

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 4 2024

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

Dr. GANIYU AYINLA JAIYEOLA, Ph.D.,
MBA,

Plaintiff - Appellant,

v.

AT&T INC.; T-MOBILE US,
INC.; VERIZON COMMUNICATIONS
INC.; APPLE INC.,

Defendants - Appellees.

No. 23-4027

D.C. No. 5:23-cv-05182-EJD

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Edward J. Davila, District Judge, Presiding

Submitted March 26, 2024**

Before: TASHIMA, SILVERMAN, and KOH, Circuit Judges.

Ganiyu Ayinla Jaiyeola appeals pro se from the district court's order denying his motion for a preliminary injunction in his action alleging Lanham Act

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

and state law claims. We have jurisdiction under 28 U.S.C. § 1292(a)(1). We review for an abuse of discretion. *Am. Trucking Ass'ns, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir. 2009). We affirm.

The district court did not abuse its discretion by denying Jaiyeola's motion for a preliminary injunction because Jaiyeola failed to establish the requirements for such relief. *See id.* (plaintiff seeking preliminary injunction must establish that he is likely to succeed on the merits, he is likely to suffer irreparable harm in the absence of preliminary relief, the balance of equities tips in his favor, and an injunction is in the public interest).

We reject as without merit Jaiyeola's contentions that the district court erred in denying Jaiyeola's request for judicial notice and unduly delayed ruling on Jaiyeola's motion for a preliminary injunction.

AFFIRMED.