

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM345928

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Withdrawal of complaint asserting ownership claim		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
LUVANIS S.A.		06/19/2015	CORPORATION: LUXEMBOURG
RECEIVING PARTY DATA			
Name:	Joy Universal Limited		
Street Address:	OMC Chambers, Wickhams Cay 1		
City:	Road Town		
State/Country:	VIRGIN ISLANDS, BRITISH		
Postal Code:	VG 1110		
Entity Type:	CORPORATION: VIRGIN ISLANDS, BRITISH		
PROPERTY NUMBERS Total: 9			
Property Type	Number	Word Mark	
Serial Number:	86085464	MAD CARPENTIER	
Serial Number:	86020786	MAVIS VIVAUDOU	
Serial Number:	86020797	MAVIS VIVAUDOU	
Serial Number:	85966903	PRINCESS PAT	
Serial Number:	86224081	JONTEEL	
Serial Number:	86224066	JONTEEL	
Serial Number:	86224048	LIQUID LIPTONE	
Serial Number:	86051121	SELZ SHOES	
Serial Number:	86051135	GUNTHER JAECKEL	
CORRESPONDENCE DATA			
Fax Number:			
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Email:	info@luvanis.com		
Correspondent Name:	LUVANIS S.A.		
Address Line 1:	4 rue Dicks		
Address Line 4:	Luxembourg, LUXEMBOURG L1417		
ATTORNEY DOCKET NUMBER:	CO. WITHDRAWAL (JOY UNI.)		

OP \$240.00 86085464

NAME OF SUBMITTER:	Arnaud de Lummen
SIGNATURE:	/adelummen/
DATE SIGNED:	06/26/2015
Total Attachments: 7 source=Settlement - Complaint withdrawal#page1.tif source=Settlement - Complaint withdrawal#page2.tif source=Settlement - Complaint withdrawal#page3.tif source=Settlement - Complaint withdrawal#page4.tif source=Settlement - Complaint withdrawal#page5.tif source=Settlement - Complaint withdrawal#page6.tif source=Settlement - Complaint withdrawal#page7.tif	

PROTOCOLE D'ACCORD TRANSACTIONNEL

ENTRE LES SOUSSIGNES :

1°/ **LUVANIS SA**, société de droit luxembourgeois, dont le siège social est situé 4, rue Dicks, L-1417 Luxembourg, Grand-Duché du Luxembourg, immatriculée au Registre de Commerce et des Sociétés de Luxembourg sous le numéro B 144993, représentée par Monsieur Arnaud de LUMMEN, administrateur, dûment habilité aux fins des présentes en vertu des statuts de la société et par délégation de pouvoir en date du 17 juin 2015

(ci-après désigné « LUVANIS »)

2°/ **Monsieur Arnaud de LUMMEN**, né le 26 avril 1977 à Paris, de nationalité française exerçant la profession d'administrateur de sociétés, demeurant 148 avenue de Malakoff, 75116 Paris, Administrateur de LUVANIS

(ci-après désigné « Arnaud de LUMMEN »)

D'une part

ET :

1°/ **Monsieur Louis HOUDART**, né le 2 août 1978 à Paris (16^{ème}), de nationalité française, exerçant la profession d'entrepreneur, demeurant 400 Beisuzhou Lu, appartement 520 à Shanghai (200085), Chine,

2°/ **CREATIVE CAPITAL Ltd**, société à responsabilité limitée (limited liability company) de droit hongkongais, dont le siège social est situé 6/F Kalok Bldg, 720 Nathan Rd Mongkok Kln., Hong Kong, représentée par son Directeur, Monsieur Louis HOUDART, dûment habilité aux fins des présentes,

3°/ **JOY UNIVERSAL LIMITED**, société régie selon le droit des Iles Vierges Britanniques, dont le siège social est situé OMC Chambers, Wickhams Cay 1, VG 1110 Road Town, VG, Iles Vierges Britanniques, représentée par Monsieur Louis HOUDART, dûment habilité aux fins des présentes par délégation de pouvoir du 15 juin 2015,

4°/ **STAR ASSET INTERNATIONAL LIMITED**, société régie selon le droit de l'île Britannique d'Anguilla, dont le siège social est situé OMC Offices, Babrow Building BWI, 2640 The Valley, Anguilla, représentée par Monsieur Louis HOUDART, dûment habilité aux fins des présentes par délégation de pouvoir du 15 juin 2015,

D'autre part

ci-après désignées individuellement une « Partie » et collectivement les « Parties »



LUVANIS and if the case needed Mister Arnaud de LUMMEN waive irrevocably any request, claim or interest, principal or counterclaim, existing or unborn, and any action or proceeding, of any kind whatsoever including any request resulting from a third party claim, against Mr. Louis HOUDART, CREATIVE CAPITAL JOY UNIVERSAL LIMITED and STAR ASSET INTERNATIONAL LIMITED with regard to the dispute resolved by this transaction, including any action to claim ownership of the trademarks and domain names objects of such a litigation (See appendix 1-bis for the trademarks and domain names concerned).

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ARTICLE 8 - POUVOIRS

JOY UNIVERSAL LIMITED et STAR ASSET INTERNATIONAL LIMITED sont représentées au présent acte conformément aux pouvoirs annexés aux présentes, qui sont expressément déclarés exacts et valides.

Paris, le 19 juin 2015,
en six exemplaires, un pour chaque Partie

POUR LUVANIS

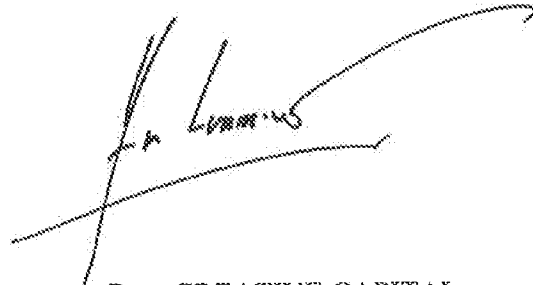
Monsieur Arnaud de Lummen
(conformément au pouvoir en Annexe 4)



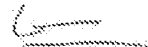
Monsieur Louis Houdart



Monsieur Arnaud de Lummen

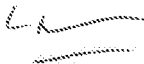


Pour CREATIVE CAPITAL
Monsieur Louis Houdart



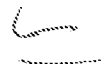
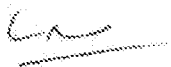
JOY UNIVERSAL LIMITED

Monsieur Louis Houdart, conformément au pouvoir joint en Annexe 4



STAR ASSET INTERNATIONAL LIMITED

Monsieur Louis Houdart, conformément au pouvoir joint en Annexe 4



ANNEXE 1-bis
LUVANIS' CLAIMS (WRIT OF SUMMONS)

"ON THESE GROUNDS

LUVANIS hereby requests that it may please the Court:

Primarily:

TO STATE AND RULE that LUVANIS is admissible and well-founded in requesting the transfer, in its favour, of the ownership of the following French trademarks for all products which it designates, in light of the fraudulent nature of the registrations made by JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited (in collaboration with CREATIVE CAPITAL and Mr Louis HOUDART), pursuant to the provisions set forth under article L. 712-6 of the Intellectual Property Code and the principle in line with which fraud corrupts all:

(Société JOY UNIVERSAL)

- "MARCELLE CHAUMONT", trademark registered on 19 June 2013, under n°4013738 for various products under classes 3, 18 and 25 ;
- "MARCELLE DORMOY", trademark registered on 30 October 2013, under n°4043679 for various products and services under classes 3, 18 and 25 ;
- "MAD CARPENTIER", trademark registered on 17 June 2013, under n°4012910 for various products under classes 14, 18 and 25 ;
- "MADELEINE VRAMANT", registered on 19 June 2013, under n°4013692 for various products under classes 3, 18 and 25 ;
- "NICOLE GROULT", registered on 17 June 2013, under n°4012912 for various products under classes 14, 18 and 25 ;
- "O'ROSSEN", registered on 6 November 2013, under n°4045149 for various products under classes 3, 18 and 25 ;
- "GERMAINE LECOMTE", registered on 30 October 2013, under n°4043681 for various products under classes 3, 18 and 25 ;
- "LUCILE MANGUIN PARIS", registered on 30 October 2013, under n°4043678 for various products under classes 3, 18 and 25 ;
- "MARCELLE ALIX", registered on 4 November 2013, under n°4044686 for various products under classes 3, 18 and 25 ;
- "MAVIS TALCUM VIVAUDOU", registered on 15 July 2013, under n°4019785 for various products under classes 3, 14 and 18 ;
- "PRINCESS PAT CHICAGO SINCE 1907", registered on 10 October 2013, under n°4038797 for various products under classes 3 and 25 ;
- "SEDUCTA", registered on 29 January 2014, under n°4064420 for various products under class 25 ;
- "KESTOS", registered on 10 October 2013, under n°4038785 for various products under classes 3, 18 and 25 ;
- "KUPPENHEIMER", registered on 10 October 2013, under n°4038794 for various products under classes 3, 18 and 25 ;
- "GUNTHER JAECKEL 10 EAST 57TH", registered on 10 October 2013, under n°4038789 for various products under classes 3, 18 and 25 ;
- "GEORGES FOUQUET", registered on 17 June 2013, under n°4012913 for various products under class 14 ;
- "ROGER SCEMAMA", registered on 19 June 2013, under n°4013740 for various products under classes 14 and 18 ;

(Société STAR ASSET)

- « LUCILE PARAY », registered on 17 March 2014, under n°4076409 for various products under classes 3, 18 and 25 ;
- « GEORGES ET JANIN », registered on 17 March 2014 under n°4076411 for various products under classes 3, 18 and 25;
- « DUPUY MAGNIN », registered on 17 March 2014 under n°4076414 for various products under classes 3, 18 and 25;

DUPUY
MAGNIN

- « MAJORIE LOU », registered on 17 March 2014 under n°4076418 for various products under classes 3, 18 and 25 ;
- « CLAVERIE », registered on 14 March 2014 under n°4076089 for various products under classes 3, 18 and 25 ;
- « LENIEF », registered on 14 March 2014 under n°4076097 for various products under classes 3, 18 and 25 ;

LENIEF

- « GOUPY », registered on 14 March 2014 under n°4076105 for various products under classes 3, 18 and 25 ;

GOUPY

- « MELNOTTE SIMONIN », registered on 14 March 2014 under n°4076108 for various products under classes 3, 18 and 25 ;
- « ARDANSE », registered on 14 March 2014 under n°4076112 for various products under classes 3, 18 and 25 ;
- « NEYRET », filed on 22 January 2014 and registered under n°4062424 for various products under classes 3, 18 and 25 ;



NEYRET

- « MARGAINE-LACROIX », filed on 29 November 2013 and registered under n°4050963 for various products under classes 3, 18 and 25 ,

MARGAINE-LACROIX

- « BRUYERE COUTURE », filed on 29 November 2013 and registered under n°4050976 for various products under classes 3, 18 and 25 ;



- Philippeetgaston.fr
- Bechoff-david.com
- Bechoff-david.fr
- BechoffDavid.com
- Goupy.fr
- Lenief.com
- Lenief.fr
- Ardansc.fr
- Melnotte-simonin.com
- Dupouy-magnin.com
- Aureole.ch
- Willsonite.com

Consequently:

- **TO ORDER** the transfer to LUVANIS of the aforementioned domain names;
- **TO ORDER** *in solidum* the defendants to pay the total amount of one hundred thousand (100,000) Euros, on the basis of the provisions set forth under article 1382 of the Civil Code, for their fraudulent activities;
- **TO STATE AND RULE** that by reproducing LUVANIS documentation without authorisation, CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited were guilty of infringement of copyright for the reproduction of LUVANIS documents, as defined by articles L.122-4 and L.335-3 of the Intellectual Property Code;

Consequently:

- **TO ORDER** *in solidum* the Defendants to pay a total of fifty thousand (50,000) Euros ;
- **TO PROHIBIT** CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited from reproducing, in any format whatsoever, and subject to a penalty of 1,000 Euros per infringement observed following handing down of the ruling, any wording or excerpt of wording included in the LUVANIS documentation;
- **TO ORDER** the destruction of any support or digital file held directly or indirectly by CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited or STAR ASSET INTERNATIONAL Limited reproducing any wording or excerpt of wording from the LUVANIS documentation, and subject to a penalty of 1,000 Euros per day of penalty, with said penalties to be paid by the Court;
- **TO STATE AND RULE** that CREATIVE CAPITAL is contractually liable towards LUVANIS, pursuant to article 1134 of the Civil Code and article 1984 of the Civil Code;

Consequently:

- **TO ORDER** CREATIVE CAPITAL to pay a total of one hundred thousand (100,000) Euros ;
- **TO STATE AND RULE** that Mr Louis HOUDART is criminally liable pursuant to the provisions set forth under article 1382 of the Civil Code having been accomplice to the infringement by CREATIVE CAPITAL of its contractual obligations;

Consequently:

- **TO ORDER** Mr Louis HOUDART to pay fifty thousand (50,000) Euros ;

As a subsidiary claim:

- **TO STATE AND RULE** that LUVANIS is admissible and well-founded in requesting the invalidity of the aforementioned French trademarks as a primary request, in light of the fraudulent nature of the registrations made by JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited (in collaboration with CREATIVE CAPITAL and Mr Louis HOUDART), pursuant to the provisions set forth under article 1382 of the Civil Code and the principle in line with which fraud corrupts all;
- **TO STATE AND RULE** that LUVANIS is admissible and well-founded in requesting the invalidity of the following foreign trademarks (and/or applications for trademarks), in light of the fraudulent nature of the registrations undertaken by JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited (in collaboration with CREATIVE CAPITAL and Mr Louis HOUDART), pursuant to the principle in line with which fraud corrupts all and the provisions of article 1382 of the Civil Code, and in consideration of the fact that these trademarks are accessory to the aforementioned French trademarks:

(Société JOY UNIVERSAL)

- **"MAD CARPENTIER"**:
 - application for a Hong Kong trademark registered on 9 October 2013, under n°302760318 for various products under class 25 ;
 - a Japanese trademark registered on 14 October 2013, under n°2013-080085, for various products under class 25 ;
 - an application for a Korean trademark registered on 16 September 2013, under n°4020130062237 for various products under class 25 ;
 - a US federal trademark registered on 8 October 2013, under n°06005464 for various products under class 25 ;
- **"GERMAINE LECOMTE"**, an application for a Korean trademark registered on 21 January 2014 under n°4020140004568 for various products under classes 3, 18 and 25 ;
- **"MAVIS VIVAUDOU"**:

- an application for a Hong Kong trademark registered on 9 October 2013 under n°302760273 for various products under class 3 ;
 - a Japanese trademark registered on 14 October 2013 under n°2013-080087 for various products under class 3 ;
 - an application for a Korean trademark registered on 21 January 2014 under n°4020140004567 for various products under class 3 ;
 - a Taiwanese trademark registered on 12 February 2014 under n°103007448 for various products under class 3 ;
 - a US federal trademark registered on 26 July 2013 under n°86020786 for various products under class 3 ;
 - a US federal trademark registered on 26 July 2013 under n°86020797 for various products under class 3 ;
 - "PRINCESS PAT":
 - an application for a Hong Kong trademark registered on 9 October 2013 under n°302760246 for various products under class 3 ;
 - a Japanese trademark registered on 14 October 2013 under n°2013-080088 for various products under class 3 ;
 - an application for a Korean trademark registered on 16 September 2014 under n°4020130062236 for various products under class 3 ;
 - a Taiwanese trademark registered on 12 February 2014 under n°103007449 for various products under class 3 ;
 - a US federal trademark registered on 21 June 2013 under n°85966903 for various products under class 3 ;
 - "JONTEEL":
 - an application for a US federal trademark registered on 18 March 2014 under n°86224081 for various products under class 3 ;
 - an application for a US federal trademark registered on 18 March 2014 under n°86224066 for various products under class 3 ;
 - "LIQUID LIPTONE", an application for a US federal trademark registered on 18 March 2014 under n°86224048 for various products under class 3 ;
 - "SELZ SHOES", an application for a US federal trademark registered on 29 August 2013 under n°86051121 for various products under class 25 ;
 - "KESTOS":
 - an application for an Australian trademark registered on 12 April 2014 under n°1617127 for various products under class 25 ;
 - an application for a Canadian trademark registered on 16 April 2014 under n°1672962 for various products under class 25 ;
 - a UK trademark registered on 2 August 2013 under n°3016432 for various products under class 25 ;
 - an application for a Hong Kong trademark registered on 9 October 2013 under n°302760381 for various products under class 25 ;
 - an application for a Japanese trademark registered on 1 January 2014 under n°2014-000001 for various products under class 25 ;
 - "KUPPENHEIMER":
 - an application for a Hong Kong trademark registered on 9 October 2013 under n°302760219 for various products under class 25 ;
 - an application for a Korean trademark registered on 16 September 2013 under n°4020130062233 for various products under class 25 ;
 - a US federal trademark registered on 21 June 2013 under n°85966925 for various products under class 25 ;
 - "GUNTHER JAECKEL 10 EAST 57TH":
 - an application for a Hong Kong trademark registered on 9 October 2013 under n°302760336 for various products under class 25 ;
 - an application for a Japanese trademark registered on 14 October 2013 under n°2013-080086 for various products under class 25 ;
 - an application for a Korean trademark registered on 16 September 2013 under n°4020130062235 for various products under class 25 ;
 - an application for a US federal trademark registered on 29 August 2013 under n°86051135 for various products under class 25 ;
 - "GEORGES FOUQUET":
 - an application for a Hong Kong trademark registered on 31 October 2013 under n°302784925 for various products under class 14 ;
 - an application for a Korean trademark registered on 21 January 2014 under n°4020140004569 for various products under class 14 ;
- (Société STAR ASSET)*
- « AUREOLE », an application for a Swiss trademark registered on 19 March 2014 under n°53318/2014 for various products under class 14 ;
 - « FREXA », an application for a Swiss trademark registered on 19 March 2014 under n°53323/2014 for various products under class 14 ;
 - « DONALD BROOKS » :
 - an application for a US federal trademark registered on 18 March 2014 under n°86224042 for various products under class 25 ;
 - « ADELE SIMPSON » :
 - an application for a US federal trademark registered on 27 November 2013 under n°86131325 for various products under class 25 ;
 - « KARI KEEN » :
 - « KARI-KEEN », an application for a US federal trademark registered on 27 November 2013 sous le n°86131395 for various products under class 18 ;
 - « CHESTER WEINBERG » :
 - an application for a US federal trademark registered on 27 November 2013 under n°86131372 for various products under class 25 ;
 - « NEYRET » :
 - an application for a Korean trademark registered on 13 March 2014 under n°4020140016690.
 - « CEIL CHAPMAN » :
 - an application for a US federal trademark registered on 27 November 2013 under n°86131336 for various products under class 25 ;
 - « BRUYERE COUTURE » :
 - an application for a US federal trademark registered on 30 December 2013 under n°86153953 for various products under class 25 ;
 - an application for a Korean trademark registered on 22 January 2014 under n°4020140004774.
 - « CLAIRE McCARDELL » :
 - an application for a US federal trademark registered on 27 November 2013 under n°86131357 for various products under class 25 ;
 - an application for a Korean trademark registered on 23 January 2014 under n°4020140005104.
 - « PHILIPPE & GASTON » :
 - an application for a US federal trademark registered on 17 January 2014 under n°86168398 for various products under class 25 ;
 - an application for a Hong Kong trademark registered on 17 January 2014 under n°302869985 for various products under class 25 ;
 - an application for a Korean trademark registered on 22 January 2014 under n°4020140004775.
 - « WILSONITE », an application for a US federal trademark registered on 29 April 2014 under n°86263079 for various products under class 9 ;
 - « NETTIE ROSENSTEIN », an application for a US federal trademark registered on 18 March 2014 under n°86224126 for various products under class 3 and 25 ;
 - « PAULINE TRIGERE », an application for a US federal trademark registered on 18 March 2014 under n°86224013 for various products under class 25 ;
 - « JANE DERBY », an application for a US federal trademark registered on 18 March 2014 under n°86224022 for various products under class 25 ;
 - « YERA MAXWELL », an application for a US federal trademark registered on 18 March 2014 under n°86224032 for various products under class 25 ;
 - « NORMAN NORELL », an application for a US federal trademark registered on 18 March 2014 under n°86224001 for various products under class 25 ;
 - « LILLI ANN », an application for a US federal trademark registered on 27 November 2013 under n°86131381 for various products under class 25 ;

Conséquentiel:

- TO DECLARE the invalidity of the aforementioned French and foreign trademarks (and/or applications);
- TO ORDER *in solidum* the Defendants to pay a total of one hundred and fifty thousand (150,000) Euros, on the basis of provisions set forth under article 1382 of the Civil Code, for their fraudulent actions;
- TO STATE AND RULE that CREATIVE CAPITAL, MR Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited have committed acts of unfair competition against LUVANIS, by abusively placing themselves in its wake, as defined by article 1382 of the Civil Code;

Consequently:

- TO ORDER *in solidum* the Defendants to pay a total of four hundred and fifty thousand (450,000) Euros, on the basis of the provisions of article 1382 of the Civil Code, for their fraudulent actions;

Ceteris paribus:

- TO ORDER entry of the ruling under the section "Legal Warning" on the home page of the website "creativecapital.cc", in a box of 468x120 pixels, for six months following the date on which the ruling is handed down, and subject to a penalty of 1,000 Euros per day of delay, with said penalties to be paid to the Court;
- TO ORDER publication, *in extenso* or in excerpts, of the ruling to be handed down under the header "Legal Warning" in eight French or foreign journals at the choice of LUVANIS, and up to a maximum amount of 6,000 Euros excluding tax per publication to be payable by CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited *in solidum* ;
- TO ORDER provisional enforcement of the decision, notwithstanding appeal and without security;
- TO ORDER *in solidum* CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited to pay LUVANIS a total of €20,000 pursuant to the provisions set forth under article 700 of the Civil Procedure Code;
- TO ORDER *in solidum* CREATIVE CAPITAL, Mr Louis HOUDART, JOY UNIVERSAL Limited and STAR ASSET INTERNATIONAL Limited to pay LUVANIS all costs for proceedings pursuant to the provisions set forth under article 699 of the Civil Procedure Code, which may be collected by Maître Thibault LANCRENON".

SUBJECT TO ALL LEGAL RESERVES