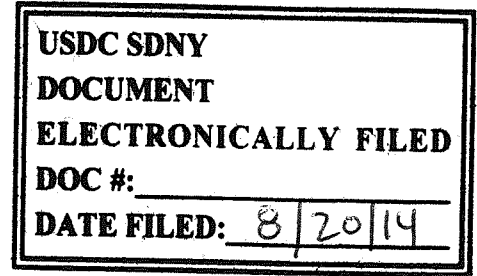


Brad D. Rose (BR-2740)
Dyan Finguerra-DuCharme (DF-9228)
Madelon A. Gauthier (MG-4687)
Ryan S. Klarberg (RK-4719)
Pryor Cashman LLP
Telephone: (212) 421-4100
7 Times Square
New York, New York 10036
Attorneys for Plaintiffs Kanye West and Mascotte Holdings, Inc.



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

KANYE WEST and MASCOTTE HOLDINGS, INC.,

Plaintiffs,

- against -

DAVID P. McENERY, JR., ROBBIE E. C. A.
HONTELE, HARRY WILLS, AL RA, JOHN DOES 1
through 50, IAIN CRAIG, 0DAYCOINS.COM, DAVE
AND LOUIS d/b/a POOL.COINYE.PW, ALEX
CACCIAMANI, RICHARD McCORD, PATRICK
AUSTIN, MARTIN GASNER, XNIGMA.COM,
BEEDUI, INC., and JANE DOES 1 through 50,

Defendants.

Civil Action No. 14 CV 250

~~PROPOSED~~ DEFAULT
JUDGMENT AND PERMANENT
INJUNCTION ORDER

This action having been commenced on January 14, 2014 by the filing of the Summons and Complaint, an Amended Complaint having been filed on March 3, 2014, and a copy of all pleadings having been personally served on the defendants Al Ra, Iain Craig, 0daycoins.com, Dave and Louis d/b/a Pool.coinye.pw, Alex Cacciamani d/b/a Coinye.exchange.com, Patrick Austin, Martin Gasner, Xnigma.com, and Beedui, Inc. (collectively, "Defendants") on January 14, 2014 and/or March 26, 2014 by service by e-mail pursuant to the Court's January 14, 2014 Order permitting alternative service by e-mail on the Defendants, and proof of service having been filed on January 16, 2014 and March 27, 2014, and the Defendants not having answered or

otherwise move in connection with the Amended Complaint, and the time for answering the Amended Complaint having expired; and

Plaintiffs having moved for final default judgment under Fed. R. Civ. P. 55(a) on July 23, 2014 by Order to Show Cause for a Default Judgment and Permanent Injunction Order;

Plaintiffs having served on Defendants the Order to Show Cause for a Default Judgment and papers in support of their application on July 24, 2014; and ✓

Defendants not having appeared as the show cause hearing, filed a response to Plaintiffs' moving papers, answered the Complaint or Amended Complaint or otherwise pleaded or defended in this action; and

Defendants having failed to respond to the application of July 24, 2014; ✓

it is ORDERED, ADJUDGED AND DECREED:

That the following domains, identified in the Amended Complaint, be transferred to Plaintiffs: <coinye-exchange.com>; <coinyetheco.in>; <pool.coinye.pw>; <coinye.pw>; <coinye.suchpool.pw>; <coinyecasino.com>; <coinyecasino.l8.lv>; <coinyechain.info>; <coinyecoin.org>; <buycoye.com>; <coinyecoin.com>; and <coinyefaucet.com>; and

That the Defendants, and their related companies, subsidiaries, affiliates, officers, partners, managers, directors, shareholders, insurers, trustees, agents, servants, employees, representatives, attorneys, legal representatives and all other persons or entities acting in concert or participation with him, and any and all licensees, successors in interest or assigns are hereby permanently enjoined from:

(1) registering, operating or maintaining any website, blog, or Internet domain name or domain that uses the KANYE WEST mark, COINYE WEST mark, COINYE mark, COYE mark, or any colorable imitation of the marks KANYE WEST or KANYE;

(2) registering, operating and maintaining an alt coin digital currency or cryptocurrency website, network or exchange that engages in the operation, exchange, sale, mining, transfer, purchase, storage or other use in commerce of an alt coin digital currency or cryptocurrency that uses the KANYE WEST mark, COINYE WEST mark, COINYE mark, COYE mark, or any colorable imitation of the marks KANYE WEST or KANYE;

(3) engaging in the operation, exchange, sale, mining, transfer, purchase, storage or other use in commerce of an alt coin digital currency or cryptocurrency bearing any photographs or the name or likeness of Mr. West in any manner that is likely to cause confusion, mistake or to deceive the public into believing that the operation, exchange, sale, mining, transfer, purchase, storage or other use in commerce of the alt coin digital currency or cryptocurrency by Defendants originated with Mr. West or that there is any affiliation or connection between Plaintiffs and the operation, exchange, sale, mining, transfer, purchase, storage or other use in commerce of an all coin digital or cryptocurrency by Defendant, and from otherwise competing unfairly with Plaintiffs;

(4) assisting, aiding or abetting any other person or entity in the operation, exchange, sale, mining, transfer, purchase, storage or other use in commerce of an alt coin digital currency or cryptocurrency bearing COINYE WEST, COINYE or COYE as a trade name, trademark, brand name, as an Internet domain name, as a digital currency name, as a cryptocurrency, as an alt coin name, or in any other source-identifying manner;

(5) using the KANYE WEST mark, or any other mark, term or title confusingly similar to the KANYE WEST mark, including, but not limited to, the COINYE WEST, COINYE and COYE marks;

(6) using any mark in a manner so as to cause the dilution of the distinctive KANYE WEST mark, including, but not limited to, by using the designations COINYE WEST, COINYE or COYE;

(7) using any photographs, videos or the name or likeness of Mr. West in any manner that is likely to cause confusion, mistake or to deceive the public into believing that any website or domain registered by Defendants originate with Plaintiffs or that there is any affiliation or connection between Plaintiffs and the websites, and from otherwise competing unfairly with Plaintiffs; and

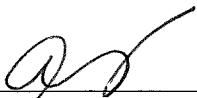
(8) representing by any means whatsoever, directly or indirectly, or doing any other acts or things calculated or likely to cause confusion, mistake or to deceive the public into believing that any goods or services, or website or domain registered by Defendants originate with Plaintiffs or that there is any affiliation or connection between Plaintiffs and the websites, and from otherwise competing unfairly with Plaintiffs.

If the Court finds that Defendants have violated this Order, Plaintiffs shall be entitled to (a) pursue any and all remedies available to it for such violation, including, but not limited to, seeking an order finding Defendants in contempt of the Order, and (b) an award of damages, attorneys' fees and costs incurred as a result of Plaintiffs' having to pursue such violation. This Court shall retain jurisdiction in the event the Defendants violate this Order.

[remainder of page intentionally left blank]

IT IS FURTHER ORDERED that copies of this ORDER shall be served by email, on or before August 27, 2014, and that such service shall constitute due and sufficient service and notice hereof.

Dated: New York, New York
August 20, 2014



Analisa Torres
U.S. District Court Judge

This document was entered on the docket
on _____.