

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>4-10-12</u>

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

NIKE, INC. and NIKE USA, INC.,

Plaintiffs,

-against-

REEBOK INTERNATIONAL LTD.,

Defendant.

12 Civ 2275 (PKC) (RLE)

[PROPOSED] FINAL JUDGMENT

Pursuant to the Stipulated Entry of Judgment entered into by the parties,

IT IS HEREBY ORDERED AND ADJUDGED:

1. As used in this Final Judgment, the term "Unauthorized Tebow Product(s)" means any NFL-related jersey or t-shirt product sold or distributed by, manufactured by or for, or in the possession or control of Defendant Reebok International Ltd. ("Reebok" or "Defendant") with the name Tebow affixed to the product after February 28, 2012, and manufactured or sold by or for Reebok under the alleged authority, permission or license of NFL Players Inc. in connection with Reebok's 2010 License Agreement with NFL Players, Inc.

2. "Unauthorized Tebow Product" specifically includes the New York Jets-related apparel with the Tebow name on it that has been, or is being, manufactured by or for Reebok, and that was distributed and sold by or for the benefit of Reebok during March 2012.

3. Reebok, together with its agents, licensees, officers, employees, and its affiliated businesses, and those acting in active concert with them, are restrained from:

(a) Manufacturing, causing to be manufactured, selling, attempting to sell, causing to be sold, donating, permitting any other individual or entity to sell, distribute, promote, market, donate or advertise an Unauthorized Tebow Product;

- (b) Soliciting or accepting orders for any Unauthorized Tebow Product; and
- (c) Causing or authorizing Unauthorized Tebow Product to be shipped or delivered to anyone other than for the destruction or withdrawal of such goods from distribution.

4. Reebok, together with its agents, licensees, officers, employees, and its affiliated businesses, and those acting in active concert with them, are ordered to:

(a) Advise all retailers and distributors carrying Unauthorized Tebow Products that this injunction has issued and inform them that distributing and selling Unauthorized Tebow Products may expose them to liability;

(b) Offer to repurchase all Unauthorized Tebow Products from resellers, vendors and distributors at not less than the price paid for the Unauthorized Tebow Products; and


(c) Recall all Unauthorized Tebow Product currently in distribution channels controlled by Reebok.

5. No costs or attorneys' fees shall be awarded to either party.

6. This Court shall retain jurisdiction of this matter for the purpose of enforcing the terms of this Final Judgment

7. All pending motions are terminated. The case is closed.

ENTERED THIS ^{6th} day of April, 2012.



 JUDGE P. KEVIN CASTEL
 UNITED STATES DISTRICT COURT JUDGE