

ORIGINAL

AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following Patents or Trademarks:

CV 09-00048 FMO

DOCKET NO. 09-00048		DATE FILED FMO	U.S. DISTRICT COURT Central District of California	
PLAINTIFF LARRY C. FLYNT		DEFENDANT FLYNT MEDIA CORPORATION, JIMMY FLYNT, II, DUSTIN FLYNT		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
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 CLERK'S OFFICE
 CENTRAL DISTRICT COURT
 LOS ANGELES, CA
 ML

FILED

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY			
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill	<input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK		
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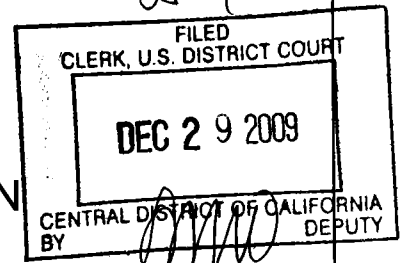
In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT "SEE ATTACHED JUDGMENT ON JURY VERDICT"
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CLERK TERRY NAFISI	(BY) DEPUTY CLERK J. Lam	DATE 12/29/2009
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

75-6



NOTE: CHANGES HAVE BEEN MADE TO THIS DOCUMENT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LARRY C. FLYNT,
LFP VIDEO GROUP, LLC,
and LFP IP, LLC,

Plaintiffs,

vs.

FLYNT MEDIA CORPORATION,
a Delaware Corporation; JIMMY
FLYNT, II; DUSTIN FLYNT; and
DOES 1 through 10 inclusive,

Defendants.

Case No.: 2:09-cv-00048-AHM-
RZx

JUDGMENT ON JURY
VERDICT

This action came on for trial before the Court and a jury, Honorable A.
Howard Matz, United States District Court Judge, presiding, and the issues having
been duly tried and the jury having duly rendered its verdict,

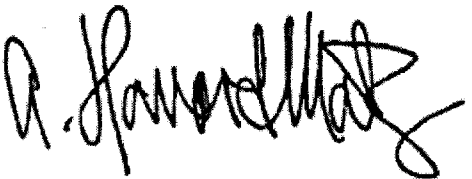
IT IS ORDERED, ADJUDGED AND DECREED:

1 Judgment is hereby entered under the terms of the Special Verdict Form,
2 which is attached hereto and incorporated herein by reference.
3
4

5 Neither side shall be deemed the prevailing party.
6
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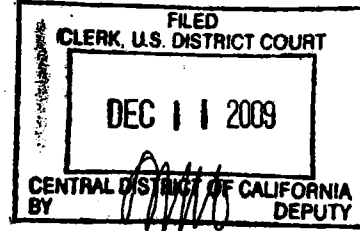
8 The Order of Permanent Injunction is being filed separately.
9

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11 Dated: December 28, 2009
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13 A. HOWARD MATZ
14 U.S. DISTRICT COURT JUDGE
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

LARRY C. FLYNT, LFP VIDEO
GROUP, LLC, and LFP IP, LLC,

Plaintiffs,

v.

FLYNT MEDIA CORPORATION,
et al.,

Defendants.

CASE NO. CV 09-48 AHM (RZx)
REDACTED
SPECIAL VERDICT FORM

**SECTION 1: FEDERAL INFRINGEMENT OF AN UNREGISTERED
TRADEMARK (Jury Instructions No. 3A-3G)**

On the claim of Plaintiffs Larry Flynt, LFP Video Group, LLC and LFP IP,
LLC against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin
Flynt for trademark infringement, we the jury make the following findings:

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///

1 1. Did Plaintiffs prove by a preponderance of the evidence that LARRY
2 FLYNT is a trademark?

3 Yes No

4
5 If your answer to question 1 is yes, then answer question 2. If you
6 answered no, stop here, answer no further questions in this Section 1, and proceed
7 to Section 2.

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9 2. Did Plaintiffs prove by a preponderance of the evidence that
10 Plaintiffs own the term LARRY FLYNT as a trademark?

11
12 Yes No

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14 If your answer to question 2 is yes, then answer question 3. If you
15 answered no, stop here, answer no further questions in this Section 1, and proceed
16 to Section 2.

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18 3. Did Plaintiffs prove by a preponderance of the evidence that
19 Defendants used a mark similar to the LARRY FLYNT mark without the consent
20 of Plaintiffs and in a manner that it is likely to cause confusion among ordinary
21 purchasers as to the source of the goods?

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23 (a) As to Defendant FLYNT Media Corporation: Yes No

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25 (b) As to Defendant Jimmy Flynt, II: Yes No

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27 (c) As to Defendant Dustin Flynt: Yes No

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Please proceed to Section 2

SECTION 2: FALSE ENDORSEMENT (Jury Instruction No. 4)

On the claim of Plaintiffs Larry Flynt, LFP Video Group, LLC and LFP IP, LLC against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin Flynt for false endorsement under the Lanham Act, we the jury make the following findings:

1. Did Plaintiffs prove by a preponderance of the evidence that by using the name FLYNT, Defendants used Plaintiff Larry Flynt's name, persona or likeness in a manner that is likely to cause confusion or to deceive consumers as to whether Larry Flynt has an affiliation, connection, or association with Defendants' goods, services, or commercial activity?

(a) As to Defendant FLYNT Media Corporation: Yes X No

(b) As to Defendant Jimmy Flynt, II: Yes X No

(c) As to Defendant Dustin Flynt: Yes X No

Please proceed to Section 3

SECTION 3: CALIFORNIA STATUTORY RIGHT OF PUBLICITY

(Jury Instruction No. 5)

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On the claim of Plaintiff Larry Flynt against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin Flynt for violating Larry Flynt's statutory right of publicity, we the jury make the following findings:

Did Larry Flynt prove by a preponderance of the evidence that the Defendants violated his right of publicity?

(a) As to Defendant FLYNT Media Corporation: Yes ___ No X

(b) As to Defendant Jimmy Flynt, II: Yes ___ No X

(c) As to Defendant Dustin Flynt: Yes ___ No X

Please proceed to Section 4

SECTION 4: WRONGFUL APPROPRIATION OF NAME/ LIKENESS
UNDER CALIFORNIA LAW (Jury Instruction No. 6)

On the claim of Plaintiff Larry Flynt against Defendants Flynt Media Corporation, Jimmy Flynt, II and Dustin Flynt for wrongfully appropriating his name or likeness, did Plaintiff Larry Flynt prove by a preponderance of the evidence that Defendants wrongfully appropriated his name or likeness?

(a) As to Defendant FLYNT Media Corporation: Yes ___ No X

(b) As to Defendant Jimmy Flynt, II: Yes ___ No X

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(c) As to Defendant Dustin Flynt:

Yes _____ No X

When you have completed the Sections 1-4, please sign and date this form and return it to the bailiff.

Signed: REDACTED
Presiding Juror

Dated: 12/11/2009