

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-10884

D.C. Docket No. 2:11-cv-00297-WCO

WASTECARE CORPORATION,

Plaintiff - Appellee,

versus

ROBERT M. WARD,

Interested Party - Appellant,

SHREDDERHOTLINE.COM CO., et al.,

Defendants - Counter Claimants
Third Party Defendants,

MATTHEW KENNEDY,

Cross Defendant.

No. 14-10885

D.C. Docket No. 2:11-cv-00297-WCO

WASTECARE CORPORATION,

Plaintiff - Counter Defendant -
Appellee,

versus

SHREDDERHOTLINE.COM CO.,
DAN SCOTT BURDA,

Defendants - Counter Claimants -
Third Party Plaintiffs -Appellants,

R/D COMPUTER SALES AND SERVICES LTD,
d.b.a. Connecting Point,

Defendant - Third Party
Defendant,

MATTHEW KENNEDY,

Cross Defendant.

Appeals from the United States District Court
for the Northern District of Georgia

(December 2, 2014)

Before WILSON and ROSENBAUM, Circuit Judges, and HUCK,* District Judge.

PER CURIAM:

* Honorable Paul C. Huck, United States District Judge for the Southern District of Florida, sitting by designation.

This case came before the Court for oral argument. The appeal presented the following issues:

- (1) Whether the trial court erred in failing to instruct the jury or otherwise consider a “nominative fair use” defense to WasteCare’s cyberpiracy claim;
- (2) Whether the trial court erred in failing to instruct the jury or otherwise consider the “sight sound meaning” test as part of WasteCare’s claim for cyberpiracy;
- (3) Whether the jury unreasonably found that WasteCare’s trademark was distinctive;
- (4) Whether sufficient evidence existed to support the jury’s finding that the Infringing Domain Names were “identical or confusingly similar” to WasteCare’s trademark;
- (5) Whether the district court abused its discretion by awarding WasteCare maximum statutory damages under the Anticybersquatting Consumer Protection Act; and
- (6) Whether the district court abused its discretion in imposing sanctions against Shredderhotline.com, Dan Burda, and Robert Ward.

After carefully considering the law, the record, the parties’ briefs, and oral argument, we find no reversible error.

AFFIRMED.