

## US District Court Civil Docket

U.S. District - New York Southern  
(Foley Square - NYC)

**1:07cv6820**

### **Gucci America, Inc v. Gucci et al**

This case was retrieved from the court on Wednesday, August 05, 2009

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Date Filed: 07/30/2007	Class Code: CASREF, ECF, REOPEN
Assigned To: Judge Richard M Berman	Closed: No
Referred To: Magistrate Judge James C Francis	Statute: <a href="#">15:1121</a>
Nature of suit: Trademark (840)	Jury Demand: Defendant
Cause: Trademark Infringement	Demand Amount: \$0
Lead Docket: None	NOS Description: Trademark
Other Docket: None	
Jurisdiction: Federal Question	

#### Litigants

Gucci America, Inc  
Plaintiff

#### Attorneys

[Louis Sherman Ederer](#)  
[COR LD NTC]  
[Arnold & Porter, LLP](#)  
399 Park Avenue  
New York , NY 10022  
USA  
(212) 715-1000 X1102  
Fax: (212) 715-1399  
Email: LOUIS.EDERER@APORTER.COM

[John Maltbie](#)  
[COR LD NTC]  
[Arnold & Porter, LLP](#)  
399 Park Avenue  
New York , NY 10022  
USA  
(212) 715-1000  
Fax: (212) 715-1399  
Email: John.maltbie@aporter.com

Jennifer Gucci  
Defendant

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: [Kharrington@homlegal.com](mailto:Kharrington@homlegal.com)

[Frank S Occhipinti](#)  
[COR LD NTC]  
[Stewart Occhipinti, LLP](#)  
1350 Broadway, Suite 2200  
New York , NY 10018  
USA  
(212) 239-5500  
Fax: (212) 239-7030  
Email: [Focchipinti@somlaw.com](mailto:Focchipinti@somlaw.com)

Jenco Designs, Llc  
Defendant

Jennicor, Llc  
Defendant

Veratex, Inc  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: [HMROGATNICK@BRYANCAVE.COM](mailto:HMROGATNICK@BRYANCAVE.COM)

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

Collezione DI Casa, Inc  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: HMROGATNICK@BRYANCAVE.COM

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

El Erman-Dead Sea Cosmetics Corp  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: HMROGATNICK@BRYANCAVE.COM

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

Louisville Bedding Company  
Defendant  
[Term: 08/23/2007]

[Tamar Y Duvdevani](#)  
[COR LD NTC]  
[Nixon Peabody LLP \(NYC\)](#)  
437 Madison Avenue  
New York , NY 10022  
USA  
(212)940-3000  
Fax: (212)9403300  
Email: TDUVDEVANI@NIXONPEABODY.COM

Edward Litwak Doing Business as ED Litwak &  
Associates  
Defendant

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: [Kharrington@homlegal.com](mailto:Kharrington@homlegal.com)

[Frank S Occhipinti](#)  
[COR LD NTC]  
[Stewart Occhipinti, LLP](#)  
1350 Broadway, Suite 2200  
New York , NY 10018  
USA  
(212) 239-5500  
Fax: (212) 239-7030  
Email: [Focchipinti@somlaw.com](mailto:Focchipinti@somlaw.com)

Abc Corporations 1-10  
Defendant

John Does 1-10  
Defendant

Jenny Gucci Coffee And Gelato Company, Inc  
Defendant

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: [Kharrington@homlegal.com](mailto:Kharrington@homlegal.com)

Ele Brands Enterprise, Inc  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: [HMROGATNICK@BRYANCAVE.COM](mailto:HMROGATNICK@BRYANCAVE.COM)

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

Gbn Watch Collection, Inc  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: HMROGATNICK@BRYANCAVE.COM

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

Gbn Global Business Network  
Defendant  
[Term: 06/23/2008]

[Howard M Rogatnick](#)  
[COR LD NTC]  
[Bryan Ha, Esq](#)  
271 Madison Avenue  
20TH Floor  
New York , NY 10019  
USA  
(212) 692-1896  
Fax: (212)-541-4630  
Email: HMROGATNICK@BRYANCAVE.COM

[R Kevin Fisher](#)  
[COR LD NTC]  
PREV

Gemma Gucci  
Defendant

[Gemma Gucci](#)  
[COR LD NTC]  
238 West 14TH Street  
New York , NY 10011  
USA  
(347) 952-5286  
Pro Se

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: Kharrington@homlegal.com

Gemma Gucci Coffee And Gelato Company, Inc  
Defendant

Gemma Gucci  
Counter Claimant

[Gemma Gucci](#)  
[COR LD NTC]  
PRO SE

Jennifer Gucci  
Counter Claimant

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: [Kharrington@homlegal.com](mailto:Kharrington@homlegal.com)

[Kevin James Harrington](#)  
[COR LD NTC]  
[Harrington Ocko & Monk, LLP](#)  
81 Main Street, Suite 215  
White Plains , NY 10601  
USA  
914-686-4800  
Fax: 914-686-4824  
Email: [Kharrington@homlegal.com](mailto:Kharrington@homlegal.com)

[Frank S Occhipinti](#)  
[COR LD NTC]  
[Stewart Occhipinti, LLP](#)  
1350 Broadway, Suite 2200  
New York , NY 10018  
USA  
(212) 239-5500  
Fax: (212) 239-7030  
Email: [Focchipinti@somlaw.com](mailto:Focchipinti@somlaw.com)

Gucci America, Inc  
Counter Defendant

[John Maltbie](#)  
[COR LD NTC]  
[Arnold & Porter, LLP](#)  
399 Park Avenue  
New York , NY 10022  
USA  
(212) 715-1000  
Fax: (212) 715-1399  
Email: [John.maltbie@aporter.com](mailto:John.maltbie@aporter.com)

Gucci America, Inc  
Counter Defendant

[Louis Sherman Ederer](#)  
[COR LD NTC]  
[Arnold & Porter, LLP](#)  
399 Park Avenue  
New York , NY 10022  
USA  
(212) 715-1000 X1102  
Fax: (212) 715-1399  
Email: LOUIS.EDERER@APORTER.COM

[John Maltbie](#)  
[COR LD NTC]  
[Arnold & Porter, LLP](#)  
399 Park Avenue  
New York , NY 10022  
USA  
(212) 715-1000  
Fax: (212) 715-1399  
Email: John.maltbie@aporter.com

Date	#	Proceeding Text
08/05/2009	146	<p>FINDINGS OF FACT AND CONCLUSIONS OF LAW: For the foregoing reasons, the Clerk of Court is respectfully requested to enter judgment in favor of Plaintiff enjoining Jennifer Gucci, Gemma Gucci, and Litwak, and their agents, servants, employees, successors and assigns, and all persons in active concert or participation with them, are hereby (i) permanently enjoined in the United States from making any commercial use of the JENNIFER GUCCI and/or GEMMA GUCCI name, including licensing, sublicensing, manufacturing, importing, exporting, advertising, promoting, displaying, distributing, circulating, offering for sale, selling or otherwise disposing of in any manner with any products which are the subject of this lawsuit (e.g., coffee, bedding, housewares, cosmetics, hosiery, handbags, wine, and gelato); (ii) permanently enjoined from registering or attempting to register a trademark with the USPTO (or any other U.S. trademark agency) for the names JENNIFER GUCCI or GEMMA GUCCI, or any other name, mark or symbol that is confusingly similar to any of the Gucci Trademarks for the use upon any of the products which are the subject of this lawsuit; and they are (iii) permanently enjoined from imitating, copying or making unauthorized use of designs and indicia that infringe upon the Gucci Trademarks, including the following federally-registered trademarks owned by Gucci, including U.S. Trademark Registration Nos. 876,292,959,338, 972,078, 1,093,769, 1,140,598, 1,168,477, 1,169,019, 1,168,922, 1,200,991, 1,202,802, 1,321,864, and 1,340,599 for the GUCCI Word Mark; U.S. Trademark Registrations Nos. 1,122,780, 1,123,224, and 1,483,526 for Gucci's GREEN-RED-GREEN Stripe design; and U.S. Trademark Registration Nos. 2,680,237, 3,072,547, and 3,072,549 for Gucci's REPEATING GG Design. Jennifer Gucci and Gemma Gucci may in the future be permitted to use their full names on any new products or services not included in paragraph 67 consistent with the following conditions set forth within. Plaintiff is also entitled to an accounting of profits, its reasonable attorneys' fees and costs incurred in prosecuting this action, and punitive damages from Litwak, and these matters are hereby referred to United States Magistrate Judge James C. Francis, IV for a report and recommendation. Defendants' counterclaim for a declaratory judgment is resolved at paragraph 92 supra. And, for the reasons stated above, HOM's application to be relieved as counsel for the Defendants [#108] is denied as moot. The matter is respectfully referred to Judge Francis for further proceedings consistent with these Findings of Fact and Conclusions of Law and with his order(s) in this case. (Signed by Judge Richard M. Berman on 8/5/2009) (jfe) (Entered: 08/05/2009)</p>

08/05/2009 -- Transmission to Judgments and Orders Clerk. Transmitted re: 146 Findings of Fact & Conclusions of Law,,,,,,,,,,,,, to the Judgments and Orders Clerk. (jfe) (Entered: 08/05/2009)

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