



1 On January 23, 2015, the jury returned a special verdict with the following findings:

2  
3 1. Was there federal trademark infringement by the defendants, Rox Volleyball  
4 and 1st Place Team Sales, on one of the claims brought by plaintiffs?

5 YES X NO \_\_\_

6  
7 \*\*\*\*\*

8  
9 2. Did defendants intentionally infringe?

10 YES X NO \_\_\_

11  
12 3. Did defendants engage in federal trademark dilution?

13 YES X NO \_\_\_

14  
15 \*\*\*\*\*

16  
17 4. Did defendants willfully cause a likelihood of dilution of the ROXY®  
18 trademark?

19 YES X NO \_\_\_

20  
21 \*\*\*\*\*

22  
23 5. What amount of actual damages, if any, do you find that plaintiffs suffered as  
24 a result of wrongful conduct of defendants?

25 \$42,376



1 b. But Defendants are permitted to use



2  
3  
4 without the word “volleyball” in one limited instance. Defendants can use  
5 their design logo coupled with the word “rox” on team volleyball apparel  
6 where (A) governing rules limit the size of any logo or brand on such apparel  
7 and (B) including “volleyball” in equal size font to “rox” is impossible.  
8

9 c. Defendants are permitted, for a period of six months after this Order is issued,  
10 to sell and distribute their existing inventory of infringing products. During the  
11 one year period, Defendants may only sell and distribute the infringing  
12 products through their current channels of distribution.  
13

14 d. Within 60 days of the issuance of this Order, Defendants are further  
15 ORDERED to file with the Court and serve on Plaintiffs a writing under oath  
16 setting forth with specifics how they are complying with the injunction. At the  
17 end of the six month phase out period, Defendants must destroy any  
18 remaining infringing products and file with the Court a writing under oath (1)  
19 specifying the product styles and quantities of each product style destroyed  
20 and (2) declaring that no infringing products remain in Defendants’ inventory.  
21

22  
23 IT IS SO ORDERED

A handwritten signature in black ink, appearing to read 'Andrew J. Guilford', written over a horizontal line.

24  
25 Dated: July 23, 2015

26 Hon. Andrew J. Guilford  
27 United States District Judge  
28