AO 120 (Rev. 08/10)

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**

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 for the Southern District of New York on the following

☑ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
1:15-cv-06948-VM	9/2/2015	for the Southern District of New York

PLAINTIFF	DEFENDANT
Lumondi, Inc.	The Time Store, LLC, d/b/a Teely's, Rueven Chakrib, a/k/a Jonathan Chakrib, et al.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 2,329,580	3/14/2000	Lumondi, Inc.
2 2,125,932	12/30/1997	Lumondi, Inc.
3		
4		
5		

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

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

Case closed pursuant to attached order

CLERK	(BY) DEPUTY CLERK	DATE
Ruby J. Krajick		7/6/16

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**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/6/16

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

LUMONDI, INC., a Delaware Corporation, Plaintiff, v. THE TIME STORE, LLC, a New York Limited Liability Company, MICHAEL AND SONS CORP., a New York Corporation, REUVEN CHAKRIB a/k/a JONATHAN CHAKRIB a/k/a ROBERT SHAKAROV and ABRAHAM SHAKAROV, individuals, JOHN DOES 1-10 and XYZ CORP., Defendants.	CIVIL ACTION NO.: 1:15-cv-6948-VM **CONSENT DECREE AND ORDER** ECF CASE

Plaintiff, LUMONDI, INC. ("Plaintiff" or "Lumondi") has commenced this civil action against defendants, THE TIME STORE, LLC ("The Time Store"), Michael and Sons Corp. ("Michael"), REUVEN CHAKRIB a/k/a JONATHAN CHAKRIB a/k/a ROBERT SHAKAROV ("Chakrib"), and ABRAHAM SHAKAROV ("Shakarov") (collectively, "Defendants"), claiming trademark infringement, under the United States Trademark Act, (the Lanham Act) 15 U.S.C. § 1114(1); false designation of origin and false advertising, under 15 U.S.C. § 1125(a); dilution, under N.Y. Gen. Bus. Law § 360-1; deceptive trade practices, under N.Y. Gen. Bus. Law § 349; and common law unfair competition.

Whereas, Plaintiff owns the U.S. federally registered trademark LUMINOX®, Registration Nos. 2125932 and 2329580 for use in connection with goods described as "watches, clocks, watch straps and watch dials" (the "LUMINOX Marks").

Whereas, Plaintiff alleges that the named Defendants, jointly and severally, do business under the name Teely's.

Whereas, Teely's sells LUMINOX brand watches through its website located at www.timeforwatches.com, through the amazon.com website, and through other websites and venues.

Whereas, Plaintiff alleges that Chakrib and Shakarov are the principals of Teely's;

Whereas, Plaintiff alleges in this civil action that, *inter alia* certain of the LUMINOX watches that Teely's sells have the Lumondi Production Code (the "Code") altered, obliterated, scratched out of stamped over, and that such watches were sold in violation of United States Nuclear Regulatory Commission (the "NRC") regulations regarding the importation and distribution of watches containing tritium. Lumondi further alleges that the sale of such watches infringes the registered LUMINOX trademark;

Whereas, service of said complaint had been made upon the Defendants; and,

Whereas, the parties desire to avoid further litigation and have reached agreement as memorialized by this Consent Decree. Defendants do not admit any liability or wrongdoing on their part and this Consent Decree shall not constitute any admission on their part of any liability or wrongdoing here. This Consent Decree constitutes a final judgment binding on all parties to this action.

THEREFORE, it is ORDERED, ADJUDGED and DECREED that:

1. Defendants, and any employees, agents, servants, officers, representatives, affiliates, assigns, and entities owned or controlled by Defendants, and all those in active concert and participation with Defendants, shall be enjoined from all the following, related to the purchasing or selling LUMINOX Mark watches:

    a. imitating, copying, or selling products bearing the LUMINOX Marks that have been physically altered in any way;

    b. importing, exporting, manufacturing, producing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any product bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of the LUMINOX Marks;

    c. engaging in any activity constituting unfair competition, or constituting infringement, dilution, false designation of origin, or false description of the LUMINOX Mark;

d. removing, obscuring or otherwise defacing a Production Code or other product marking on any LUMINOX product or importing, exporting, manufacturing, producing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any LUMINOX product with a removed, obscured or otherwise defaced Production Code or other product marking;

e. transferring, consigning, selling, shipping or otherwise moving any goods, packaging or other materials in Defendants' possession, custody or control bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of the LUMINOX Marks;

f. disposing of, destroying, altering, removing, concealing, tampering with, or in any manner secreting any business records of any kind, whether paper or electronic, relating or referring in any manner to the manufacture, advertising, receipt, acquisition, importation, purchase, sale, offer for sale, or distribution of any merchandise bearing any simulation, reproduction, counterfeit, copy, or colorable imitation of the LUMINOX Marks and/or any LUMINOX watches imported into the United States which have not been appropriately licensed by the Nuclear Regulatory Commission and/or any LUMINOX product from which a Production Code or other product marking has been removed, obscured, or otherwise defaced for a period of 60 days from entry of this Consent Decree and Order, or upon completion of Plaintiff's review of the same as outlined in Section 3 herein, whichever comes earlier;

g. importing any LUMINOX watches into the United States which have not been appropriately licensed by the Nuclear Regulatory Commission and/or possessing, distributing, or selling LUMINOX watches in any manner that does not comply with Nuclear Regulatory Commission regulations;

h. instructing, assisting, aiding or abetting any other person or entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (g) above

2. Defendants shall, within five (5) business days of the entry of judgment, provide Plaintiff with the following information and documentation:

a. The corporate and individual names, addresses and telephone numbers, known by Defendants, of all suppliers (the "Suppliers") from which Defendants purchased LUMINOX brand watches (the "Transactions");

b. All invoices and purchase orders for each Supplier relating to the Transactions for each of the last three (3) calendar years, whether the LUMINOX brand watches purchased and/or sold were altered or unaltered by Suppliers or Defendants;

c. Documents sufficient to show Defendants' total sales of any LUMINOX watches beginning January 1, 2014;

d. The names, addresses and telephone numbers of all individuals and entities from whom Defendants ordered any LUMINOX watches and to whom payment was made therefor;

e. The names, addresses and telephone numbers of all individuals who altered, obliterated,

scratched out, or stamped over the Production Code on any LUMINOX watches in a manner that would make the Production Code illegible or unreadable; and

f. The names, addresses and telephone numbers of all individuals with whom Defendants had any contact regarding the purchase of LUMINOX watches and names, addresses and telephone numbers of all individuals in the chain of distribution from the manufacturer to Teely's, to the extent known.

3. Plaintiff shall have thirty (30) days to review the information and documentation provided pursuant to paragraph 2 above. Within said thirty (30) days, Plaintiff may, upon ten (10) days' notice, physically inspect Defendants' records to audit and verify the information provided pursuant to paragraph 3 above. Such inspection shall be reasonable and shall not interfere with Defendants' daily operations or business. Such inspection shall be performed by a third party and all costs and expenses associated therewith shall be paid by Plaintiff provided that the inspection does not require more than one day (8 hours) of work. If such inspection requires a second day of work, Defendants shall be responsible for the second day costs and expenses. Plaintiff shall be responsible for any costs and expenses beyond a second day of work.

4. This Court shall retain jurisdiction over this matter for the purpose of enforcement of the order within.

[SIGNATURE PAGE FOLLOWS]

LUMONDI, INC.

By: _____

Name: Barry S. Cohen

Title: Co-CEO

THE TIME STORE, LLC

By: _____

Name: Shoshana Abramov

Title: CEO.

MICHAEL & SONS CORP.

By: _____

Name: Abraham Shakarov

Title: CEO

REUVEN CHAKRIB A/K/A JONATHAN CHAKRIB A/K/A ROBERT SHAKAROV

By: N/A.

Not affiliated with either Corp. Alias names.

ABRAHAM SHAKAROV

By: _____

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Attorney for Defendants
The Time Store, LLC

Dated: _____, 2016

SO ORDERED this 6th day of July, 2016:

VICTOR MARRERO, United States District Judge