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NOTE: CHANGES MADE BY
THE COURT

JS - 6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ROCK AND ROLL RELIGION, INC., a
California corporation

Plaintiff/CounterDefendant,

v.

CELS ENTERPRISES, INC., a New York
corporation; ROBERT GOLDMAN, an
individual,

Defendants/Counterclaimants.

CELS ENTERPRISES, INC., a New York
corporation; ROBERT GOLDMAN, an
individual,

Counterclaimants,

v.

ROCK AND ROLL RELIGION, INC., a
California corporation; DEFIANCE U.S.A,
INC., a California corporation; and DOES 1
through 10 inclusive.

CounterDefendants.

CASE NO: CV09-5258 R (PLAX)

JUDGMENT

Judge: Hon. Manuel L. Real
Courtroom: No. 8

1 Plaintiff/Counterdefendants Rock and Roll Religion, Inc. and Defiance U.S.A.,
2 Inc., and Defendants/Counterclaimants Cels Enterprises, Inc. and Robert Goldman's
3 respective cross-motions for summary judgment came on for hearing on March 22nd,
4 2010, before the Honorable Manuel L. Real, District Judge Presiding. Stephen D.
5 Daner and Shawn A. McMillan of The Law Offices of Shawn A. McMillan, APC.
6 appeared on behalf of the Plaintiff and Counterdefendants. Susan Allison and Rod
7 Berman of Jeffer Mangels Butler and Marmaro appeared on behalf of Defendants and
8 Counterclaimants. The evidence and arguments presented having been fully
9 considered, the issue having been duly heard and a decision have been duly rendered

10 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that
11 Defendants/Counterclaimants Cels Enterprises, Inc. and Robert Goldman take
12 nothing by their Third Amended Counterclaim.

13 With regard to Plaintiff's Declaratory Relief Action, **IT IS FURTHER**
14 **ORDERED, ADJUDGED, AND DECREED** that:

15 1) There is no likelihood of confusion between the Plaintiff Rock and Roll
16 Religions, Inc.'s marks as follows: a) English Laundry; b) English Rose by English Laundry;
17 c) English Heroes by English Laundry; d) The People's Army by English Laundry; e) Work Shirt
18 by English Laundry; f) Clean Laundry by English Laundry; g) The Chelsea Boot Company by
19 English Laundry; h) Washable Shoes by English Laundry; i) English Laundry Forged Metal; and
20 Defendants Cels Enterprises, Inc. and Robert Goldman's mark as follows: a) Chinese
21 Laundry and b) CL Chinese Laundry design mark;

22 ~~2) That Plaintiff's/Counterdefendants' use of the word "LAUNDRY,"~~
23 ~~"Laundry," or "laundry" in the conduct of their internet website and clothing line is~~
24 ~~non-infringing upon Defendants' above identified trademarks; (R)~~

25 3) That Plaintiff's/Counterdefendants' website and clothing line is not likely to
26 be confused by the public with any website and clothing line operated by Defendants
27 Cels Enterprises, Inc. and/or Robert Goldman by virtue of Plaintiff's use of
28 "Laundry," "Laundry," or "laundry" with its own registered marks;

1 4) That Plaintiff's/Counterdefendants' registered marks containing the words
2 "ENGLISH LAUNDRY," "English Laundry," or "english laundry" do not infringe
3 the rights of Cels Enterprises, Inc. or Goldman.

4 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that: Rock
5 and Roll Religion, Inc. and Defiance U.S.A., Inc. are prevailing parties under 15
6 U.S.C. §1117 and 17 U.S.C. §505 and accordingly, shall recover their costs incurred
7 in this action. The Court retains jurisdiction to determine Rock and Roll Religion,
8 Inc.'s and Defiance U.S.A., Inc.'s the entitlement to, and amount of recoverable
9 attorney's fees, if any, by a separate noticed motion to be filed and heard in due
10 course.

11 Dated: April 20, 2010

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14 Hon. Manuel L. Real
15 United States District Judge
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