

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM, and GOOGLE, INC., a
Delaware corporation.

Defendants.

NO. C09-0789 JLR

PLAINTIFF'S [PROPOSED] ORDER
FOR DEFAULT JUDGMENT

This matter came before the Court on Plaintiff's Motion for Entry of Default against Defendant Nanal, Inc. The Motion was based on the grounds that the above-named Defendant has not answered or otherwise defended this action.

The Court considered the pleadings filed in this action, the Declarations of Heather M. Morado and Steven W. Edmiston in support of the Motion for Entry of Default, and the exhibits thereto.

The Court finds:

PLAINTIFF'S [PROPOSED] ORDER FOR ENTRY OF
DEFAULT- 1

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- 1 a. Defendant Nanal, Inc. was properly served with a copy of the Complaint
2 and Summons on August 6, 2009.
- 3 b. Defendant Nanal, Inc. has not answered or filed a responsive pleading to
4 Plaintiffs' Complaint within 20 days as required by FRCP
5 12(a)(1)(A)(i).

6 Based on the above findings, IT IS ORDERED:

- 7 c. Defendant Nanal, Inc. is declared to be in default for failing to
8 defend this action.
- 9 d. Plaintiff is awarded a permanent injunction restraining and enjoining
10 Defendant Nanal, Inc. and their agents, servants, employees, and all
11 others in active concert or participation with them, as follows:
- 12 i) From the purchase or other use in any manner of Plaintiff's
13 trademarks in false and misleading advertisements, including
14 on the Google, Inc. search engine as well as any other
15 internet search engines.
- 16 e. Plaintiff is awarded damages plus any revenues or profits earned as a
17 result of Defendant's trademark infringement, unfair competition
18 and false advertising, in an amount to be determined;
- 19 f. Plaintiff is awarded augmented and treble damages in an amount to
20 be determined, pursuant to 15 U.S.C. 1117(a) and RCW 19.86.060;
- 21 g. Plaintiff is awarded punitive and exemplary damages in an amount
22 to be determined;
23

- 1 h. Plaintiff is awarded its attorneys fees and costs in an amount to be
2 determined; and
3 i. The Final Judgment shall be entered by the clerk without further
4 process.
5

6 DATED this 1st day of October, 2009.
7

8
9 Honorable James L. Robart
10

11 Presented by:

12 INVICTA LAW GROUP, PLLC

13 By Heather Morado
14 Heather M. Morado, WSBA #35135
15 Steven W. Edmiston, WSBA #17136
16 Stacie Foster, WSBA #23397
17 Attorneys for Plaintiff
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