

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Vadim Mikhlyn, Inga Mikhlyn, and      :
ABC All Consulting, Inc.                :
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:                                     :
:         Plaintiffs                  :
:                                     :
:         -against-                   : 08 CV. 03367(CPS)
:                                     :
Ana Bove, Polina Dolginov               : NOTICE OF MOTION
Anna Bove Company, LLC, Anna           : FOR PRELIMINARY
Bove Collections, Inc.                  : INJUNCTION
and Anna Bove Embroidery Supplies, Inc. :
:
:         Defendants.                :
:                                     :
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PLEASE TAKE NOTICE that, upon the Complaint, a true and correct copy of which is annexed hereto, the accompanying Memorandum of Law, and the accompanying Declarations of Vadim and Inga Mikhlyn, dated August 18, 2008, plaintiffs will move this Court before the Honorable Charles P. Sifton at the United States District Court, 225 Cadman Plaza East, Brooklyn, New York 11201, on September 10, 2008 at 4:30 p.m., or as soon thereafter as counsel can be heard, for an Order pursuant to Federal Rule of Civil Procedure 65(a) directing that the web sites ABC-Cross-Stitch-Patterns.Com and ABC-Embroidery-Designs.Com be returned to plaintiff Vadim Mikhlyn's control (b) enjoining defendants from using or claiming exclusive ownership of

names "Anna Bove Collections," "ABC-Cross-Stitch-Patterns.Com" and "ABC-Embroidery-Designs.Com," (c) enjoining defendants from using the names "Anna Bove Collections," "ABC-Cross-Stitch-Patterns.Com" or "ABC-Embroidery-Designs.Com," as keywords in search engines to steer customers to defendants' web sites, (c) prohibiting defendants from using the above name as keywords in search engines to steer customers to their new sites, and (d) prohibiting defendants from selling design files that were taken from the ABC sites and/or created and paid for by ABC Inc., and (e) prohibiting defendants from alleging that plaintiffs' sales of designs from the ABC Sites are unlawful, pending the trial of this action.

Date: August 25, 2008

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By: 
Eric Wertheim (EW 3049)