

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

AMERICA ONLINE, INC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 00-123-A
	)	
THE TICKET CONNECTION, INC.	)	
	)	
	)	
Defendant.	)	

**FINAL JUDGMENT**

The parties having reached an Agreement as to all matters at issue in this action, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. This Court has jurisdiction over the parties and the subject matter of this action under § 39 of the Trademark Act of 1946, 15 U.S.C. § 1121; the Judicial Code, 28 U.S.C. §§ 1331, 1332, 1338, and 1367; and the doctrine of supplemental jurisdiction.
2. Plaintiff America Online, Inc. ("AOL") is a corporation organized and existing under the laws of the State of Delaware with its principal place of business at 22000 AOL Way, Dulles, Virginia 20166. AOL is the world's leader in interactive computer services, Web brands, Internet technologies, and e-commerce services. AOL's service has millions of members.
3. Defendant The Ticket Connection, Inc. ("The Ticket Connection") is a Maryland corporation with a business address at 8121 Georgia Avenue #101, Silver Spring, Maryland 20910.
4. AOL has prior rights in and is the lawful owner of the famous trademark AOL (the "Mark"). AOL holds numerous federal registrations for the Mark issued by the United States Patent and Trademark Office. The Mark and registrations are valid and enforceable.

5. As the owner of the Mark and registrations, AOL has the exclusive right to use the Mark in commerce.

6. Notwithstanding AOL's exclusive prior rights in the Mark, The Ticket Connection obtained the domain name "aoltickets.com" and used it in interstate commerce. Said domain name infringes and dilutes AOL's rights in the Mark.

7. AOL is entitled to judgment on its federal, state and common law trademark and unfair competition claims.

8. Accordingly, The Ticket Connection is hereby permanently enjoined from:

- (a) Using the name and mark AOL, the domain name "aoltickets.com" and any domain names that use the mark AOL or any domain name or mark confusingly similar thereto in the advertising or sale of any goods or services,
- (b) Using in any manner any domain name, service mark, trademark, trade name, trade dress, words, numbers, abbreviations, designs, colors, arrangements, collocations, or any combinations thereof which would imitate, resemble or suggest AOL's well known service marks and trade names;
- (c) Otherwise infringing AOL's service marks and trade names;
- (d) Unfairly competing with AOL, diluting the distinctiveness of AOL's well-known service marks and trade names, and otherwise injuring AOL's business reputation in any manner;
- (e) Publishing or sending any e-mail or other messages using the name or mark AOL or any domain name or mark confusingly similar thereto;
- (f) Using, registering or reserving any domain name that uses the mark AOL or is confusingly similar to any marks owned or controlled by AOL.

9. The Ticket Connection is ordered to transfer to AOL the domain name "aoltickets.com" and all rights The Ticket Connection may have in the domain name.

10. The relief granted herein is binding upon The Ticket Connection, its officers, agents, servants, employees, and in-house attorneys, and upon those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise.

11. The court shall retain jurisdiction of this matter for purposes of enforcing this judgment and the settlement agreement entered into by the parties.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Judge \_\_\_\_\_, U.S. District Court

CONSENTED TO:

AMERICA ONLINE, INC.



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James R. Davis, II Va. No. 42704  
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THE TICKET CONNECTION, INC.

