

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

MINI MELTS USA, Inc.
245 Asylum Street
Norwich, CT 06360

Plaintiff and Cross-Defendant

MINI MELTS, Inc.
245 Asylum Street
Norwich, CT 06360

Plaintiff, Counter-Defendant
and Cross-Claimant

v.

KENDALL WREN
d/b/a COLORADO CONCESSIONS, LLC
1008 Lochmore Place
Ft. Collins, CO 80524

Defendant and Counter-Plaintiff.

11 CV 03213 CBS

PERMANENT INJUNCTION ORDER ON STIPULATED MOTION OF THE PARTIES

THIS MATTER, having come before the Court on the Stipulated Motion of the parties and the Court, having reviewed the file and having otherwise been advised in the premises, does hereby order and grant the following permanent injunction:

1. Plaintiffs Mini Melts USA, Inc. (Mini Melts USA) and Mini Melts, Inc. (Mini Melts) sued Defendant Kendall Wren d/b/a Colorado Concessions, LLC (Wren) for trademark infringement. The Court finds that any use by Wren of the trademark MINI MELTS® in connection with ice cream products likely constitutes trademark infringement and would constitute irreparable harm to Mini Melts USA and Mini Melts. The Court

further finds that the balance of the equities favors issuing an injunction, and that the public interest favors issuing an injunction.

2. IT IS THEREFORE ORDERED AND ADJUDGED that Defendant Kendall Wren, d/b/a Colorado Concessions, LLC, as well as his officers, agents, servants, employees, and attorneys, and all persons in active concert and participation with them who receive notice of this injunction, are restrained from:

(a) infringing the registered trademark MINI MELTS[®], in any manner, including, but not limited to manufacturing, importing, distributing, advertising, promoting, selling, offering for sale, and/or facilitating the sale of any product by using the MINI MELTS[®] trademark or any mark confusingly similar to the MINI MELTS[®] trademark;

(b) creating, operating, hosting, or otherwise affiliating themselves with any Internet website that uses the MINI MELTS[®] trademark or any mark confusingly similar to the MINI MELTS[®] trademark.

DATED this 25th day of October, 2012.

s/Craig B. Shaffer

Craig B. Shaffer
United States Magistrate Judge