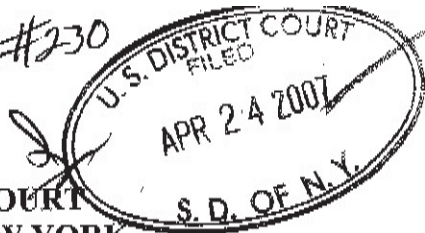


Doc #230



ORIGINAL

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CARTIER INTERNATIONAL B.V., RICHEMONT INTERNATIONAL S.A., MONTBLANC-SIMPLO GMBH, and LANGE UHREN GMBH,

Plaintiffs,

v.

SAM LIU a/k/a SAM a/k/a HAI LEI XIA, JIAN HAI LIU a/k/a KENNY LIU a/k/a KENNY a/k/a KEVIN, JIAN HAI LIU d/b/a L.J. JEWELRY CO., CHAO H. LIN a/k/a H.L. CHAO a/k/a H. LIN CHAO, CHAO H. LIN d/b/a LIN WATCHES, BILLION FORTUNE CORP., THANH NAM HUYNH, CHARLIE PHAM, KIM PHAM, CHARLIE PHAM d/b/a J.A.C., SERVICES, and VARIOUS JOHN DOES, JANE DOES and XYZ COMPANIES (Unidentified) *et al.*,

Defendants.

CIVIL ACTION NO. 02-CV-7926 (TPG)

[PROPOSED] ORDER OF JUDGMENT AND PERMANENT INJUNCTION

AS TO CERTAIN DETS, DETS # 07,0749

Plaintiffs Cartier International BV., Richemont International SA., Montblanc-Simplo Gmbh, and Lange Uhren GmbH (“Plaintiffs”) having duly served a Complaint upon Defendants Speedy Shipping Services, Inc., Tony Lu, and Huy Lu a/k/a Aton (collectively, the “Speedy Defendants”) alleging trademark infringement, trademark counterfeiting, trademark dilution, unfair competition and false designation of origin arising under the Trademark Act of 1946, 15 U.S.C. §§ 1051, et seq., as amended by the Trademark Counterfeiting Act of 1984, Public Law 98-473 (the “Lanham Act”), and for trademark and trade name infringement, unfair competition, dilution and deceptive acts and practices under the laws of the State of New York; and upon Plaintiffs’ Motion for Summary Judgment under Rule 56 of the Federal Rules of Civil Procedure and under the

MICROFILM APR 25 2007 -9 00 AM

laws of the State of New York, and after reviewing the arguments and evidence of the Plaintiffs,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. Judgment for the Plaintiffs is entered against the Speedy Defendants as to trademark infringement, trademark counterfeiting, trademark dilution, unfair competition and false designation of origin arising under the Lanham Act, and for trademark and trade name infringement, unfair competition, dilution and deceptive acts and practices under the laws of the State of New York.

2. The Speedy Defendants, their corporate parents, subsidiaries, directors, officers, agents, servants, employees, representatives, confederates, affiliates and/or any other persons or entities acting in concert or participation with them, are permanently enjoined and restrained from:

(a) Using Plaintiffs' Trademarks (as defined in Plaintiffs' Fifth Amended Complaint dated November 19, 2004) or any reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' Trademarks in connection with the manufacture, importation, exportation, trans-shipment, distribution, advertising, promotion, offer for sale and/or sale of watches or other items that are not the genuine products of Plaintiffs (the "Counterfeit Products"), or in any manner likely to cause purchasers or prospective purchasers to believe that the Counterfeit Products are connected with Plaintiffs, or Plaintiffs' genuine products; and

(b) Passing off, inducing, or enabling others to sell or pass off watches or other items that are not Plaintiffs' genuine products as and for Plaintiffs' genuine products; and

(c) Committing any other acts calculated to cause purchasers or prospective purchasers to believe the Counterfeit Products are Plaintiffs' genuine products; and

(d) Importing, exporting, manufacturing, shipping, delivering, holding for sale, offering for sale, selling, distributing, returning, transferring and/or otherwise moving or disposing of in any manner watches or other items falsely bearing one or more of Plaintiffs' Trademarks, Plaintiffs' logos or trade names, or any reproduction, counterfeit, copy, or colorable imitation of same; and

(e) Making any representations, orally or in writing, to any member or segment of the public or the business or financial community that they are authorized, licensed or otherwise permitted by Plaintiffs to import, export, ship, deliver, distribute, offer for sale or sell Plaintiffs' genuine products; and

(f) Assisting, aiding, or abetting any other person or business entity, in engaging in or performing any of the activities referred to in the above subparagraphs (a) through (e).

3. The Speedy Defendants are jointly and severally to pay Plaintiffs Eighteen Million Dollars (\$18,000,000.00) determined to be the award of statutory damages for the Speedy Defendants' trademark violations.

4. Plaintiffs are entitled to retain possession of all goods and documents seized at the premises of Speedy Shipping Services during execution of the Temporary Restraining Order on August 20, 2003.

5. The Speedy Defendants are to deliver to Plaintiffs all unauthorized copies of watches and other items in the Speedy Defendants' possession falsely bearing Plaintiffs' Trademarks.

6. Plaintiffs are to be awarded reasonable attorneys fees associated with this lawsuit, as well as costs pursuant to Local Civil Rule 54.1. Plaintiffs are to submit attorneys fees and costs to the Court.

7. This Court shall retain jurisdiction over the parties and the subject matter of this litigation for the purpose of interpretation and enforcement of this Order of Judgment and Permanent Injunction.

SO ORDERED.

Dated: April 20, 2006

By: Thomas P. Griesa

Honorable Thomas P. Griesa
United States District Judge

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 4/24/07