

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CHANEL, INC.,

Plaintiff,

v.

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED IN SCHEDULE "A"
AND DOES 1-1000,

Defendants.

§
§
§
§
§
§
§
§
§
§
§

CIVIL ACTION H-12-2085

FINAL JUDGMENT & PERMANENT INJUNCTION

In accordance with the court’s memorandum opinion and order issued this day, it is

ORDERED, ADJUDGED, AND DECREED:

1. That judgment by default be entered in favor of Chanel against the Partnerships and Unincorporated Associations Identified in Schedule “A” (“defendants”);

2. That defendants and their respective officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of this final judgment and permanent injunction by personal service or otherwise, are hereby permanently restrained and enjoined from engaging in any of the following acts or omissions:

(A) from manufacturing (or causing to be manufactured), importing, advertising, promoting, distributing, selling, or offering to sell counterfeit or infringing goods bearing or using any of the Chanel Marks identified in Schedule “B” (the “Chanel Marks”);

(B) from infringing, counterfeiting, or otherwise diluting the distinctive quality of the Chanel Marks, or taking any other action which has the effect of injuring Chanel’s business reputation or harming or tarnishing Chanel’s reputation and goodwill in the Chanel Marks;

(C) from using the Chanel Marks, or any marks or trade dress confusingly similar thereto, in connection with the sale of any unauthorized goods;

(D) from using any logos, trade names, words, symbols, or trademarks which may be calculated to falsely advertise defendants' services or products as being sponsored, authorized or endorsed by, or in any way associated with Chanel;

(E) from falsely representing themselves as being connected with Chanel, through sponsorship or association, or engaging in any act which is likely to falsely cause members of the trade or purchasing public to believe that defendants' goods or services are in any way endorsed or approved by, or otherwise associated with, Chanel;

(F) from using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the manufacture, importation, distribution, promotion, advertising, or sale of any goods sold by defendants, including, without limitation, handbags, wallets, sunglasses, shoes, dresses, watches, and costume jewelry (including earrings);

(G) from affixing, applying, annexing or otherwise using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent defendants' goods as being those of Chanel or in any way endorsed by Chanel, and from offering such goods in commerce;

(H) from using the Chanel Marks or any marks confusingly similar thereto (i) within domain name extensions, metatags, or other markers within website source code; (ii) on any webpage (including as the title of any web page), on any advertising links to other websites, or from any search engines' databases or cache memory; or (iii) in any manner which is visible to a computer user or serves to direct computer searches to websites registered, owned, or otherwise operated by

defendants, including without limitation any of the Internet websites operated under any of the Subject Domain Names identified in Schedule “A” (“SDNs”);

(I) from otherwise unfairly competing with Chanel; and

(J) from effecting assignments or transfers, forming new entities or associations, or using any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.

3. Additional equitable relief to give practical effect to the permanent injunction:

(A) The SDNs are hereby ordered to be immediately disabled. To the extent the current Registrars do not facilitate the disabling of the domain names within seven (7) days of the receipt of this judgment, the Registries shall, within thirty (30) days, change the Registrar of Record for the SDNs to a Registrar of Chanel’s choosing, and that Registrar shall disable the SDNs.

(B) Upon Chanel’s request, the top level domain Registry for each of the SDNs shall, within thirty (30) days of receipt of this judgment, place the SDNs on Registry “hold” status for the life of the current registration, thus removing them from the top level domain zone files maintained by the Registry, which link the SDNs to the IP addresses where the associated websites are hosted.

(C) Upon Chanel’s request, the Internet Corporation for Assigned Names and Numbers shall take all actions necessary to ensure that the top level domain Registry responsible for each of the SDNs disables the respective Subject Domain Name.

4. That Chanel recover against defendants, jointly and severally: (1) reasonable attorneys’ fees in the amount of \$57,657.50; (2) reasonable investigative fees in the amount of \$2,357.10; and (3) reasonable costs of action in the amount of \$1,832.65 pursuant to 15 U.S.C. § 1117(a).

5. All funds currently held or restrained by PayPal, Inc. (“PayPal”) which are related to the PayPal account recipient, suzean18@gmail.com (“PayPal Account”), or any other accounts belonging to the customer(s) of the PayPal Account shall, within seven (7) days of receipt of this judgment, be transferred to Chanel to satisfy or partially satisfy the monetary amounts awarded herein. PayPal shall provide to Chanel at the time the funds are released, a breakdown reflecting (i) the total funds held or restrained by PayPal which relate to the relevant account(s); (ii) the total chargebacks, refunds, and/or transaction reversals that were deducted from such funds prior to release; and (iii) the total funds being released to Chanel.

6. Interest shall accrue on this award at a rate of 0.11% per annum, from the date of entry of this judgment until the date the judgment is paid.

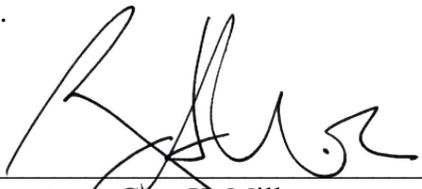
7. Since defendants’ illegal counterfeiting and infringement of the Chanel Marks were engaged in intentionally, knowingly, maliciously, and willfully, the monetary amounts awarded in this judgment constitute non-dischargeable debts under § 523(a)(6) of the United States Bankruptcy Code, Title 11 U.S.C. § 101, *et seq.*

8. The court reserves and retains jurisdiction of the subject matter of this cause and of the parties hereto for the purpose of enforcing the terms of this judgment and permanent injunction.

9. The bond posted by Chanel in the amount of \$10,000.00 shall be released by the Clerk of Court.

This is a **FINAL JUDGMENT**.

Signed at Houston, Texas on September 26, 2013.



Gray H. Miller
United States District Judge

SCHEDULE A

DEFENDANTS BY SUBJECT DOMAIN NAMES AND DEFENDANT NUMBER

Defendant No.	Domain Name
1	2012handbagsonline.net
2	3chanelhandbag.com
3	airmaxinstore.com
4	ashionpurse.com
6	blueswisswatches.com
7	caphatshopping.com
8	cchanell.com
9	chanel-bagsbags.com
9	chanel--bags.org
10	chanelbagsebay.com
10	chanelbagshandbags.net
11	chanelbagsoutletonline.com
12	chanelcheaponsale.com
12	thechanelbagssale.com
12	classicchanelbagssale.com
13	chanelflapbags.net
13	frchanelhandbags.com
13	replicachanelhandbagssales.com
13	chanelhandbagwalletpurse.com
13	chanelhandbagschanelwallets.com
15	chaneloutletsonline.us
15	chanelreplicasbags.us
16	chanelpursesreplica.com
16	hubags.com

17	chanelsalext.com
19	chanel-slippers.com
19	chanelslippers.com
20	chanelsza.com
21	chanelxt.com
22	cheapbagshandbags.com
22	classichandbagsfr.com
23	cheapbagsoutlet2u.com
24	cheapchanelhandbags2012.com
26	cheapwomensbags.com
26	classicbagsoutlet.com
27	designer-outlet-online.com
28	designershandbags.us
29	fairhandbags1.com
29	fairhandbags2.com
30	fashionlife.us
30	realpricemall.com
30	wholesalesalemall.com
31	goforchanelbags.com
32	handbags-purse-sale.com
35	isofdc.com
36	onlinechanelbagsales.com
37	onlinetopcheap.com
38	outletchanelbagonline.com
39	outletchanelbagsale.com
40	outletchanelbagssales.com
44	sunglassesnewyork.com

45	thechanelwatches.com
45	thechanelwatches2012.com
46	topchanel255.com
46	topchanelflap.com
47	toppursestrade2012.com
48	wahandbags.com
50	wholesale100.com

SCHEDULE B

PLAINTIFF'S FEDERALLY REGISTERED TRADEMARKS ("CHANEL MARKS")

Trademark	Registration Number	Registration Date	Class(es)/Goods
CHANEL	0,626,035	May 1, 1956	IC 018 — Women's Handbags
CHANEL	0,902,190	Nov. 10, 1970	IC 014 — Bracelets, Pins, & Earrings
CHANEL	0,915,139	June 15, 1971	IC 025 — Women's Shoes
CHANEL	0,955,074	Mar. 13, 1973	IC 014 — Watches
CHANEL	1,241,265	June 7, 1983	IC 025 — Suits, Jackets, Skirts, Dresses, Pants, Blouses, Tunics, Sweaters, Cardigans, Coats, Raincoats, Scarves, Shoes, & Boots
	1,314,511	Jan. 15, 1985	IC 018 — Leather Goods-Namely, Handbags
CHANEL	1,347,677	July 9, 1985	IC 018 — Leather Goods-Namely, Handbags
	1,501,898	Aug. 30, 1988	IC 006 — Keychains IC 014 — Costume Jewelry IC 016 — Gift Wrapping Paper IC 025 — Blouses, Shoes, Belts, Scarves, Jackets, Men's Ties IC 026 — Brooches and Buttons for Clothing
CHANEL	1,510,757	Nov. 1, 1988	IC 009 — Sunglasses

	1,654,252	Aug. 20, 1991	IC 009 — Sunglasses
CHANEL	1,733,051	Nov. 17, 1992	IC 018 — Leather Goods-Namely, Handbags, Wallets, Travel Bags, Luggage, Business and Credit Card Cases, Change Purses, Tote Bags, Cosmetic Bags Sold Empty, and Garment Bags for Travel
	1,734,822	Nov. 24, 1992	IC 018 — Leather Goods-Namely, Handbags, Wallets, Travel Bags, Luggage, Business Card Cases, Change Purses, Tote Bags, and Cosmetic Bags Sold Empty
J12	2,559,772	Apr. 9, 2002	IC 014 — Timepieces; namely, Watches, & Parts Thereof
	3,025,934	Dec. 13, 2005	IC 018 — Handbags
	3,025,936	Dec. 13, 2005	IC 009 - Eyeglass Frames, Sunglasses IC 025 - Gloves, Swimwear IC 026 - Hair Accessories namely Barrettes
CHANEL	3,133,139	Aug. 22, 2006	IC 014 — Jewelry and Watches