

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BOSE CORPORATION, a
Delaware Corporation,

Plaintiff,

Case No: 8:16-cv-02150-CEH-AAS

vs.

558 EAGLE LAKE PARTNERS,
LLC, a Florida Limited Liability
Company; ANWAR ALNOBANI,
an Individual; and ALLEN FERDINAND,
an Individual,

Defendant.

FINAL JUDGMENT AND PERMANENT INJUNCTION
DIRECTED TO DEFENDANTS¹

This cause came before the Court upon consideration of the Amended and Revised Joint Notice of Settlement and Renewed Motion for Entry of Consent Final Judgment between Plaintiff BOSE CORPORATION (“Bose” or “Plaintiff”) and Defendants 558 EAGLE LAKE PARTNERS, LLC (“558 Eagle Lake”) and Allen Ferdinand (“Ferdinand”) (Doc. 39) – as well as the Court’s Order of default judgment (Doc. 36) directed to non-settling defendant Anwar Alnobani (“Alnobani”) (wherein 558 Eagle Lake, Ferdinand and Alnobani are referred to as “Defendants”) (Plaintiff and Defendants are defined as “Parties” and each individually a “Party”).

558 Eagle Lake and Ferdinand have separately arrived at resolution of Bose’s claims subject to the terms of two written settlement agreements, the settlement between Bose and 558

¹ With respect to 558 Eagle Lake and Ferdinand, such final judgment is by consent per written settlement agreement with Bose.

Eagle Lake, dated January 4, 2017, and the settlement between Bose and Ferdinand, dated February 24, 2017, and have stipulated and consented to the relief set forth herein.

On September 12, 2017, the Court granted, in part, Plaintiff's motion for default judgment as to Defendant Anwar Alnobani ("Alnobani"), finding that Bose was "entitled to a permanent injunction against Alnobani which enjoins him from directly or indirectly infringing Plaintiff's rights in its marks including using the internet to reproduce, copy or distribute, the products unless he receives a license or express authority from Plaintiff." *See* Doc. 36, pg 10.

Based upon the Court's Order granting Plaintiff's motion for default judgment, in part, against Alnobani, as well as the stipulated and consented to judgment against 558 Eagle Lake and Ferdinand, it is hereby **ORDERED, ADJUDGED, and DECREED** as follows:

1. The Parties' Renewed Motion for Entry of Consent Final Judgment Between Plaintiff Bose Corporation and Defendants (Doc. 39) is **GRANTED**.
2. Plaintiff has used in interstate commerce the name **BOSE** as well as the following stylized mark (hereinafter, the "**BOSE** Marks") which have become well-known and associated with Plaintiff's advertising, marketing, promoting, offering for sale, distributing and selling in the United States its various high quality and sought after consumer electronics, including but not limited to speakers, home theater systems, as well as headphones:



3. Plaintiff maintains numerous active federal trademark registrations with the United States Patent and Trademark Office (hereinafter, “USPTO”) either consisting of or incorporating the **BOSE** Marks including but not limited to the following:

Mark	Goods	Reg. No.	Reg. Date
<i>BOSE</i>	Acoustical transducer systems for reproducing sound.	829,402	May 30, 1967
BOSE	Loudspeaker Systems; Electrical Power Processors-namely, Power Amplifiers, [Inverters,] and Battery Chargers.	991,271	Aug. 20, 1974
BOSE	Batteries; Communications headsets for use with communication radios, intercom systems, or other communications network transceivers; Headphones; Headsets for cellular or mobile phones; Microphones.	3,863,254	Oct. 19, 2010

The above listed Federal registrations for the **BOSE** Marks have become incontestable in accordance with 15 U.S.C. §§ 1065 and 1115(b) and, accordingly, constitute conclusive evidence of Bose’s exclusive right to use the marks identified in these registrations throughout the United States.

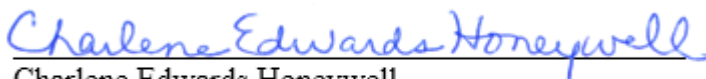
4. Plaintiff has used the **BOSE** Marks for many years, has sold tens of millions of dollars worth of consumer electronics goods in the United States under those marks, and has spent substantial sums marketing and promoting goods and services under those marks.

5. The Court further finds that the **BOSE** Marks, including the foregoing registrations before the USPTO, are both strong and highly distinctive.
6. Defendants 558 Eagle Lake Partners, LLC, Anwar Alnobani, and Allen Ferdinand, and any person or entity acting in concert with Defendants (or at the direction of Defendants), including any and all agents, servants, employees, contractors, partners, successors-in-interest, assignees, representatives, and any others over which Defendants may exercise control, and who receive actual notice of this Order, are hereby **PERMANENTLY RESTRAINED** and **RESTRICTED**, from selling, offering for sale, providing, distributing, wholesaling, marketing, advertising or promoting any unauthorized or counterfeit consumer goods bearing the **BOSE** Marks or any colorable imitation (or any similar indicia) including any of the following activities in the United States and throughout the World:
 - (i) marketing, advertising, promoting, selling, offering for sale, invoicing, obtaining payment for any unauthorized or counterfeit consumer electronics, including but not limited to speakers, home theater systems, as well as headphones that include the **BOSE** Marks or colorable imitations thereof, including in any form of packaging, labeling, product information, marketing materials, advertisements, promotions, or the like:
 - (ii) using any Internet domain name, any computer system, any form of indicia on any social media website, on Amazon.com, on EBAY.com, or any related website or via any related on-line merchants (either directly or indirectly) that uses the **BOSE** Marks (or colorable imitation thereof) to

advertise, promote, market, or sell any unauthorized or counterfeit consumer electronics, including but not limited to speakers, home theater systems, as well as headphones.

7. It is further **ORDERED** that this Final Judgment shall be deemed to have been served upon the Parties at the time of its execution and docketing by the Court.
8. This Final Judgment shall be construed under the laws of the State of Florida.
9. With respect to Bose's settlements with 558 Eagle Lake and Ferdinand, by agreement of the parties, no appeals shall be taken from this Final Judgment and those parties waive all rights to appeal.
10. With respect to Bose's settlements with 558 Eagle Lake and Ferdinand, each party shall bear its own attorneys' fees and costs.
11. The Clerk is directed to terminate all deadlines and close this case.

DONE and **ORDERED** in Tampa, Florida this 7th day of February, 2018.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to: *All Counsel of Record*
Pro Se Parties