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## INTELLECTUAL PROPERTY NEWS

### ***Retailers Ordered to Pay Damages to TOUS in Counterfeit Suit***

The U.S. Federal Court issued judgment against 37 defendants ordering them to pay statutory damages to Spanish jeweler TOUS in the amount of \$25,000.00 each resulting from their counterfeiting of TOUS' protected works. Almost all counterfeit TOUS items were removed from the Puerto Rico market. McConnell Valdés' [Dora Peñagaricano](#) was the lead attorney in this complex Intellectual Property case.

In 2013, TOUS filed a Verified Complaint for a temporary restraining order, for preliminary and permanent injunctive relief, and for monetary damages for copyright infringement, trademark infringement, trademark counterfeit, trade dress infringement, false designation of origin, and unfair competition against 177 defendants.

The Federal Court issued a Temporary Restraining Order, Seizure Order and Order to Show Cause and a Sealed Search and Seizure Writ to the U.S. Marshal. As a result, the U.S. Marshals seized thousands of counterfeit TOUS items from many of the defendants. Days later, a Preliminary Injunction was issued enjoining the defendants from, among others, manufacturing, producing, importing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any product that is a simulation, reproduction, counterfeit, copy, or colorable imitation of the TOUS Products or any other indicia associated with TOUS. Thereafter, TOUS reached Settlement Agreements with 70 of the defendants.

For information about Intellectual Property in Puerto Rico, you may contact any of the attorneys listed below, members of our IP Practice Team:

Dora M. Peñagaricano	787-250-5657	<a href="mailto:dmp@mcvpr.com">dmp@mcvpr.com</a>
Roberto C. Quiñones-Rivera	787-250-2631	<a href="mailto:rcq@mcvpr.com">rcq@mcvpr.com</a>
Antonio Escudero-Viera	787-250-5625	<a href="mailto:aev@mcvpr.com">aev@mcvpr.com</a>
Leslie Y. Flores-Rodríguez	787-250-5628	<a href="mailto:lfr@mcvpr.com">lfr@mcvpr.com</a>
Isabel Torres-Sastre	787-250-2622	<a href="mailto:its@mcvpr.com">its@mcvpr.com</a>
Carmen Alfonso-Rodríguez	787-250-5699	<a href="mailto:car@mcvpr.com">car@mcvpr.com</a>
Pedro A. Bello-Lorié	787-250-5606	<a href="mailto:pbl@mcvpr.com">pbl@mcvpr.com</a>
Luis Dávila-Pernas	787-250-5619	<a href="mailto:ldp@mcvpr.com">ldp@mcvpr.com</a>
Monique Díaz-Mayoral	787-250-5675	<a href="mailto:mjd@mcvpr.com">mjd@mcvpr.com</a>
Isabel Lecompte	787-250-5612	<a href="mailto:icl@mcvpr.com">icl@mcvpr.com</a>
Sonia M. López del Valle	787-250-5647	<a href="mailto:sld@mcvpr.com">sld@mcvpr.com</a>

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