

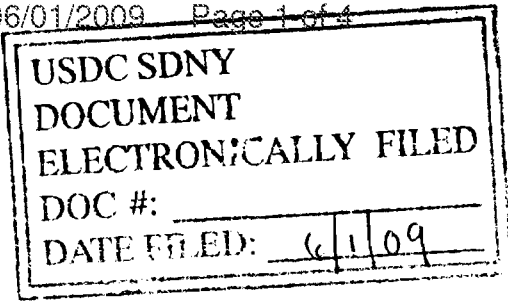
TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT												
NATURE OF CONVEYANCE:	Federal Court Judgment and Permanent Injunction												
CONVEYING PARTY DATA													
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Name</th> <th style="width:30%;">Formerly</th> <th style="width:15%;">Execution Date</th> <th style="width:25%;">Entity Type</th> </tr> </thead> <tbody> <tr> <td>G. Ptak, LLC</td> <td>FORMERLY dba Gary Ptak, LLC formerly Custom Jewelry Shop, LLC</td> <td>06/01/2009</td> <td>LIMITED LIABILITY COMPANY: NEW YORK</td> </tr> <tr> <td>Gary Ptak</td> <td></td> <td>06/01/2009</td> <td>INDIVIDUAL: UNITED STATES</td> </tr> </tbody> </table>		Name	Formerly	Execution Date	Entity Type	G. Ptak, LLC	FORMERLY dba Gary Ptak, LLC formerly Custom Jewelry Shop, LLC	06/01/2009	LIMITED LIABILITY COMPANY: NEW YORK	Gary Ptak		06/01/2009	INDIVIDUAL: UNITED STATES
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CORRESPONDENCE DATA													
<p>Fax Number: (312)782-6494 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i></p> <p>Phone: 312-782-6495 Email: daniel@keganlaw.com Correspondent Name: Daniel Kegan Address Line 1: 79W Monroe St #1320 Address Line 4: Chicago, ILLINOIS 60603-4969</p>													
ATTORNEY DOCKET NUMBER:	RECORD J V GPTAKLLC,GARY												

OP \$90.00 77329419

NAME OF SUBMITTER:	Daniel Kegan
Signature:	/daniel kegan/
Date:	08/07/2009
Total Attachments: 4 source=Ptak-72Judgmt1Jun09#page1.tif source=Ptak-72Judgmt1Jun09#page2.tif source=Ptak-72Judgmt1Jun09#page3.tif source=Ptak-72Judgmt1Jun09#page4.tif	



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----x

PTAK BROS. JEWELRY, INC., :
 :
 Plaintiff, :
 :
 - against - :
 :
 GARY PTAK and G. PTAK, LLC, :
 :
 Defendants. :
 :
 -----x

JUDGMENT
06 Civ. 13732 (DC)
#_____

CHIN, District Judge

Judgment is entered against defendants by default. For the reasons set forth in my decisions dated March 30, 2009 and June 1, 2009, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. Gary Ptak, G. Ptak, LLC, any associated jewelry business of Gary Ptak, their officers, agents, servants, employees, members, attorneys, successors and assigns, and any and all persons, firms, corporations, or other entities acting in concert and participation with them are hereby permanently enjoined from:
 - a. using names, trademarks, and Internet domains confusingly similar to plaintiff's trademarks, including PTAK, PTAK BROS., PTAK BROTHERS, PTAK.com, or PTAK.[any first level domain];
 - b. infringing any of plaintiff's trademark rights;
 - c. employing deceptive business practices;
 - d. identifying itself, himself, or his jewelry-related business as formerly associated with Ptak Bros., Inc. or

with a Ptak-named entity, except in a family narrative or in response to private requests for Gary Ptak's previous employment history; if reference is made to Ptak Bros. or its semantic equivalent (such as "father's company"), a disclaimer of noticeable prominence shall be provided in close proximity to such reference, such as, "The assets of Ptak Bros., Inc. were sold and transferred to a company now called Ptak Bros. Jewelry, Inc. G. Ptak, LLC has no affiliation with Ptak Bros., Inc. or Ptak Bros. Jewelry, Inc."; defendants shall not trade upon plaintiff's goodwill by seeking to capitalize on the Ptak name as if it had been transferred to, acquired by, or left to Gary Ptak to continue the tradition as part of the family inheritance;

e. using any telephone or facsimile numbers that incorporate a component that spells PTAK when the numbers are translated into standard telephone letters, except defendants may continue to use the telephone number (800) 782-5112 for one year from the date of entry of this judgment, so long as they do not use the mnemonic PTAK in any way in relation to said number, after which defendants must cease all use of the number;

f. except for the permitted use described in paragraph (e) above, using any communication number, including without limitation pager and instant message, that incorporates a component that spells PTAK, whether directly in letters or when numbers are translated into standard telephone numbers;

g. using the phrase "Ptak Bros." or "Ptak Brothers" in association with marketing jewelry and related goods and services;

h. using in marketing jewelry or the jewelry business the term "Ptak," unless as part of the names "Gary Ptak," "G. Ptak," "G. Ptak, LLC," or "Gary Ptak, LLC." The terms "Gary" (or "G") and "Ptak" shall be of similar size, style, and prominence;

i. stating or implying that Ptak Bros.'s business has been shut down, ceased operations, relocated, liquidated, or otherwise gone out of existence;

j. using the term PTAKAGE or PTAKAGES; and

k. using or displaying jewelry or images from Ptak Bros., Inc. or from Ptak Bros. Jewelry, Inc. in marketing materials.

2. Defendants shall conform their website, currently at www.garyptak.com, to this order within ten days hereof.

3. Defendants shall within ten days hereof cause the Internet domain www.ptak.com to be inactive, so that a browser directed to www.ptak.com is not automatically directed to any other website and email to [\[anything\]@ptak.com](mailto:[anything]@ptak.com) is not delivered to any email system.

4. Within twenty days hereof, defendants shall take all reasonable steps to cause to be removed from public view and use, and from all materials to be distributed to the public, including information such as on websites which are known to defendants or their agents (including without limitation their vendors, wholesalers, publicists, web hosts, and blog hosts) as having information about defendant, any information that does not conform to paragraph 1.

5. Defendants shall certify to the Court, with a copy to plaintiff's representatives, when the provisions of paragraphs 1 to 4 have been accomplished.

6. Plaintiff shall recover of defendants, jointly and severally, \$363,369, consisting of profits of \$181,423, attorneys' fees of \$173,272, and costs of \$8,674, with post-judgment interest.

7. The Court retains jurisdiction of this action to enforce this judgment.

SO ORDERED.

Dated: New York, New York
June 1, 2009



DENNY CHIN
United States District Judge