

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 10-220
v.	*	SECTION: "C"
IDREES SUBHI SALEM a/k/a Eddie Salem	*	VIOLATION: 18 U.S.C. § 2320
	* * *	

FACTUAL BASIS

Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and admissible tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **IDREES SUBHI SALEM** (hereinafter "**SALEM**") has agreed to plead guilty as charged to the one-count Bill of Information for trafficking on counterfeit goods in violation of Title 18, United States Code, Section 2320.

A Special Agent with Immigration and Customs Enforcement would testify that on May 26, 2006, ICE agents purchased four counterfeit items from Oprah's Beauty Supply and Fashion in Kenner, Louisiana within the Eastern District of Louisiana. The defendant, **SALEM**, the owner of Oprah's Beauty Supply and Fashion , was present during the transaction and assisted the ICE agents

as they looked over the counterfeit goods before the sale. Agents would testify they observed multiple boxes of counterfeit “Lacoste” shirts in the back store room.

ICE agents would testify that they personally spoke with the defendant on July 24, 2006 at Hip Hop Stylez (a store owned by the defendant’s brother) at 2100 Airline Drive, Kenner, Louisiana. ICE agents would testify they personally informed the defendant that he was selling counterfeit merchandise from both Hip Hop Stylez and Oprah Beauty Supply and Fashion.

On July 24, 2006, ICE agents left Hip Hop Stylez and proceeded to the defendant’s store Oprah’s Beauty Supply and Fashion at 1001 Williams Blvd, Kenner, Louisiana and witnessed a private investigator serve a cease and desist letter upon the defendant’s employee at Oprah’s Beauty Supply and Fashion because they determined the store was selling counterfeit merchandise.

On September 6, 2006, ICE agents would testify that they entered Oprah’s Beauty Supply store and observed counterfeit merchandise for sale.

On September 20, 2006, ICE agents executed a search warrant upon Oprah’s Beauty Supply and confiscated approximately 160 counterfeit “Lacoste” shirts, 27 pairs of “Louis Vuitton” shoes, 14 pair of “RocaWear” pants and 26 “RocaWear” shirts. ICE agents seized approximately \$7453.91 in counterfeit goods from Oprah’s. A CBP Form 6051S Custody Receipt for Seized Property and Evidence was prepared on October 27, 2006 for such items as counterfeit shirts, pants and shoes. The items were seized because they bear counterfeits of trademarks that are registered with the U. S. Patent and Trademark Office and recorded with Customs and Border Protection.

The defendant admits he intentionally trafficked in these counterfeit goods in that he purchased these items for his store to sell to the public with full knowledge they were counterfeit. Defendant also admits that he knowingly used or caused to be counterfeit marks on and in

connection with such goods and services, marks which were in use and were registered on the principal register of the United States Patent and Trademark Office on the “Lacoste” shirts, “Louis Vuitton” shoes, “RocaWear” pants and “RocaWear” shirts found in Oprah’s Beauty Supply and Fashion at 1001 Williams Blvd., Kenner, Louisiana.

Defendant admits the use of the counterfeit marks on the seized items was likely to cause confusion, to cause mistake, or to deceive the public into believing the items were genuine Lacoste, Louis Vuitton or RocaWear merchandise.

Experts in trademarks and counterfeit goods would testify that the items seized from Oprah’s Beauty Supply and Fashion are indeed counterfeit and produced without authorization from the trademark holders and in violation of Federal criminal law.

W. SCOTT LARAGY
Assistant United States Attorney

Date

IDREES SUBHI SALEM

Date

BENJAMIN SANDERS
Counsel for Defendant

Date