

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR CRIMINAL INFRINGEMENT OF A COPYRIGHT
AND TRAFFICKING IN COUNTERFEIT TRADEMARKS**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.	
v.	*	SECTION:	
AHMAD KHELIK ABDEL KHELIK	*	VIOLATIONS:	18 U.S.C. § 2319 18 U.S.C. § 2320 18 U.S.C. § 2
	*		
	*		
	*		

The Grand Jury charges:

COUNT ONE

That on or about October 25, 2007, in the Eastern District of Louisiana, the defendants, **AHMAD KHELIK and ABDEL KHELIK**, aiding and abetting each other and others, willfully, and for the purpose of commercial advantage and private financial gain, infringed, and aided and abetted the infringement of, the copyrights of copyrighted works, that is, various motions pictures, by the reproduction and distribution during a 180-day period of more than 10 copies (“bootleg movie DVDs,” “counterfeit movie DVDs,” and “pirated movie DVDs”) of one or more copyrighted works, including but not limited to “Rush Hour 3”, “Dark Crystal”, “Rendition”, and “Kingdom”, which

have a total retail value of more than \$2,500, without the authorization of the copyright holder, in violation of Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Sections 2319(b) and 2.

COUNT TWO

That on or about October 25, 2007, in the Eastern District of Louisiana, the defendants, **AHMAD KHELIK AND ABDEL KHELIK**, aiding and abetting each other and others, willfully, and for the purpose of commercial advantage and private financial gain, infringed, and aided and abetted the infringement of, the copyrights of copyrighted works, that is, various sound recordings, by the reproduction and distribution during a 180-day period of more than 10 copies (“bootleg CDs,” “counterfeit CDs,” and “pirated CDs”) of one or more copyrighted works, including but not limited to “B. to Last” by BG, “Back of My Lac” by J. Holiday and the copyrighted works of Kanye West, which have a total retail value of more than \$2,500, without the authorization of the copyright holder, in violation of Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Sections 2319(b) and 2.

COUNT THREE

On or about October 25, 2007, in the Eastern District of Louisiana, the defendant, **AHMAD KHELIK AND ABDEL KHELIK**, aiding and abetting each other and others, did intentionally traffic and attempt to traffic in goods, specifically shirts, pants, jackets, purses, shoes and athletic wear, while knowingly using on and in connection with such goods counterfeit marks, to wit, spurious marks identical to and substantially indistinguishable from “Nike and its Swoosh Design, “Nike Air”, “Nike Air Max”, “Prada”, “Burberry”, “LRG”, “Encye” “Coogi”, “Girbaud”, “Lacoste and its alligator design”, “Coach”, “Fendi”, “Polo and its polo player design”, “Rocawear” NBA

Properties and its basketball player design”, “Chanel”, “ Louis Vuitton”, “FUBU”, “Sean John”, “Red Monkey”, “BAPE”, “Versace”, “Timberland and its Tree design” and “Kate Spade”, marks that were in use and registered for those goods on the principal register of the United States Patent and Trademark Office, the use of which counterfeit marks were likely to cause confusion, to cause mistake, and to deceive, in violation of Title 18, United States Code, Section 2320(a) and 2.

NOTICE OF FORFEITURE

1. The allegations of Counts 1 through 3 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 2319, 2320 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c) and Title 17, United States Code, Sections 506 and 509, made applicable through Title 28, United States Code, Section 2461(c) .

2. As a result of the offenses alleged in Counts 1 through 3, defendants, **AHMAD KHELIK and ABDEL KHELIK**, shall forfeit to the United States pursuant to Title 18, United States Code, Sections 2319, 2320 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Sections 2319 and 2320.

3. As a result of the offenses alleged in Counts 1 through 3, defendants, **AHMAD KHELIK and ABDEL KHELIK**, shall forfeit to the United States pursuant to Title 17, United States Code, Sections 506 and 509, made applicable through Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Sections 2319 and 2320, all copies, phonorecords, and articles that bear or consist of a counterfeit mark, used in violation of Title 17, United States Code,

Section 506(a) and Title 18, United States Code, Sections 2319 and 2320, and all implements, devices, and equipment used in the manufacture or reproduction of such copies.

4. If any of the above property subject to forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 2319, 2320 and 981(a)(1)(C), Title 28, United States Code, Section 2461(c), and Title 17, United States Code, Sections 506 and 509.

A TRUE BILL:

FOREPERSON

JIM LETTEN
United States Attorney
Louisiana Bar Roll No. 8517

JAN MASELLI MANN
First Assistant United States Attorney
Louisiana Bar Roll No. 9020

MARK A. MILLER
Chief, Organized Crime Strike Force Unit
Missouri Bar Roll No. 30488

February 27, 2008
New Orleans, Louisiana