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11 Attorneys for Plaintiffs
12 MUNHWA BROADCASTING CORPORATION;
13 MBC AMERICA HOLDINGS, INC.; SEOUL
14 BROADCASTING SYSTEM INTERNATIONAL,
15 INC.; and KBS AMERICA, INC.

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 MUNHWA BROADCASTING
19 CORPORATION, *et al.*,

20 Plaintiffs,

21 v.

22 CREATE NEW TECHNOLOGY
23 (HK) CO. LTD., *et al.*

24 Defendants.

Case No. CV14-4213-RGK-RZx

Hon. R. Gary Klausner

**DECLARATION OF BRENT D.
SOKOL IN SUPPORT OF
PLAINTIFFS' MOTION FOR
DEFAULT JUDGMENT AND
PERMANENT INJUNCTION
AGAINST DEFENDANT
CREATE NEW TECHNOLOGY
(HK) CO. LTD.**

DECLARATION OF BRENT D. SOKOL

I, Brent D. Sokol, declare as follows:

I am a partner at the law firm of Jones Day, attorneys of record for Plaintiffs Munhwa Broadcasting Corporation, MBC America Holdings, Inc., Seoul Broadcasting System International, Inc., and KBS America, Inc. (collectively “Plaintiffs”) in the above-captioned litigation. I am admitted to practice in this state and before this Court. I have personal knowledge of the facts set forth below and if called upon as a witness, I could and would testify competently thereto.

1. Because Create New Technology (HK) Co. Ltd. (“Create”) is a foreign corporation, it is not an infant or incompetent person, and the Servicemembers Civil Relief Act does not apply.

2. Notice of the instant motion was provided to Create via overnight mail to the address provided for Create in its former counsel’s motion to withdraw (Dkt. 174-1).

3. Taking into account Copyright Office processing time and costs, Plaintiffs cannot register the works as fast as Create infringes them.

4. Attached hereto as **Exhibit 1** is a true and correct copy of an excerpt from a document produced by Create, Bates-numbered CNT 2954, showing it boasts 15 authorized US distributors and many others worldwide.

5. Attached hereto as **Exhibit 2** is a true and correct copy of a document produced by Create, Bates-numbered CNT 828-29, showing Defendant and Create distributor Du Hyun Song (“Song”) provided Create with his advertisement that 2.8 million people worldwide purchased TVpads by April 2014, together with a certified translation thereof.

6. Attached hereto as **Exhibit 3** is a true and correct copy of a screenshot of a October 31, 2012 post by authorized U.S. reseller ClubTVpad noting that “tvpad officials” will update the content of the Infringement Applications.”

7. Attached hereto as **Exhibit 4** is a true and correct copy of a screenshot

1 of Create's website as of January 19, 2012, promoting the Solive Infringement
2 Application.

3 8. Attached hereto as **Exhibit 5** is a true and correct copy of another
4 screenshot of Create's website as of January 19, 2012, promoting the Solive
5 Infringement Application.

6 9. Attached hereto as **Exhibit 6** is a true and correct copy of a May 27,
7 2012 promotion of Solive to watch Plaintiffs' channels.

8 10. Attached hereto as **Exhibit 7** is a true and correct copy of 2012
9 photograph of Create's registration of Clubtvpad as an authorized U.S. TVpad
10 reseller.

11 11. Attached hereto as **Exhibit 8** is a true and correct copy of a July 8,
12 2012 TVpad FAQs website of authorized distributor ClubTVpad noting TVpads
13 can be used to watch Korean channels for free and offer "Video on Demand
14 options."

15 12. Attached hereto as **Exhibit 9** is a true and correct copy of pertinent
16 excerpts from the transcript of the March 5, 2015 deposition of Song as a 30(b)(6)
17 witness for Media Journal, wherein he testifies that Create approved and
18 transmitted the May 2014 advertisement that 3 million people worldwide had
19 purchased a TVpad.

20 13. Attached hereto as **Exhibit 10** is a true and correct copy of a
21 December 2, 2012 blog post by authorized distributor ClubTVpad which states that
22 "Solve and all the other korean apps are still working."

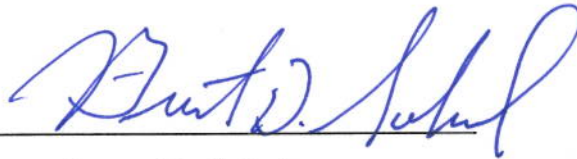
23 14. Attached hereto as **Exhibit 11** is a true and correct copy of a
24 screenshot of Create's exclusive authorized e-commerce distributor listing the
25 Infringement Applications as available on TVpad2 devices and specifying that
26 Plaintiffs' channels are available.

27 15. Attached hereto as **Exhibit 12** is a true and correct copy of an excerpt
28

1 from a document produced by Create, Bates-numbered CNT 2954, showing that
2 Create sells the TVpad for \$299.

3 16. Attached hereto as **Exhibit 13** is a true and correct copy of Create's
4 trademark registration for TVPAD, claiming a June 21, 2011 first use date.
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6 I swear under penalty of perjury under the laws of the United States that the
7 foregoing is true and correct. Executed this 22 day of July, at Los Angeles,
8 California.
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12 Brent D. Sokol
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