

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

APPLE INC.,

x

:

Plaintiff,

:

-against-

:

APPLE STORY INC., FUN ZONE INC.,
JANICE PO CHIANG, JOHN DOES 1-50,
and XYZ BUSINESSES,

:

Defendants.

:

x

CIVIL ACTION NO. _____

CONSENT TO
PRELIMINARY INJUNCTION

Plaintiff Apple Inc. ("Plaintiff" or "Apple"), having filed its complaint on _____, 2011, and Defendants Apple Story Inc., Fun Zone Inc., and Janice Po Chiang (collectively, "Defendants") having consented to this Preliminary Injunction,

NOW, THEREFORE, upon the consent of the parties hereto,

IT IS ORDERED, ADJUDGED and DECREED that the Preliminary Injunction be entered as follows:

1. This Court has jurisdiction of the subject matter of this action and over all the parties hereto.

2. Plaintiff's Apple Trademarks, described and defined in the Complaint filed in this action, which Complaint is incorporated herein and made a part hereof, are good, valid and enforceable in law. Plaintiff is the sole proprietor of all right, title and interest in and to said Apple Trademarks.

3. Defendants and their successors, assigns, affiliates, agents, servants, employees and representatives, and all persons, firms and corporations in active concert or participation with Defendants who receive notice hereof, are hereby enjoined and restrained, until such time as this Court shall order otherwise, from purchasing, selling, distributing, or otherwise receiving the

counterfeit Apple products identified in the Complaint, including without limitation the following products:

- Cases for Apple's IPOD media player;
- Cases for Apple's IPHONE mobile communication and media devices;
- Cases for Apple's IPAD multi-purpose mobile devices; and
- Headsets for Apple's IPHONE mobile communication and media devices

(Collectively referred to herein as the "Counterfeit Products").

4. Defendants shall promptly segregate, quarantine and maintain any and all Counterfeit Products if any are in or come into Defendants' possession.

5. Defendants and their successors, assigns, affiliates, agents, servants, employees and representatives, and all persons, firms and corporations in active concert or participation with Defendants who receive notice hereof, are hereby enjoined and restrained, until such time as this Court shall order otherwise, from using in any manner the names, "Apple" or "Apple Story," or any names or marks confusingly similar to Apple's Trademarks, as a store name, or in connection with the sale of consumer electronic products or components or related accessories such as cases and headsets.

6. The Court shall retain jurisdiction to construe, enforce, or implement the Preliminary Injunction upon the application of either party.

DATED: _____

UNITED STATES DISTRICT JUDGE

Approved:

Date: _____

FULBRIGHT & JAWORSKI L.L.P.

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New York, New York 10103
(212) 318-3000

Attorneys for Plaintiff Apple Inc.

Date: _____

APPLE STORY INC.

Print Name: _____

Print Title: _____

Date: _____

FUN ZONE INC.

Print Name: _____

Print Title: _____

Date: _____

JANICE PO CHIANG

Defendant