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JS-6

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

<p>MONSTER ENERGY COMPANY, a Delaware corporation, and REIGN BEVERAGE COMPANY, LLC, a Delaware limited liability company, Plaintiffs,</p> <p>v.</p> <p>ALPINE FALLS MARKETING LLC, a California limited liability company, AGAPE LIVING WATER, LLC, a California limited liability company, PURITAS BEVERAGES, LLC, an Illinois limited liability company, and GERRY PATTERSON, an individual, Defendants.</p>	<p>AGAPE LIVING WATER, LLC, a California limited liability company, Counterclaimant,</p> <p>v.</p> <p>MONSTER ENERGY COMPANY, a Delaware corporation, and REIGN BEVERAGE COMPANY, LLC, a Delaware limited liability company, Counterdefendants.</p>
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Case No.: 8:20-cv-00602 JFW (JPRx)

**FINAL JUDGMENT AND  
PERMANENT INJUNCTION [29]**

1 Pursuant to a Stipulation for Entry of Judgment and Permanent Injunction  
2 filed by Plaintiffs Monster Energy Company and Reign Beverage Company, LLC  
3 (collectively “Plaintiffs”) and Defendants Agape Living Water, LLC, Alpine  
4 Falls Marketing LLC, Puritas Beverages, LLC, and Gerry Patterson (collectively  
5 “Defendants”),

6 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS**  
7 **FOLLOWS:**

8 1. The Court has personal jurisdiction over each of the parties to this  
9 action. The Court also has subject matter jurisdiction over this action pursuant to  
10 15 U.S.C. §§ 1116 and 1121 and 28 U.S.C. §§ 1331, 1338, 1367(a). Venue is  
11 proper in this Judicial District pursuant to 28 U.S.C. § 1391(b) and (c).

12 2. Monster Energy Company (“Monster”) is a corporation organized  
13 and existing under the laws of the State of Delaware, having a principal place of  
14 business at 1 Monster Way, Corona, California 92789.

15 3. Reign Beverage Company, LLC (“Reign”) is a limited liability  
16 company organized and existing under the laws of the State of Delaware, having  
17 an address of 1547 N. Knowles Avenue, Los Angeles, California 90063. Reign  
18 is a wholly owned subsidiary of Monster.

19 4. Alpine Falls Marketing LLC (“Alpine Falls”) is a limited liability  
20 company organized and existing under the laws of the State of California, having  
21 an address of P.O. Box 255, Yorba Linda, California 92885.

22 5. Agape Living Water, LLC (“Agape”) is a limited liability company  
23 organized and existing under the laws the State of California, having a principal  
24 place of business at 8376 Thoroughbred Street, Alta Loma, California 91701.

25 6. Puritas Beverages, LLC (“Puritas”) is a limited liability company  
26 organized and existing under the laws of the State of Illinois, having an address  
27 at 417 South Associated Road, Suite 309, Brea, California 92821.

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1           7.       Gerry Patterson (“Patterson”) is an individual having an address of  
2 420 S Chatham Cir., Apt. N, Anaheim, CA 92806.

3           8.       Plaintiffs produce and sell a line of energy drinks bearing the REIGN  
4 trademark, and use various REIGN-inclusive marks in connection with their  
5 REIGN beverages, including, but not limited to, REIGN, REIGN FUEL®,

6  
7 REIGN TOTAL BODY FUEL, REIGN INFERNO,  ,  ,  , and  
8  (collectively, “Plaintiffs’ REIGN Marks”).

9           9.       Reign is the owner of U.S. Trademark Registration No. 6,003,554  
10 (“the ’554 Registration”) for the mark REIGN FUEL® for use in connection with  
11 “energy drinks; soft drinks,” which was filed on October 30, 2018, and registered  
12 on March 3, 2020.

13           10.       Defendants make, sell, and/or distribute bottled water under the  
14 mark REIGN.

15           11.       Defendants are not now, nor have they ever been, associated,  
16 affiliated, or connected with Plaintiffs. Plaintiffs did not authorize Defendants to  
17 use any REIGN mark.

18           12.       On March 26, 2020, Plaintiffs filed a Complaint against Defendants  
19 for: (i) trademark infringement under 15 U.S.C. § 1114; (ii) trademark  
20 infringement and false designation of origin under 15 U.S.C. § 1125(a); (iii)  
21 California common-law unfair competition; and (iv) unfair competition arising  
22 under California Business & Professions Code § 17200 *et seq.* Plaintiffs assert  
23 that Defendants are infringing Plaintiffs’ rights in Plaintiffs’ REIGN Marks by  
24 marketing and selling beverages using the mark REIGN.

25           13.       Defendants acknowledge that Plaintiffs have priority with respect to  
26 Plaintiffs’ REIGN Marks over any use by Defendants of any REIGN mark.

1 14. Defendants acknowledge that they have no trademark rights or other  
2 rights to the REIGN mark or any other REIGN-containing mark.

3 15. Defendants acknowledge that Plaintiffs' REIGN Marks, including  
4 Reign's '554 Registration, are valid and enforceable.

5 16. Defendants acknowledge that their use of the mark REIGN in  
6 connection with marketing, offering for sale, and selling Defendants' beverages  
7 is likely to cause confusion with Plaintiffs' REIGN Marks and therefore  
8 constitutes trademark infringement, false designation of origin, and unfair  
9 competition.

10 **NOW, THEREFORE, IT IS FURTHER HEREBY ORDERED,**  
11 **ADJUDGED, AND DECREED AS FOLLOWS:**

12 A. Final judgment is entered in favor of Plaintiffs and against  
13 Defendants on Plaintiffs' claims for: (i) trademark infringement under 15 U.S.C.  
14 § 1114; (ii) trademark infringement and false designation of origin under 15  
15 U.S.C. § 1125(a); (iii) California common-law unfair competition; and (iv) unfair  
16 competition arising under California Business & Professions Code § 17200 *et seq.*

17 B. Final Judgment is entered against Agape and in favor of Plaintiffs on  
18 Agape's counterclaims for: (i) trademark infringement and false designation of  
19 origin under 15 U.S.C. § 1125(a); (ii) unfair competition arising under California  
20 Business & Professions Code § 17200 *et seq.*; and (iii) declaratory relief.

21 C. Defendants, their agents, servants, employees, attorneys, successors,  
22 and assigns, and all other persons in active concert or participation with  
23 Defendants who receive actual notice of this injunction by personal service or  
24 otherwise, are forthwith permanently enjoined from:

- 25 i. using the REIGN mark and any other marks that are confusingly  
26 similar to Plaintiffs' REIGN Marks in connection with the  
27 advertising, promotion, manufacture, distribution, or sale of  
28 Defendants' goods, including, but not limited to, on Defendants'

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beverage products, or in any manner that is likely to create the impression that Defendants' goods originate from Plaintiffs, are endorsed by Plaintiffs, are sponsored by Plaintiffs, or are connected in any way with Plaintiffs;

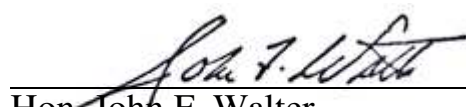
- ii. filing any applications for registration of any mark containing the mark REIGN or any mark that is confusingly similar to Plaintiffs' REIGN Marks;
- iii. otherwise infringing any of Plaintiffs' REIGN Marks, or any of Plaintiffs' other trademarks that include the term REIGN;
- iv. falsely designating the origin of Defendants' products as originating from Plaintiffs;
- v. unfairly competing with Plaintiffs in any manner whatsoever; and
- vi. causing a likelihood of confusion or injury to Plaintiffs' business reputation;

D. The parties shall be subject to the jurisdiction of this Court in connection with any dispute relating to enforcing the terms of this Final Judgment and Permanent Injunction.

E. Each party shall bear its own attorneys' fees and costs.

**IT IS SO ORDERED.**

Dated: December 10, 2020

  
\_\_\_\_\_  
Hon. John F. Walter  
United States District Judge