

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARTIER INTERNATIONAL B.V.;
RICHEMONT INTERNATIONAL, S.A.;
ALFRED DUNHILL LTD.; LANGE
UHREN GmbH; and MONTBLANC-
SIMPLO, GmbH,

Plaintiffs,

v.

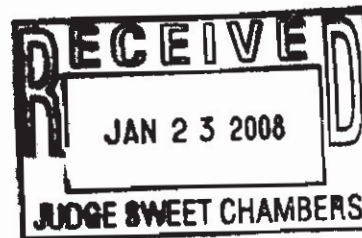
ILAN BEN-MENACHEM; DAVID BEN-
MENACHEM; KING REPLICA; DAVIDS
LUXURY; REPLICA KINGDOM a/k/a
SWISS KINGDOM; BRANDED LUXURY
d/b/a BS GIFTS; VERTEXO, INC.; AVIV
BEN-MENACHEM; CHANA BEN-
MENACHEM; TRAVEL DERECH
TSLECHA; AVILAN MARKETING LLC;
JOHN DOES 2-10; JANE DOES 2-10; and
XYZ COMPANIES 3-10,

Defendants.

Sweet J
1/25/08

CIVIL ACTION NO. 06-CV-3917 (RWS)

**[PROPOSED] ORDER OF JUDGMENT
AND PERMANENT INJUNCTION**



This matter having come before the Court, upon the Motion for Summary Judgment by Plaintiffs Cartier International B.V., Richemont International, S.A., Alfred Dunhill Ltd., Lange Uhren GmbH, and Montblanc-Simplo GmbH (collectively, "Plaintiffs") under Rule 56 of the Federal Rules of Civil Procedure against Defendants Ilan Ben-Menachem, David Ben-Menachem, King Replica, Davids Luxury, Replica Kingdom a/k/a Swiss Kingdom, Branded Luxury d/b/a BS Gifts, Vertexo, Inc., Aviv Ben-Menachem, Chana Ben-Menachem, Travel Derech Tslecha, and Avilan Marketing LLC ("Defendants") for trademark infringement, trademark counterfeiting, trademark dilution, trade dress infringement, 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 after reviewing the arguments,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiffs’ Motion for Summary Judgment be and hereby is GRANTED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment shall be entered in favor of Plaintiffs on all claims set forth in Plaintiffs’ Complaint.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants, their 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’ Marks (as defined in Plaintiffs’ Complaint) or any reproduction, counterfeit, copy, or colorable imitation of Plaintiffs’ Marks and/or Plaintiffs’ Trade Dress (as defined in Plaintiffs’ Complaint) 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' Marks, 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 if not so authorized, licensed or otherwise permitted by Plaintiffs to do so; 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).

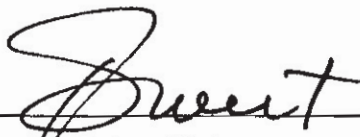
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants are to pay Plaintiffs Nine Hundred Fifty Thousand Dollars (\$950,000.00) determined to be the award of statutory damages for Defendants' trademark counterfeiting and that Plaintiffs are to be awarded reasonable attorneys fees associated with this lawsuit, as well as costs pursuant to Local Civil Rule 54.1. Plaintiffs are to submit attorneys fees and costs to the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendants are to deliver to Plaintiffs all Counterfeit Products and other items falsely bearing Plaintiffs' Marks in Defendants' possession or control.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that 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: 1-23 2008

By: 
Honorable Robert W. Sweet
United States District Judge