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**IN THE UNITED STATES DISTRICT COURT**

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**FOR THE DISTRICT OF ARIZONA**

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ICON Health & Fitness, Inc.,

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No. CV-15-1981-PHX-SMM (BSB)

10

Plaintiff,

)

11

v.

)

**ORDER**

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PRO-FORM.COM, internet domain name,

)

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Defendant.

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Pending before the Court is Magistrate Judge Bridget S. Bade’s Report and Recommendation recommending that Plaintiff’s Amended Application for Default Judgment (Doc. 33) be granted and that the Court enter an order directing that the domain name registrar, GoDaddy, LLC (“GoDaddy”) transfer the domain name *pro-form.com*<sup>1</sup> to Plaintiff. (Doc. 33.)

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After considering the Report and Recommendation, the Court will grant Magistrate Judge Bade’s recommendation.

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**STANDARD OF REVIEW**

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The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the service of a copy of the Magistrate’s recommendation within which to file specific written objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to object to a Magistrate Judge’s

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<sup>1</sup>The Court will use italics to designate the use of an internet domain name.

1 recommendation relieves the Court of conducting *de novo* review of the Magistrate Judge’s  
2 factual findings and waives all objections to those factual findings on appeal. See Turner v.  
3 Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a Magistrate Judge’s legal  
4 conclusion “is a factor to be weighed in considering the propriety of finding waiver of an  
5 issue on appeal.” Id.

6 **DISCUSSION**

7 Having reviewed Magistrate Judge Bade’s Report and Recommendation, the Court  
8 hereby approves, incorporates, and adopts the Magistrate Judge’s Report and  
9 Recommendation.

10 **CONCLUSION**

11 Accordingly, for the reasons set forth,

12 **IT IS HEREBY ORDERED** approving, incorporating, and adopting the Report and  
13 Recommendation of Magistrate Judge Bridget S. Bade. (Doc. 34.)

14 **IT IS FURTHER ORDERED** granting Plaintiff’s Amended Application for Default  
15 Judgment against Defendant *pro-form.com*. (Doc. 33.)

16 **IT IS FURTHER ORDERED** that the following requirements are hereby ordered:

17 The Court directs GoDaddy, LLC, the domain name registrar, to transfer the  
18 registration for the Defendant domain name *pro-form.com* to Plaintiff.

19 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to enter judgment  
20 accordingly, and terminate this case.

21 DATED this 20th day of October, 2017.

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