

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 17-61051-CIV-ALTONAGA/Goodman

ABS-CBN CORPORATION, et al.,

Plaintiffs,

v.

ABSCBN-TELESERYE.COM, et al.,

Defendants.

FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION

THIS CAUSE is before the Court on Plaintiffs, ABS-CBN Corporation; ABS-CBN Film Productions, Inc. d/b/a Star Cinema; and ABS-CBN International's Motion for Final Default Judgment [ECF No. 39], regarding claims against Defendants, the Individuals, Partnerships, and Unincorporated Associations identified on Schedule A that operate websites that promote and perform pirated content using infringements of Plaintiffs' trademarks, pursuant to Rule 58 of the Federal Rules of Civil Procedure. For the reasons set forth in the Order [ECF No. 40] granting the Motion, entered separately on December 27, 2017, it is

ORDERED AND ADJUDGED that judgment is hereby entered in favor of Plaintiffs, ABS-CBN Corporation; ABS-CBN Film Productions, Inc. d/b/a Star Cinema; and ABS-CBN International, and against Defendants as follows:

1. Permanent Injunctive Relief: Defendants and their respective officers, agents, representatives, servants, employees and attorneys, and all persons acting in concert and participation with Defendants are permanently restrained and enjoined from:

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- a. advertising, promoting, performing, copying, broadcasting, and/or distributing any of Plaintiffs' content or copyrighted works, including but not limited to those works identified in Paragraph 25 of the Complaint, Schedule "D" thereto [ECF No. 1], and in Exhibits 2 and 4 thereto [ECF Nos. 1-3 and 1-5];
- b. advertising, promoting, offering, using, or causing to be advertised, promoted, or offered, services using Plaintiffs' registered or common law trademarks identified in Paragraphs 14 and 18 of the Complaint and in Schedules "B" and "C" thereto (the "ABS-CBN Marks");
- c. using the ABS-CBN Marks in connection with any unauthorized services or performances of Plaintiffs' copyrighted works;
- d. using any logo, and/or layout which may be calculated to falsely advertise the services or products of Defendants offered or promoted via the fully accessible Internet websites and supporting domains operating under their individual, partnership, and/or business association names identified on Schedule A (the "Subject Domain Names") and/or any other website, domain name, or business, as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiffs;
- e. falsely representing themselves as being connected with Plaintiff, through sponsorship or association;
- f. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any content or services of Defendants offered via the Subject Domain Names and/or any other

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website, domain name, or business, are in any way endorsed by, approved by, and/or associated with Plaintiffs;

- g. using any reproduction, counterfeit, copy, or colorable imitation of the ABS-CBN Marks in connection with the publicity, promotion, distribution, or advertising of any content or services by Defendants via the Subject Domain Names and/or any other website, domain name, or business;
- h. affixing, applying, annexing or using in connection with the promotion, distribution, or advertisement of any content or services, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' content or services offered by Defendants via the Subject Domain Names and/or any other website or business, as being connected with Plaintiffs, or in any way endorsed by Plaintiffs;
- i. otherwise unfairly competing with Plaintiffs;
- j. using the ABS-CBN Marks, or any confusingly similar trademarks within domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), from any advertising links to other websites, from search engines' databases or cache memory, and any other form of use of such terms which is visible to a computer user or serves to direct computer searches to websites registered by, owned, or operated by Defendants, including the Internet websites operating under the Subject Domain Names; and

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- k. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.
2. Additional Equitable Relief: In order to give practical effect to the Permanent Injunction:
 - a. The Subject Domain Names are hereby ordered to be immediately transferred by Defendants, their assignees and/or successors in interest or title, and the Registrars to Plaintiffs' control. To the extent the current Registrars do not facilitate the transfer of the domain names to Plaintiffs' control within five (5) days of receipt of this judgment, the Registries shall, within thirty (30) days, change the Registrar of Record for the Subject Domain Names to a Registrar of Plaintiffs' choosing, and that Registrar shall transfer the Subject Domain Names to Plaintiffs; and
 - b. Upon Plaintiffs' request, the top level domain (TLD) Registry for each of the Subject Domain Names, or their administrators, including backend registry operators or administrators, within thirty (30) days of receipt of this Order, shall place the Subject Domain Names on Registry Hold status for the life of the current registration, thus removing them from the TLD zone files maintained by the Registry which link the Subject Domain Names to the IP addresses where the associated websites are hosted.
3. Statutory damages: In favor of Plaintiffs pursuant to 15 U.S.C. section 1117(c) are determined to be \$1,200,000.00 against Defendants jointly and severally, for which let execution issue.

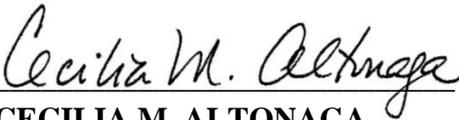
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4. Statutory damages: In favor of Plaintiffs pursuant to 15 U.S.C. section 1117(d) are determined to be:
 - a. \$10,000.00 against abschn-teleserye.com (Defendant 1), for which let execution issue;
5. Statutory damages: In favor of Plaintiffs pursuant to 17 U.S.C. section 504(c) are determined to be:
 - a. \$30,000.00 against cinepinoy.lol (Defendant 3), for which let execution issue;
 - b. \$30,000.00 against cinezen.me (Defendant 4), for which let execution issue;
 - c. \$30,000.00 against pinastvreplay.com (Defendant 14), for which let execution issue.
6. All funds currently restrained by the advertising services, networks, and/or platforms identified in Schedule “B” hereto (the “Advertising Services”), and their related companies and affiliates, pursuant to the temporary restraining order [ECF No. 9] and preliminary injunction [ECF No. 20] in this action are to be immediately (within five business days) transferred to Plaintiffs in partial satisfaction of the monetary judgment entered herein against each Defendant. The Advertising Services shall provide to Plaintiffs at the time the funds are released, a breakdown reflecting the (i) total funds restrained in this matter per Defendant; (ii) the total chargebacks, refunds, and/or transaction reversals deducted from each Defendant’s funds restrained prior to release; and (iii) the total funds released per Defendant to Plaintiffs.
7. Interest from the date this action was filed shall accrue at the legal rate. *See* 28 U.S.C. section 1961.

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8. The bond posted by Plaintiff in the amount of \$10,000.00 is ordered to be released by the Clerk.
9. The Court retains jurisdiction to enforce the Final Judgment and Permanent Injunction.
10. The Clerk shall mark this case as **CLOSED**.

DONE AND ORDERED in Miami, Florida, this 28th day of December, 2017.


CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record

SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Def. No.	Subject Domain Name
1	abschn-teleserye.com
2	astigvideos.com
3	cinepinoy.lol
3	cinepinoy.ag
3	pinoyflix.ag
3	pinoyflix.lol
4	cinezen.me
5	dramaschools.com
6	dramasget.com
8	frugalpinoytv.org
9	lambingan.cn
10	pinoylambingan.ph
10	lambingan.io
11	lambingans.net
12	latestpinoymovies.com
13	pinasnews.net
14	pinastvreplay.com
15	pinoybay.ch
16	pinoychannel.me
17	pinoydailyshows.com
18	pinoyplayback.net
19	pinoytvshows.net
19	pinoytv-shows.net
20	rondownload.net
21	sarapmanood.com
22	tambayanshow.net
23	thelambingan.com
24	tvnijuan.org
25	tvambayan.org
26	vianowpe.com
27	weeklywarning.org
27	weeklywarning.com

SCHEDULE "B"
DEFENDANTS BY NUMBER, SUBJECT DOMAIN NAME, ADVERTISING ACCOUNT INFORMATION, AND ASSOCIATED E-MAIL ADDRESSES

Def. No.	Subject Domain Name	Advertising Service/Platform	Account Identifier	Associated E-mail Address(es)
1	absbn-teleserye.com	Google AdSense Google, Inc.	ca-pub-8363670849 262616	06zqahjcbmzc@contactprivacy.email
2	astigvideos.com	Google AdSense Google, Inc.	ca-pub-8363670849 262616	nnfnbbvqo6vh@contactprivacy.email
3	cinopinoy.lol	N/A	N/A	contact@privacyprotect.org
3	cinopinoy.ag	N/A	N/A	contact@domainprivacyprotect.info
3	pinoyflix.ag	N/A	N/A	contact@privacyprotect.org
3	pinoyflix.lol	N/A	N/A	4a3ad9e50259ad26820080a38af7651a-2628172@contact.gandi.net
4	cinezen.me	adskeeper.co.uk, Hardware Solution Limited	cinezen.me. 122875	4a3ad9e50259ad26820080a38af7651a-2628172@contact.gandi.net
4	cinezen.me	popads.net, Tomksoft S.A.	N/A	4a3ad9e50259ad26820080a38af7651a-2628172@contact.gandi.net
5	dramasools.com	Google AdSense Google, Inc.	ca-pub-2367658883 843972	payments@pakihosting.com
6	dramasget.com	revcontent.com, Revcontent, LLC	N/A	dramasget.com@domainsbypoxy.com
8	frugalpinoytv.org	popads.net, Tomksoft S.A.	var pmauid = '32157'; var pmawid = '30857';	thefrugalpinoytv@gmail.com
9	lambingan.cn	h12-media.com, H12 UK LTD	N/A	admin@nicenic.net

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Def. No.	Subject Domain Name	Advertising Service/Platform	Account Identifier	Associated E-mail Address(es)
10	lambingan.io	adskeeper.co.uk, Hardware Solution Limited	lambingan.io.123723	N/A
10	lambingan.io	popads.net, Tomksoft S.A.	N/A	N/A
10	pinoylambingan.ph	Redirects to lambingan.io	N/A	dol...@...
11	lambingans.net	Google AdSense Google, Inc.	ca-pub- 1865856426 290995	usaking73@gmail.com
12	latestpinoymovies.com	Google AdSense Google, Inc.	ca-pub- 6712270727 944137	86bc3894580e4338b4ef958 efee7669a.protect@whoisguard.com
13	pinasnews.net	popads.net, Tomksoft S.A.	N/A	contact@privacyprotect.org
14	pinastvreplay.com	popads.net, Tomksoft S.A.	N/A	contact@privacyprotect.org
15	pinoybay.ch	N/A	N/A	N/A
16	pinoychannel.me	revcontent.com, Revcontent, LLC	N/A	sakhani@live.com
17	pinoydailyshows.com	Google AdSense Google, Inc.	ca-pub- 6409372530 626142	rajaraveendrareddy.peram@gmail.com
18	pinoyplayback.net	Google AdSense Google, Inc.	ca-pub- 1714538266 441049	contact@privacyprotect.org
19	pinoytvshows.net	Redirects to pinoytv-shows.net	N/A	fahimtaunsvi@gmail.com
19	pinoytv-shows.net	Google AdSense Google, Inc.	ca-pub- 1677375562 727935	herpalasif@gmail.com
20	rondownload.net	bidvertiser.com, Bpath, LTD.	pid=413907 &bid=15000 12	D6A727F1133F4661B96C B83A5B2C9F20.PROTECT@WHOISGUARD.COM
21	sarapmanood.com	Google AdSense Google, Inc.	ca-pub- 3102114826 829472	e14fcd7e4f2543eaac7ebebaf643d10e.protect@whoisguard.com

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Def. No.	Subject Domain Name	Advertising Service/Platform	Account Identifier	Associated E-mail Address(es)
22	tambayanshow.net	adnow.com, Adnow LLP	340913	contact@privacyprotect.org
22	tambayanshow.net	popads.net, Tomksoft S.A.	N/A	contact@privacyprotect.org
23	thelambingan.com	mgid.com, MGID Inc. MGID UA	N/A	apnapakforum@gmail.com
24	tvnijuan.org	mgid.com, MGID Inc. MGID UA	N/A	fastchannels@gmail.com
25	tvambayan.org	mgid.com, MGID Inc. MGID UA	N/A	tvambayan.org@domainsb yproxy.com
26	vianowpe.com	Google AdSense Google, Inc.	ca-pub- 7075767950 562858	johnweston772@gmail.com
27	weeklywarning.org	Redirects to weeklywarning.com	N/A	shankarr1555@gmail.com
27	weeklywarning.com	popads.net, Tomksoft S.A.	N/A	ultimategangster1993@gm ail.com