

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

WICKED GOOD CHARCOAL, INC.,)
)
 Plaintiff,)
)
v.)
)
THE RANCH-T, LLC,)
)
 Defendant.)

No. 15-CV-00528-JDL

**FINAL JUDGMENT AND
ORDER OF PERMANENT INJUNCTION**

Based upon the consent of the parties, and the Court ORDERS as follows:

1. Defendant The Ranch-T, LLC, and its officers, agents, servants, employees, attorneys, and any and all persons in active concert or participation with them who receive notice of this judgement, directly or otherwise, are permanently enjoined from: (a) Using the “WEEKEND WARRIOR BLEND” mark, UPC code, or any other confusingly similar names or markings on any product or service, including any reference to “Weekend Warrior Blend” on its website, catalogue, or order forms; (b) Representing that Ranch-T’s goods or services are in any way connected with, affiliated with, share a common manufacturer with, are the same as, or are intended as a replacement for, Wicked Good’s Weekend Warrior Blend Charcoal.

2. Defendant shall send a letter to its customers and distributors with language approved by the parties, informing them of the terms of this injunction.

3. Defendant shall retain any and all inventory bearing the “WEEKEND WARRIOR BLEND” mark, UPC code, or any other confusingly similar names or markings at a location that it shall disclose to Plaintiff Wicked Good Charcoal, Inc. Such inventory shall not be removed or

used for any purpose other than (1) internal corporate events, or (2) charitable purposes, provided, however, that no inventory may be sold, donated, or given to any barbeque circuit, barbeque-related function, barbeque-related charities, barbeque competition teams, barbeque societies, or barbeque eggfests. In the event that inventory is removed for either of these two specified purposes, one week's advance notice shall be provided to Plaintiff.

4. In the event of any breach of this injunction, in addition to the remedies available at law, Plaintiff shall be entitled to its attorneys' fees and costs for enforcement.

5. To the extent that Plaintiff seeks any relief beyond what is ordered above, the parties agree that the Complaint is dismissed with prejudice and without costs.

SO ORDERED.

Dated: February 22, 2016

/s/ Jon D. Levy
U.S. DISTRICT JUDGE