

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

ADIDAS AMERICA, INC., an Oregon corporation; **ADIDAS AG**, a foreign entity; **ADIDAS INTERNATIONAL MARKETING B.V.**, a foreign entity,

Plaintiffs,

v.

FOREVER 21 INC., a Delaware corporation, et al.,

Defendants.

No. 3:17-cv-00377-YY

**PERMANENT INJUNCTION AGAINST
DEFENDANT FAMMA GROUP, INC., ON
CONSENT**

Having considered the Second Amended Complaint on file in this action, and Defendant Famma Group, Inc. (“Famma Group”) having consented to the terms of the permanent injunction set forth below, this Court hereby finds as follows:

1. Plaintiffs adidas America, Inc., adidas AG, and adidas International Marketing B.V. (collectively, “adidas” or “Plaintiffs”) own and use the Three-Stripe trademark (the “Three-Stripe Mark”), which is covered by numerous valid U.S. Trademark Registrations, including Registration Nos. 870,136, 961,353, 1,815,956, 1,833,868, 2,016,963, 2,058,619, 2,278,589, 2,278,591, 2,284,308, 2,909,861, 2,999,646, 3,029,127, 3,029,129, 3,029,135, 3,063,742, 3,063,745, 3,087,329, 3,183,656, 3,183,663, 3,236,505, 3,842,177, 3,846,203 and 4,910,643.

2. On October 13, 2017, adidas filed its Second Amended Complaint in this action, claiming, *inter alia*, that Famma Group was designing, sourcing, manufacturing, distributing,

marketing, promoting, offering for sale, and/or selling the apparel depicted below, which adidas alleges bears a confusingly similar imitation of adidas's federally registered Three-Stripe Mark (the "Disputed Apparel"):



3. Famma Group accepted service of the Summons and Second Amended Complaint on November 27, 2017, and filed its Answer to Complaint on January 8, 2018.

4. The Court has jurisdiction over the subject matter of this action and, for purposes of this action and with the consent of Famma Group, over Famma Group, and venue in this action is proper in this judicial district.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Famma Group and all of its agents, officers, employees, representatives, successors, assigns, attorneys, and all other persons acting for, with, by, through, or under authority from Famma Group, or in concert or participation with Famma Group, and each of them, are **PERMANENTLY ENJOINED and RESTRAINED**, from:

2- PERMANENT INJUNCTION AGAINST DEFENDANT
FAMMA GROUP, INC., ON CONSENT

- a. importing, manufacturing, producing, advertising, promoting, displaying, distributing, offering for sale, or selling the Disputed Apparel; and
 - b. importing, manufacturing, producing, advertising, promoting, displaying, distributing, offering for sale, or selling any other apparel bearing the Three-Stripe Mark or any other confusingly similar imitation of adidas's Three-Stripe Mark, including, without limitation, any apparel with one additional stripe (i.e., four stripes) or less one of the three stripes (i.e., two stripes).
2. This Court shall have continuing jurisdiction to enforce the provisions of the permanent injunction entered herein.
3. The Clerk shall enter final judgment for Plaintiffs as to all claims asserted against Famma Group in adidas's Second Amended Complaint, with Plaintiffs and Famma Group each bearing its own costs, including attorneys' fees.

IT IS SO ORDERED.

This 9th day of April, 2018.

/s/ Michael W. Mosman
Michael W. Mosman
Chief United States District Court
Judge for the District of Oregon