

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

**‘O’**

<b>Case No.</b>	2:18-cv-02347-CAS(ASx)	<b>Date</b>	April 13, 2018
<b>Title</b>	MAURICIO PINZON v. GUILERMINA VAZQUEZ ET AL.		

**Present: The Honorable**      CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings:**      (IN CHAMBERS) - PLAINTIFF’S REQUEST FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION (Dkt. 1, filed March 22, 2018)

## I. INTRODUCTION

On March 22, 2018, plaintiff Mauricio Pinzon filed the instant trademark infringement action against defendants Guilmermina Vasquez, Guillermo Noches Lievano, Eric Cario, Aladino Valencia, Raul Mendoza, Elizabeth Maita, Roberto Centeno, Irma Ruiz, and Does 1-10. Dkt. 1 (“Compl.”). Plaintiff alleges that the record label Discos Fuentes registered the band name and trademark “La Sonora Dinamita” with the United States Patent and Trademark Office on September 14, 1993, and subsequently renewed the trademark on July 18, 2016. See Compl. Plaintiff alleges that Discos Fuentes granted plaintiff an exclusive license to this trademark on June 21, 2017, and asserts that defendants are misappropriating the trademark by advertising and holding public performances using the name “La Sonora Dinamita,” thereby deceiving plaintiff’s customers. See id. Plaintiff requests a temporary restraining order and requests the Court to issue an order to show cause as to why defendants should not be preliminarily enjoined from this conduct. Id.

A court may issue a temporary restraining order without notice to the adverse parties or their attorneys only if “(A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; *and* (B) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.” Fed. R. Civ. P. 65(b)(1) (emphasis added).

Plaintiff has not provided proof of service in connection with his verified complaint, indicating that defendants do not have actual notice of this lawsuit.

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Accordingly, insofar as plaintiff requests the Court to issue a temporary restraining order, the Court **DENIES** this request. Once plaintiff files proof of service with respect to all defendants, the Court at that time may consider a noticed motion for a preliminary injunction filed pursuant to Local Rule 65–1.

Additionally, the Court **DENIES** plaintiff’s request for an order to show cause as to why defendants should not be enjoined from their use of “La Sonora Dinamita.”

IT IS SO ORDERED.

Initials of Preparer 00 : 00  
CMJ