

FILED

2013 OCT 18 AM 11:59

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: AD

**KITSINIAN LAW FIRM**  
NAREG S. KITSINIAN, SBN 236732  
6739 Odessa Avenue  
Van Nuys, California 91406  
Phone: (818) 786-5777  
Fax: (818) 786-5778  
Email: info@kitsinianlaw.com  
Attorneys for S.A. Kitsinian, Inc.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

IN RE DMCA SUBPOENA TO EBAY,  
INC.

CASE NO. **13-00350**

Declaration of Nareg S. Kitsinian, Esq.

I, Nareg S. Kitsinian declare and testify as follows:

1. I am admitted to practice law in the State of California. I represent S.A Kitsinian Inc., a jewelry manufacturer and wholesaler.

2. On behalf of S. A Kitsinian Inc., I am seeking a subpoena pursuant to 17. U.S.C. §512(h) to obtain information sufficient to identify a person or entity conducting business at eBay.com (“eBay”) under the name “brillianceengagement” (hereinafter “BRILLIANCE”).

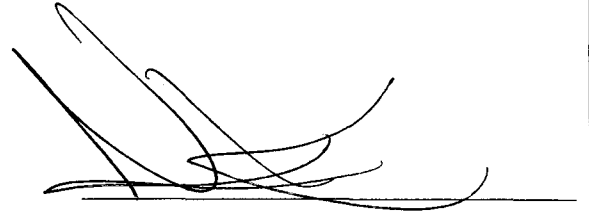
3. I have a good faith belief, based on the facts known to me that BRILLIANCE is infringing on S.A. Kitsinian Inc.’s property rights.

4. The purpose for which the subpoena is sought is to obtain the identity of alleged infringers and the information obtained therefrom will only be used for the purpose of protecting rights under 17 U.S.C 101, et seq.

///  
///  
///  
///

1  
2 I declare under penalty of perjury under the laws of the United States of America that the  
3 foregoing is true and correct.

4  
5 Executed on October 18, 2013

A handwritten signature in black ink, appearing to read 'Nareg S. Kitsinian', is written over a horizontal line. The signature is fluid and cursive.

8 Nareg S. Kitsinian, CA Bar # 236732

# KITSINIAN LAW FIRM

6739 ODESSA AVENUE, VAN NUYS, CA. 91406  
PHONE: 1-818-786-5777 FAX: 1-818-786-5778

October 17, 2013

**VIA UPS NEXT DAY AIR**

ebay's Registered Agent  
173 West Election Road  
Draper, UT. 84020  
Phone: (801) 545-2711  
Fax: (801) 757-9521  
Email: [copyright@ebay.com](mailto:copyright@ebay.com)

**RE: Notice of Claimed Infringement**  
**S.A. Kitsinian Inc. v. ebay, Case # 13-025**

Dear Registered Agent,

Please be advised that I represent S.A. Kitsinian Inc. which owns the jewelry line Vanna K. I am writing to put ebay on notice that ebay.com and its affiliated seller identified as brillianceengagement are infringing upon the intellectual property of my client S.A. Kitsinian Inc. which is the owner of the federal registered trademark Vanna K, registration # 3097668 and its copyrights.

Your seller brillianceengagement is a serial violator of my clients intellectual property. Brillianceengagement has essentially taken every diamond ring picture found on my clients website- [www.VannaK.com](http://www.VannaK.com) and has without permission reposted it on ebay, removed our trademark from each picture and is now unlawfully taking orders and manufacturing our designs.

Vanna K is a branded nationwide jewelry line that distributes its products only through highend authorized jewelry dealers. Needless to say Brillianceengagement is not a authorized dealer. Vanna K spends hundreds of thousands of dollars advertising its products in national magazines, television and the internet. The continued unlawful acts of ebay and Brillianceengagement will cause irreparable harm to my client.

Included with this notice is over 163 pages of brillianceengagement's unlawful ebay postings that infringes on my clients copyrights and trademarks. Each picture provides the location of the infringing product on Ebay.

The printouts show diamond rings of my clients designs. You will easily be able to find the commensurate products of my client by visiting [www.VannaK.com](http://www.VannaK.com)

For illustration purposes only and ease of reference, I have included a Certificate of Copyright Registration for only one of Vanna K's copyrighted designs, item # 18R05619PDCZ. The corresponding ebay item number is 170934602065 (first item printed in the documents provided). You can see here that Brillianceengagement has taken my clients very same picture from its website, removed its registered trademark Vanna K, and is now selling it on ebay without authority.

My contact information is as follows

Nareg S. Kitsinian, Esq.  
6739 Odessa Avenue  
Van Nuys, CA. 91406  
Nareg@kitsinianlaw.com

I have a good-faith belief that the disputed use is not authorized by my client, the copyright owner.

Under penalty or perjury, I attest that the above information in my notice is accurate and that I am authorized to act on my client, the copyright owner's behalf.

I hereby demand that ebay take immediate action to take down and remove the infringing items provided with this notice and indefinitely suspend the infringing seller from your website.

Should you wish to discuss this matter further, please do not hesitate to contact me.

With kind regards,

A handwritten signature in black ink, appearing to read 'Nareg S. Kitsinian', with a large, sweeping flourish extending to the right.

Nareg S. Kitsinian, Esq.