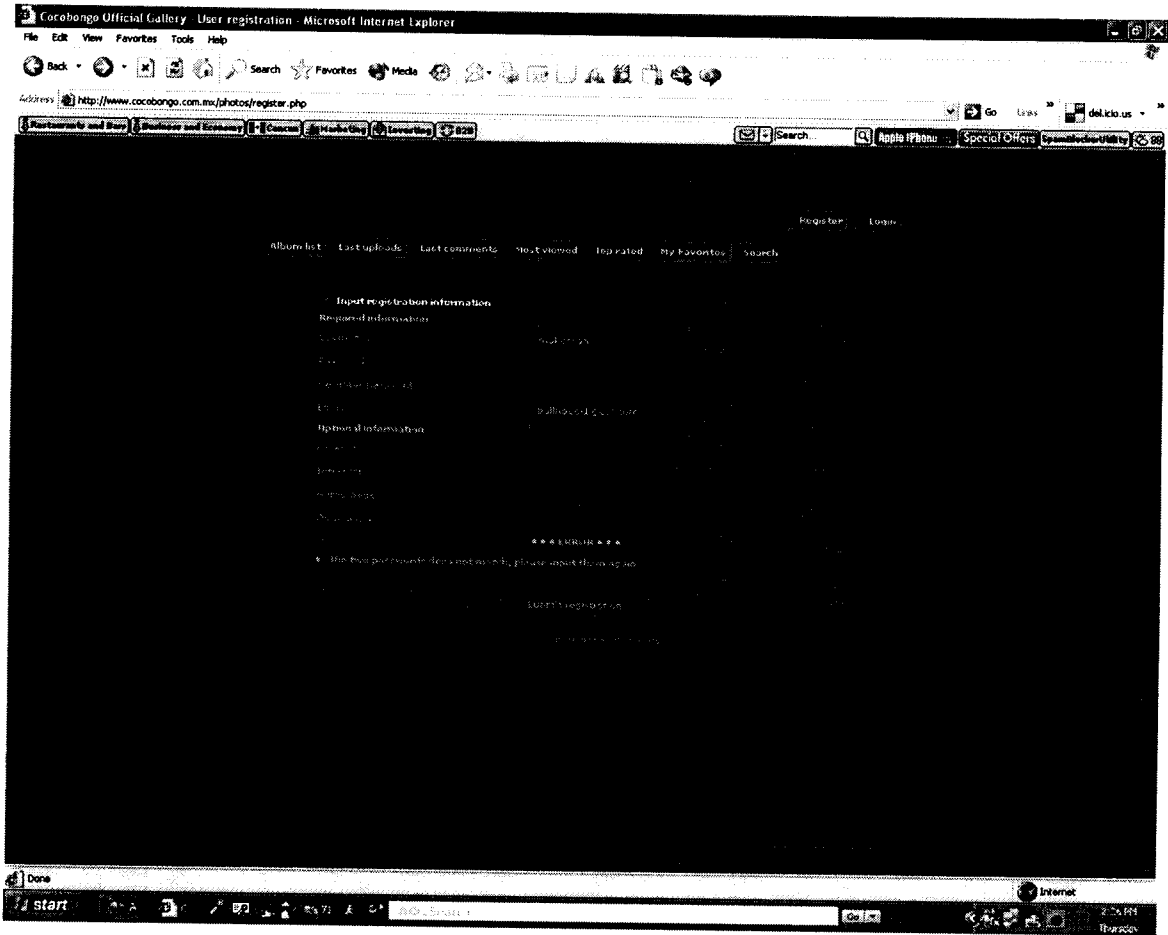
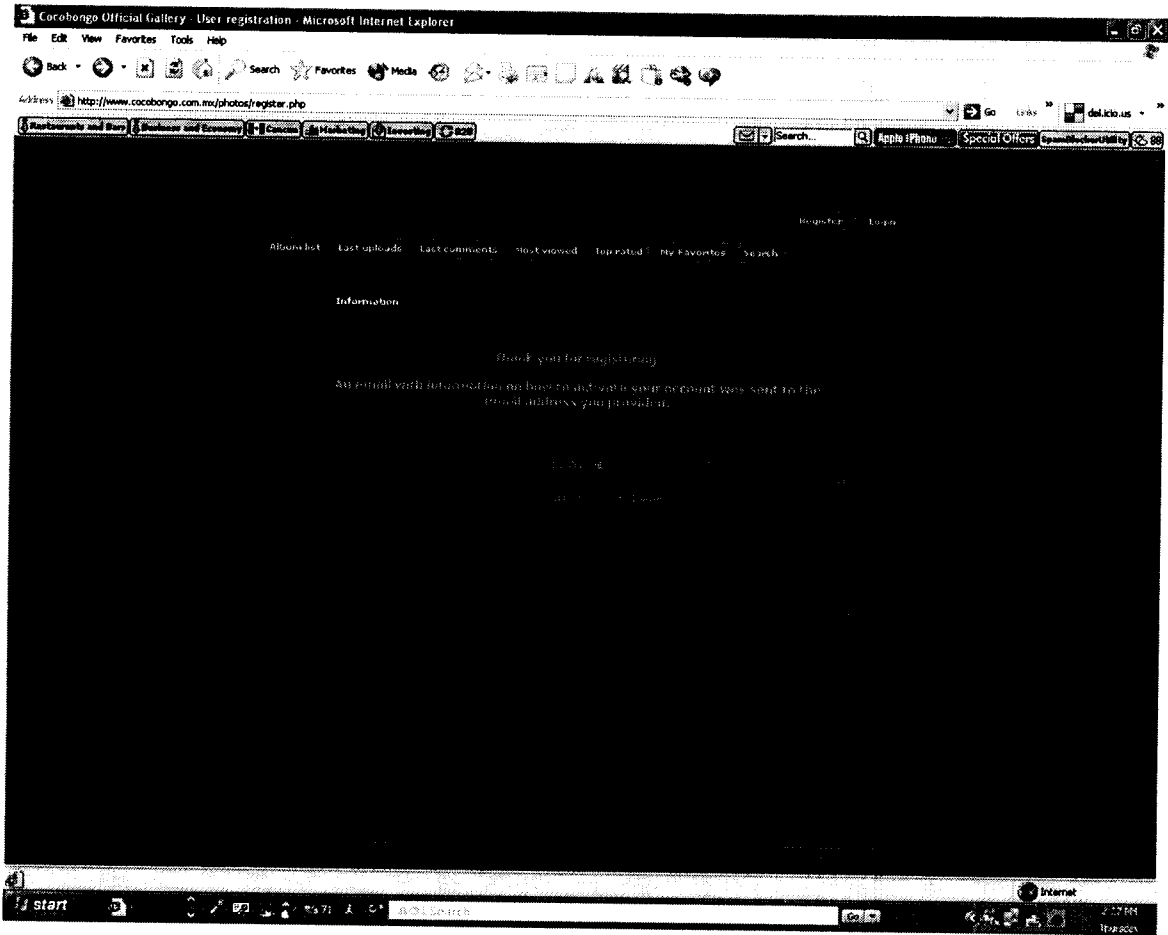


Exhibit I





Reminder: AOL will never ask you for your password or billing information.  
Subject: Cocobongo Official Gallery - Registeration confirmation  
Date: 7/16/2007 2:22:37 P.M. Eastern Daylight Time  
From: cocobongo@cocobongo.com.mx  
To: jmakoman@comcast.net  
Send from my Address Book (Details)

Thank you for registering at Cocobongo Official Gallery

Your username is : "makoman"  
Your password is : "buddy!"

In order to activate your account, you need to click on the link below  
or copy and paste it in your web browser.

<http://cocobongo.com.mx/photos/register.php?activate=04388edefc6750686e7cd311c2c06b4c>

Regards,  
The management of Cocobongo Official Gallery

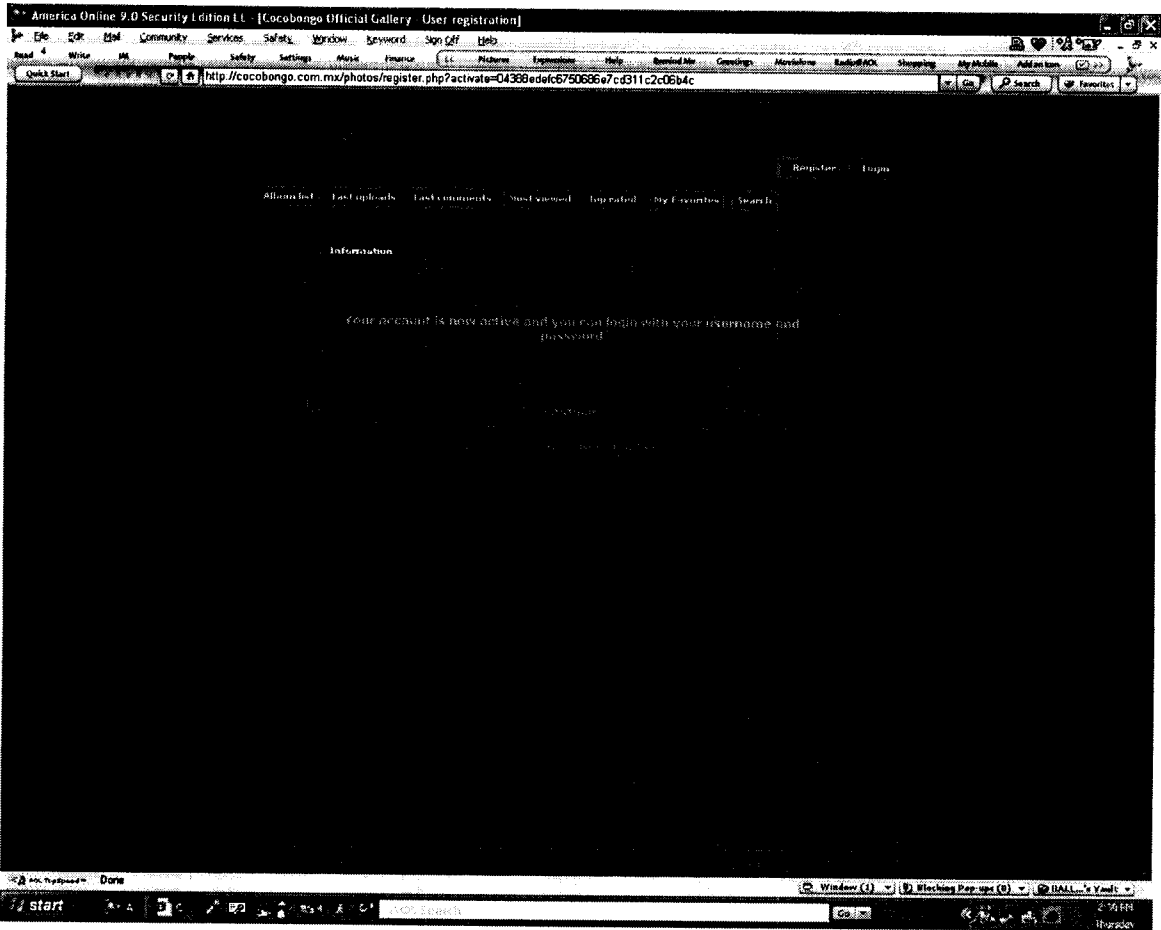
- Show images & available links
- Reply
- Forward
- Reply All
- Add Address
- Report Spam
- Print

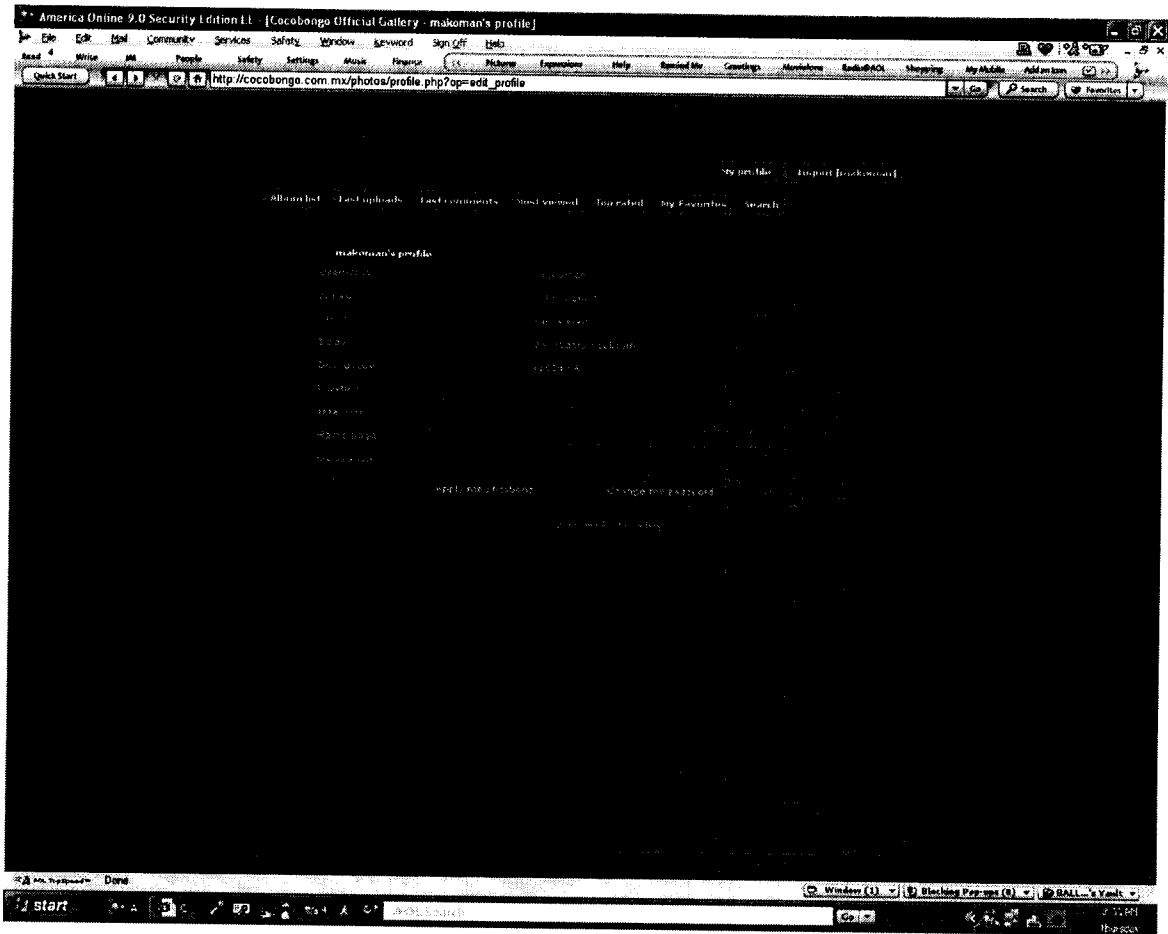
Done? Copy As New Delete 1 of 5 Next

**JULY 4TH SALE**

Bivona: Save \$200 | Ebony: Free Armchair | Ashby: Save \$160

**HAVERTYS**  
NO. 100 BEST DEAL 2006





America Online 9.0 Security Edition LT

http://www.cocobongo.com.mx/calendario.php?Lenguaje=en

**Action Night**  
XBOX 360

CALENDAR

What did you like most about Coco Bongo?

- The Club
- The atmosphere
- The DJ's
- The location
- Just I like it

Vote Result

**SALES**

GENERAL	ADULTS	OPEN
Monday	US\$ 40.00	10:30pm
Tuesday	US\$ 40.00	10:30pm
Wednesday	US\$ 40.00	10:30pm
Thursday	US\$ 40.00	10:30pm
Friday	US\$ 45.00	10:30pm
Saturday	US\$ 45.00	10:30pm
Sunday	US\$ 40.00	10:30pm

\* Prices subject to change without prior notice.

**CALENDAR**

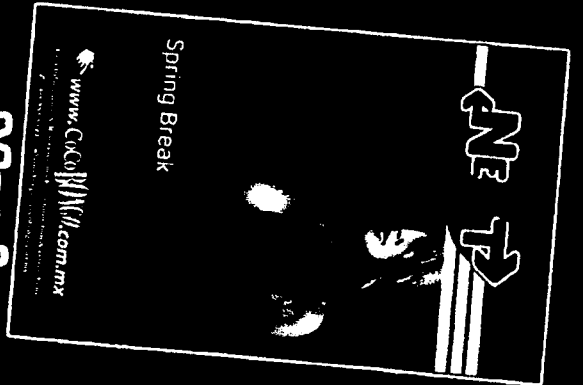
10:30 P.M. SHOWS BEGIN

CALENDAR

Spring Break 2007

Download please http://www.cocobongo.com.mx/images/publicidad/foro\_gaming13.jpg

start



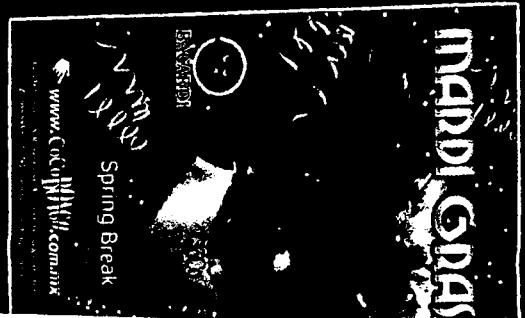
Monday



Tuesday



Wednesday



Thursday

THE GAME

XBOX 360

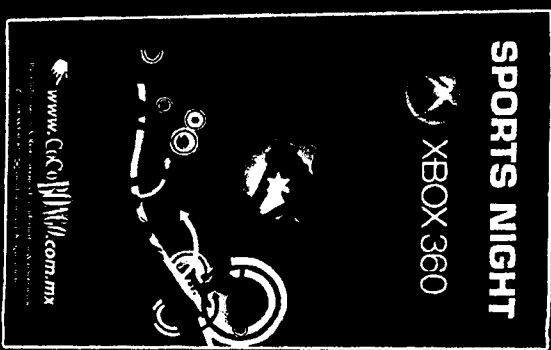
Spring Break



Friday



Saturday



Sunday

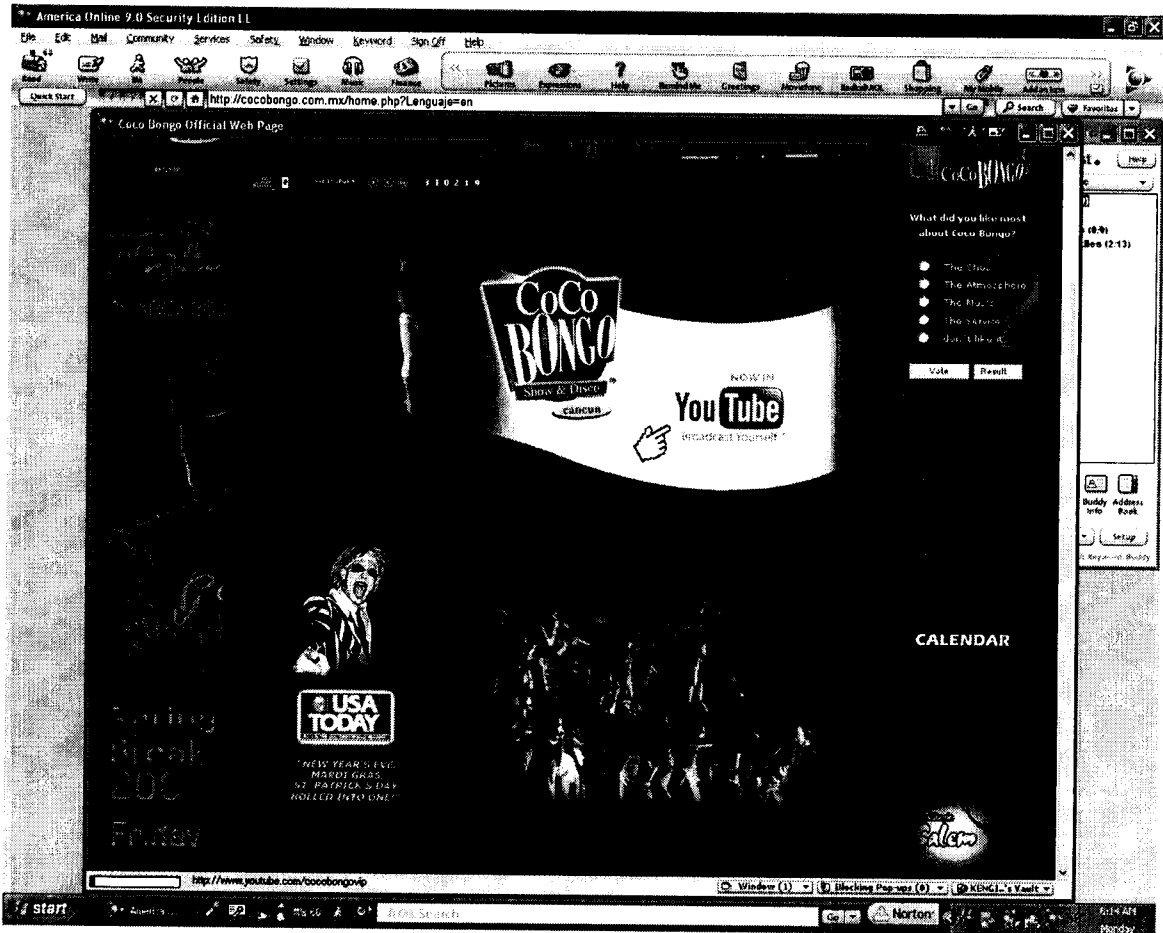


Exhibit L



Hello, GAMA4506 | My Account | History | Help | Log Out

Videos Categories Channels Community Upload Video



!! SPRING BREAK 2007 IN COCOBONGO !!



Rate this video: 4 ratings. Save to Favorites, Add to Groups, Share Video, Post Video, Flag as Inappropriate. Views: 2,070 Comments: 0 Favorited: 2 times

Added February 26, 2007 From cocobongoVIP. Provided By: cocobongoVIP. Spring Break 2007 in Coco Bongo II. Category Entertainment. Tags: cocobongo, springbreak, xbox360, xbox. URL: http://www.youtube.com/watch?v=E9BWh431LU

Related More from this user Playlists

Showing 1-20 of 32 See All Videos

- Spring Break 2007 in Coco Bongo 06:37 From: gabrielsent Views: 953
Spring Break Party of Coco Bongo Cancun 0:28 From: alexzhar Views: 1387
Cancun Spring Break 2007 - Coco Bongo 0:28

Related Videos

- Heon Hoon's Tassel 01:11 From: foodandtravel
D.J. Ted Stevens' Techno Playlist: "A Series of Links" 02:18 From: J.Rocchino
The 14:34 From: thebarstow



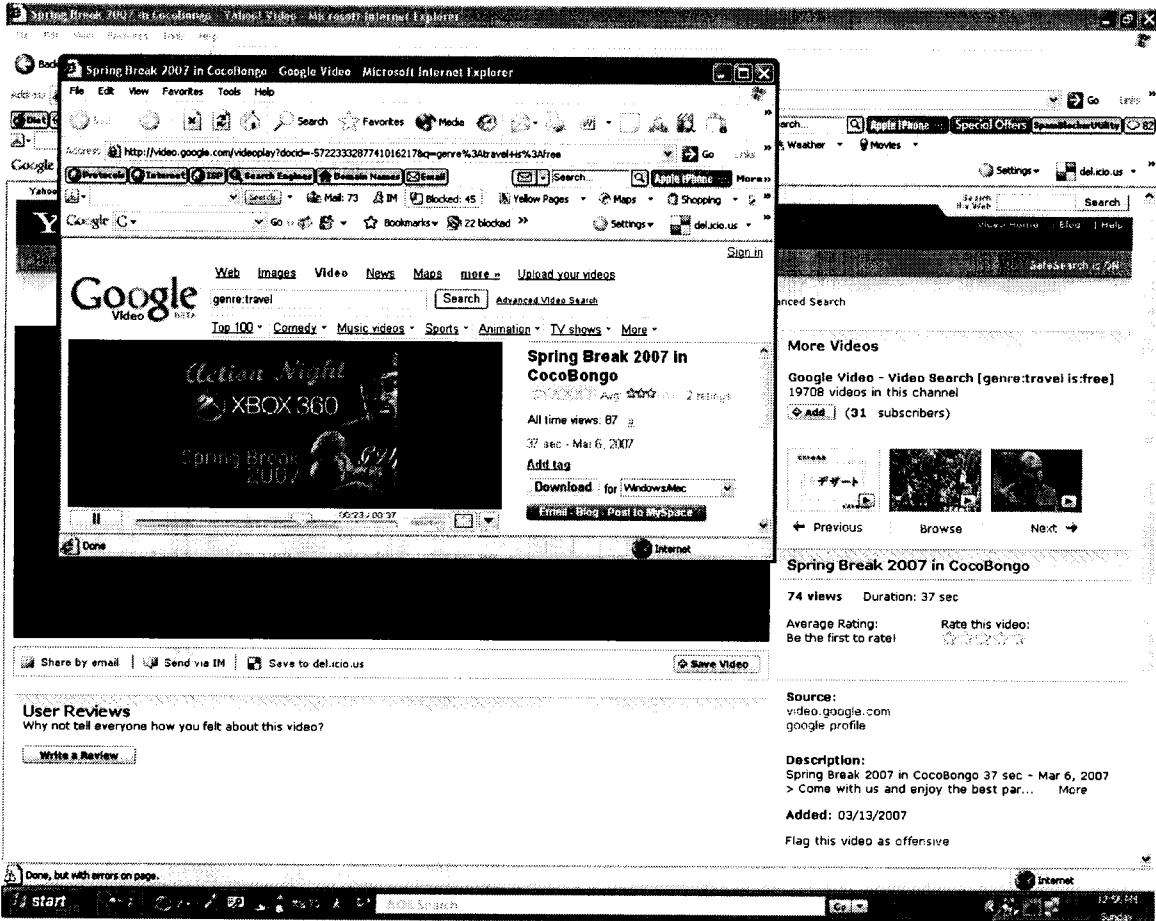


Exhibit M

Video Detail - AOL Video - Microsoft Internet Explorer

Address: http://video.aol.com/video-detail/id/2406724125

Navigation: Home Shopping Job Search People Search Breakout

Search: COCOBONGO

Powered by TRUVEO

Hot Searches: Mike Brzezinski Paul Potts Britney Spears iPhone Funny Kids Sex Muz

!! SPRING BREAK 2007 IN COCOBONGO !!

**!! SPRING BREAK 2007 IN COCOBONGO !!**  
 Spring Break 2007 in Coco Bongo 8  
 From: YouTube  
 Added: 03/15/2007 Runtime: 00:00:37  
 Not Yet Rated: 0/0/0/0/0/0  
 Tags: cocobongo springbreak,cocobongo,cocobongo  
 Category: Entertainment  
 Author: cocobongoVIP  
 Format: flash  
 Video Description:

Hot Spots, Hotter Savings.  
Save up to 50% on guaranteed hotel rates.  
AOL travel

Upload Your Own Video  
Upload and share videos from your Web camera or digital video camera instantly.  
UnCutVideo.com

Related Channels  
AOL Music AOL Television CNN Dailymotion Expert Village Videos FOX News Google Video Grouper  
IFILM KETV Omaha KGET Bakersfield KOAT  
Albuquerque KOCO Oklahoma KPRC Houston KSAT  
San Antonio KTVF Fairbanks KTVX Salt Lake City

Support  
AOL Video Help Main  
Hi-Q Video Help  
Video Search Help  
Premium Video Help

start AOL Search 3:54 PM Monday

!! SPRING BREAK 2007 IN COCOBONGO !! - VideoSear.ch - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Media Print

Address http://www.videosear.ch/watch/2406724125/spring-break-2007-in-cocobongo/

Search Videos Spring Spring Break Page

ShopperReports

ShopperReports

Search: jo Search

Categories (1) sB:2 (654)

Clothing

JLO by Jennifer Lopez Normandy Beach Striped Halter Top  
Amazon Marketplace \$21.93  
Click Here

JLO Night On The Town Hipster  
SternOutlet.com \$14.95  
Click Here

JLO by Jennifer Lopez Mambla Print Ruffie-Trim Top  
Macys \$30.97  
Click Here

JLO by Jennifer Lopez Morocco Cuffed Short  
Amazon Marketplace \$25.72  
Click Here

JLO Dot Your Eyes Solid Band Halter  
SternOutlet.com \$14.95  
Click Here

Jewelry

Video Sear.ch  
Video Search Engine For Video Clips

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VIDEO SEARCH PICKS !! SPRING BREAK 2007 IN COCOBONGO !!  
Bookmark / Link / E-mail This Page  
http://www.videosear.ch/watch/2406724125/spring-break-2007-in-co  
Embed a Video Embed this Page

Watch !! spring break 2007 in cocobongo !! video clip

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www.ThirstyBurger.com

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He's the ultimate sign spinner Check out his Pics and Videos here  
www.yovoto.com

Free Snowboarding Videos  
Free DVD quality snowboarding films From top independent

Watch Portfolio Video  
Read The New Magazine That Will Change The Way You Look At Business

Action Night  
XBOX 360  
Spring Break 2007  
YouTube

Spring Break 2007 in Coco Bongo !!  
Runtime: 37 sec  
Author: cocobongovp  
Added: 15 weeks ago | Rank: 9  
Format: FLV/H  
Category: Entertainment | Channel: YouTube  
Tags: Cocobongo, spring break, Cocobongo.com, Spring Break, Cocobongo, Spring  
Download this video  
Play !! spring break 2007 in cocobongo !! video from www.youtube.com

Done

start

Internet

11:33 AM  
1/26/2007

CIVIL COVER SHEET

07-22046

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFF

CURTIS JAMES JACKSON, p/k/a 50 CENT

DEFENDANTS

GRUPO INDUSTRIAL HOTELERO, S.A., a Mexican corporation d/b/a "COCO BONGO" nightclub, ROBERTO NOBLE, SR. and ISAAC HALABE

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Karen L. Stetson, Law Offices of Karen L. Stetson, Esq., P.O. Box 403023, Miami, Florida 33140. Phone: (305) 532-4845, Fax: (305) 604-0598

ATTORNEYS (IF KNOWN)

MAGISTRATE JUDGE SIMONTON

(d) CIRCLE COUNTY WHERE ACTION AROSE: MONROE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE, INDIAN RIVER, OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff (checked)
2 U.S. Government Defendant
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- Citizen of This State (checked)
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- 2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

Table with columns: A CONTRACT, A TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, A LABOR, A BANKRUPTCY, B SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes sub-sections like PERSONAL INJURY, REAL PROPERTY, CIVIL RIGHTS, etc.

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

18 U.S.C. § 1051 ET SEQ. - TRADEMARK INFRINGEMENT

LENGTH OF TRIAL via 3-5 days estimated (for both sides to try entire case)

VII. REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ Statutory damages; damages; injunction JURY DEMAND: No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

AUGUST 8, 2007 Karen L. Stetson

FOR OFFICE USE ONLY

RECEIPT# 964547 AMOUNT 350- APPLYING IFP JUDGE MAG. JUDGE