

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
IN NASHVILLE**

TAYLOR SWIFT,

Plaintiff

v.

MALCOLM MATTHEWS; RENEE SUSAN MITCHELL; LOUIS MOORE; MARTIN D. QUATTLEBAUM; MARSHA DYONNE TYLER; MELLISSA LIEBERMAN; EDWARD FRIEDMAN; KENNETH JOHNSON; ROBERT VINCENT ESTRONZA; TAIEF HASSON WALLACE; VANCE HILL; VERNANDO SMITH; ANDRE ANTHONY JONES; FRANK PARSONS; CARLO PONTI SMITH; WILBERT G. PRINCE; MERVIN A. BROWN; ERIC LOPP; JEFFREY L. WATKINS; DENNIS LANE WEAVER; KILO JAMES; TYRONE "PIGGY" SQUIRES; BURRELL DICKERSON; and BRAULIO RIVIERA,

Defendants

Civil Action No. 3:09-CV-0442

Judge Wiseman

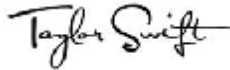
Magistrate Judge Griffin

**ORDER OF DEFAULT JUDGMENT, PERMANENT INJUNCTION AND
DESTRUCTION OF COUNTERFEIT GOODS**

This matter comes before the Court upon the Motion by Plaintiff, Taylor Swift ("Plaintiff") for Default Judgment under Fed. R. Civ. P. 55(b)(2), Permanent Injunction and Destruction of Counterfeit Goods against the defendants Martin D. Quattlebaum, Robert Vincent Estronza, Vance Hill, Vernando Smith, Andre Anthony Jones, Frank Parsons, Wilbert G. Prince, Carlo Ponti Smith, Mervin A. Brown, Eric Lopp, Jeffrey L. Watkins, Dennis Lance Weaver, Kilo

James, Tyrone “Piggy” Squires, Burrell Dickerson, and Braulio Riviera (“Defendants”). After due consideration thereof and of the record of this case, the Court makes the following findings of fact and conclusions of law, and grants Plaintiff’s Motion.

1. Plaintiff filed a Complaint¹ in this action charging Defendants, among other defendants in this case, with liability for trademark infringement and trademark dilution, in violation of the Trademark (Lanham) Act, 15 U.S.C. § 1051 *et seq.*, use of counterfeit marks, in violation of the Trademark Counterfeiting Act of 1984, 15 U.S.C. § 1116(d), common law unfair competition, violation of Tennessee Consumer Protection Act, Tenn. Code Ann. § 47-18-101 *et seq.*, and violation of the Tennessee Personal Rights Protection Act of 1984, Tenn. Code Ann. § 47-25-1101 *et seq.*

2. Plaintiff has established that she owns and controls all rights, as alleged in the Complaint, in and to the Plaintiff’s name, image and likeness, and Plaintiff’s trademarks TAYLOR SWIFT,  and FEARLESS, collectively referred to in this Order as “Plaintiff’s Trademarks,” and that Plaintiff’s Trademarks are distinctive and highly recognized by the public.

3. The Court had issued a Temporary Restraining Order enjoining Defendants, among other defendants in this case, against manufacturing, distributing, marketing or selling any unauthorized merchandise or products bearing any photograph, image or likeness of Plaintiff, or any marks, words, names, designs and/or symbols that are identical or confusingly similar to, or are counterfeits of, Plaintiff’s Trademarks (“Counterfeit Goods”) and Order of Seizure of Counterfeit Goods (Document 12), and further issued a Preliminary Injunction and Order of

¹ Plaintiff filed Verified Complaint on May 18, 2009 (Document 1), and subsequently filed First Amended Verified Complaint on June 10, 2009 (Document 26) and Second Amended Complaint on July 12, 2010 (Document 86); these pleadings are referred to, collectively, as “Complaint.”

Seizure of Counterfeit Goods (Document 33) against all defendants in this case, including Defendants.

4. The record shows that service has been made upon Defendants, and no answers or other responses have been filed by Defendants, the time period for filing responses has expired, and the Clerk of the Court has entered default against Defendants, in accordance with Fed. R. Civ. P. 55(a) (Document 93).

5. Under 15 U.S.C. § 1116(a), this Court has the power to enjoin violations of 15 U.S.C. §§ 1114(1) and 1125(a).

6. Under 15 U.S.C. § 1118, this Court has the power to grant an order of destruction of any articles infringing on the Plaintiff's rights under 15 U.S.C. §§ 1114(1), 1125(a) or 1125(c), and of any articles seized under Section 1116(d) of Title 15 of the U.S. Code, 15 U.S.C. § 1116(d), and Plaintiff has served, in accordance with 15 U.S.C. § 1118, a notice of the Plaintiff's motion for entry of an order of destruction of the articles seized under 15 U.S.C. § 1116(d) on the United States Attorney for the Middle District of Tennessee.

It is accordingly ORDERED and ADJUDGED that:

1. The Defendants, along with their respective partners, associates, agents, servants, employees, representatives and assigns, and all others under their control or in active concert or participation with them, are permanently enjoined and restrained from:

a). manufacturing, distributing, marketing or selling any unauthorized merchandise or products bearing any photograph, image or likeness of Plaintiff, or any marks, words, names, designs and/or symbols that are identical or confusingly similar to, or are counterfeits of, Plaintiff's trademarks TAYLOR SWIFT,

 and FEARLESS ("Counterfeit Goods");

b). representing by any method, directly or indirectly, that any Counterfeit Goods, any actions of the Defendants or the Defendants themselves are sponsored, endorsed or authorized by, or affiliated with, Plaintiff; and

c). otherwise taking any action or engaging in any conduct that tends falsely to represent, or is likely to confuse, mislead or deceive purchasers and/or members of the public to believe, that any actions of Defendants, any products sold by Defendants, and/or Defendants themselves are connected with Plaintiff, are sponsored, approved or licensed by Plaintiff, and/or are affiliated with Plaintiff.

2. Any and all Counterfeit Goods seized from Defendants and presently held in the custody of the Court be destroyed by Plaintiff or Plaintiff's agents.

Entered this 27th day of September, 2010.



THOMAS A. WISEMAN, JR.
SENIOR DISTRICT JUDGE