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JS-6

Attorneys for Plaintiff  
The Honest Company, Inc.

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

THE HONEST COMPANY, INC.  
a Delaware corporation,

Plaintiff,

vs.

PLANET OF THE VAPES, LLC  
d/b/a THE CBD PLUG, a  
California limited liability  
company,

Defendant.

CASE NO. 2:17-cv-07536-R-PLA

**FINAL JUDGMENT  
AND PERMANENT INJUNCTION  
AGAINST PLANET OF THE  
VAPES, LLC d/b/a THE CBD PLUG**

1           WHEREAS, Plaintiff The Honest Company, Inc. (“The Honest Co.”) is the  
 2 exclusive and sole owner of the rights in various HONEST marks covering a wide  
 3 range of goods and services such as face and body lotions, skin care preparations,  
 4 vitamins, dietary supplements, and retail services featuring consumer products,  
 5 including United States Trademark Registration Nos. 4,744,028; 4,696,715;  
 6 4,664,222; 4,739,478; 5,291,212; 4,720,844; 4,550,028; 4,739,475; 4,713,234;  
 7 4,550,022; 5,036,713; 4,696,706; 4,964,802; 4,878,813; 4,739,220; 3,817,736;  
 8 3,231,281; 4,844,206; and 4,790,677 (collectively the “HONEST Marks”);

9           WHEREAS, Defendant Planet of the Vapes, LLC d/b/a The CBD Plug  
 10 (“Defendant” or “CBD Plug”) has used names, marks, and logos containing the  
 11 term, “HONEST HERBAL” (collectively, the “HONEST HERBAL Marks”) in  
 12 connection with its marketing and sale of lotions, creams, and supplements  
 13 manufactured by Redmon Company Inc., d/b/a Honest Herbal over the Internet  
 14 through its website, [www.thecbdplug.com](http://www.thecbdplug.com), and its Facebook and Instagram pages;

15           WHEREAS, a dispute has arisen between The Honest Co. and CBD Plug in  
 16 that CBD Plug’s use of the HONEST HERBAL Marks violates The Honest Co.’s  
 17 rights in the HONEST Marks and constitutes, among other things, trademark  
 18 infringement, false advertising, and unfair competition;

19           WHEREAS, on October 13, 2017, The Honest Co. commenced the above-  
 20 captioned action (“Action”) against CBD Plug, asserting federal and California law  
 21 claims for trademark infringement, false advertising, and unfair competition;

22           WHEREAS, CBD Plug has admitted liability and entered into a full and  
 23 final settlement of the Action with The Honest Co., which settlement was  
 24 memorialized in a certain document dated November 7, 2017 (the  
 25 “Agreement”); and

26           WHEREAS, the Agreement provides, in pertinent part, that CBD Plug (a) is  
 27 liable to The Honest Co. for monetary compensation for trademark infringement,  
 28 false advertising, and unfair competition in the amount specified in the Agreement;

1 and (b) consents to the entry of a permanent injunction enjoining any references  
2 and uses of the term HONEST, including, without limitation, the HONEST  
3 HERBAL Marks, in any advertisements or other commercial undertakings.

4 NOW, THEREFORE, it is, ORDERED, ADJUDGED, and DECREED  
5 THAT:

6 1. This Court has jurisdiction over the subject matter of this Action and  
7 over the parties hereto.

8 2. The Honest Co. is the owner of the HONEST Marks, which are valid  
9 and enforceable.

10 3. Defendant engaged in marketing, offering for sale, and selling  
11 products under the HONEST HERBAL Marks.

12 4. Defendant and its officers, members, principals, agents, employees  
13 and all persons and entities in active concert or participation with any of them, are  
14 hereby permanently restrained and enjoined from infringing upon Plaintiff's  
15 HONEST Marks, either directly or indirectly, in any manner, including:

16 a. manufacturing, distributing, circulating, advertising, marketing,  
17 promoting, importing, exporting, displaying, shipping, offering for sale, or selling  
18 lotions, creams, and supplements under or bearing any mark identical and/or  
19 confusingly similar to Plaintiff's HONEST Marks, such infringing marks including  
20 the HONEST HERBAL Marks;

21 b. manufacturing, distributing, circulating, advertising, marketing,  
22 promoting, importing, exporting, displaying, shipping, offering for sale, or selling  
23 lotions, creams, and supplements under or bearing any mark including the term  
24 HONEST;

25 c. registering any of the HONEST HERBAL Marks or any mark  
26 including the term HONEST;

27 d. committing any other acts calculated to cause purchasers to  
28 believe that the products marketed, offered for sale, or sold by Defendant are

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Plaintiff's products or associated with Plaintiff in any way; and

e. assisting, aiding or attempting to assist or aid any other person or entity in performing any of the prohibited activities referred to in Paragraphs 4(a) to 4(d) above.


5. Defendant is liable to The Honest Co. for monetary compensation in the amount specified in the Agreement.

6. Each party shall bear its own costs, expenses, and attorneys' fees associated with this Action.

7. The execution of this Final Judgment shall serve to bind and obligate the parties hereto.

8. The Court shall retain exclusive and continuing jurisdiction over this case for the purpose of making any further orders necessary or proper for the construction or modification of this Final Judgment, the enforcement thereof, and the punishment of any violations thereof. Except as otherwise provided herein, this Action is fully resolved with prejudice as to Defendant.

Dated: December 7, 2017

  
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Honorable Manuel L. Real  
United States District Judge

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CONSENTS

The undersigned parties to this Action consent to entry of this Final Judgment and Permanent Injunction.

The Honest Company, Inc.

Planet of the Vapes, LLC, d/b/a  
The CBD Plug

By: 

By: 

Name: Craig Gatarz

Name: HANSEL DELACRUZ

Title: EVP and General Counsel

Title: OWNER

Date: November 7, 2017

Date: November 7, 2017