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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALCON LABORATORIES, INC.,

Plaintiff,

v.

GOOD EYEGASSES OPTICAL, a
British Columbia sole proprietorship;
and FOCUS WORKS, LTD., a British
Columbia corporation,

Defendants.

NO: 2:17-CV-54-RMP

FINAL JUDGMENT AND
PERMANENT INJUNCTION

By and with the consent of Plaintiff and Defendant, the Court enters the following final judgment and permanent injunction:

1. This Court has jurisdiction over this matter pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331, 1332(a)(2), 1338(b), 1391(b), and Washington's long-arm statute, RCW 4.28 et seq. Defendants stipulated to jurisdiction and venue in the United States District Court for the Eastern District of Washington, and Defendants specifically waived all defenses and objections to jurisdiction and venue. ECF No. 3.

ORDER GRANTING STIPULATED MOTION FOR ENTRY OF INJUNCTION
ORDER AND JUDGMENT AND STIPULATED MOTION TO EXPEDITE ~ 1

1 2. The parties stipulated to the entry of this Final Judgment and
2 Permanent Injunction against Defendants.

3 3. On May 19, 2017, the Clerk of the Court entered default judgment for
4 Plaintiff on all its claims. ECF No. 6. The terms of the default judgment state:

5 A. Judgment Creditor: Alcon Laboratories, Inc.

6 B. Judgment Debtors, Joint & Several: Good Eyeglasses Optical, a
7 British Columbia sole proprietorship, and Focus Works Ltd., a British
8 Columbia corporation.

9 C. Principal Amount of Judgment: \$163,175.00

10 D. Reasonable Attorney Fees: \$28,000

11 E. Costs: \$1,644.67

12 F. Post judgment interest rate set forth in 28 U.S.C. § 1961(a)

13 **THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:**

14 1. The judgment as set forth above is hereby entered against the
15 Defendants, jointly and severally, on each of Plaintiff's claims for federal
16 trademark infringement in violation of 15 U.S.C. §1114, et seq., common law
17 trademark in violation of 15 U.S.C. § 1125(a), common law unfair competition,
18 and violation of the Washington Consumer Protection Act in violation of RCW
19 19.86.020 et seq.

20 2. Plaintiff is awarded judgment against Defendants Good Eyeglasses
21 Optical and Focus Works Ltd. jointly and severally in the principal sum of

1 \$163,175.00, together with reasonable attorneys' fees and costs in the amount of
2 \$29,644.67, for a total judgment of \$192,819.67. Interest shall accrue on this
3 judgment at the post-judgment interest rate authorized by 28 U.S.C. § 1961(a).

4 3. Defendants Good Eyeglasses Optical and Focus Works Ltd and any
5 other persons or entities acting in concert or participation with or on behalf of
6 Defendants, including their officers, directors, servants, employees, agents,
7 representatives, and distributors, including but not limited to Contact Lens Club,
8 Online Optical, Jag Bains (a/k/a Jagmohan Bains and Jagmohan S. Bains), and
9 Reggie Thornhill, are immediately and permanently restrained in the United States
10 from:

11 A. Making, manufacturing, importing, ordering, using, distributing,
12 shipping, transporting, licensing, offering for sale, selling, developing,
13 displaying, delivering, advertising, and/or otherwise marketing or disposing
14 of products bearing any trademark that is the same as, or confusingly similar
15 to, any mark owned or used by Alcon and/or its related companies for
16 contact lenses and/or other eye-care products;

17 B. Owning, operating, managing, controlling, advising, consulting,
18 representing or otherwise participating in either directly or indirectly any
19 website, social media account, online marketplace or mobile application,
20 which advertises, displays, distributes, offers for sales, sells and/or otherwise
21 markets products bearing any trademark that is the same as, or confusingly

1 similar to, any mark owned or used by Alcon and/or its related companies
2 for contact lenses and/or other eye-care products;

3 C. Misrepresenting in any way the source of origin or the nature or
4 quality of Alcon contact lenses and/or other eye-care products;

5 D. Selling or otherwise distributing contact lenses in the United States
6 bearing any mark owned or used by Alcon and/or its related companies or
7 any similar trademark; and

8 E. Further conduct which infringes any mark owned or used by Alcon
9 and/or its related companies.

10 4. This Court retains jurisdiction over any disputes between the parties
11 with respect to the enforcement and/or interpretation of this Judgment.

12 The District Court Clerk is directed to enter this Order, enter Judgment
13 accordingly, provide copies to counsel, and **close this case**.

14 **DATED** September 12, 2017.

15
16 *s/ Rosanna Malouf Peterson*
17 ROSANNA MALOUF PETERSON
18 United States District Judge
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