

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

ABBEY CARPET CO., INC.,

Plaintiff,

v.

Case No: 5:18-cv-109-Oc-30PRL

ABBEY FLOORING, LLC,

Defendant.

ORDER

THIS CAUSE came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Philip R. Lammens (Doc. 30). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has elapsed.

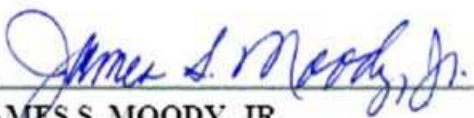
After careful consideration of the Report and Recommendation of the Magistrate Judge in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

ACCORDINGLY, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Doc. 30) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. Plaintiff's Motion for Preliminary Injunction (Doc. 2) is GRANTED.

3. Defendant Abbey Flooring, LLC is preliminarily enjoined from the following:
 - a. Using the mark ABBEY FLOORING, ABBEY CARPET & FLOOR, and ABBEY CARPET and other marks that include the word “Abbey” in connection with Defendant’s services;
 - b. Using advertising that suggests endorsement by Plaintiff of Defendant’s services; and
 - c. Using the domain name www.abbeyflooringllc.com or any other domain name that includes the word “Abbey.”
4. Defendant shall forfeit the www.abbeyflooringllc.com domain name, and cease and desist from using any domain name that includes the ABBEY FLOORING or ABBEY CARPET & FLOOR, ABBEY CARPET, or other Abbey marks; and
5. Within thirty (30) days from the date of this Order, Defendant shall file with this Court and serve upon Plaintiff, a report, in writing, and under oath, setting forth the manner and form in which Defendant has complied with the injunction.

DONE and ORDERED in Tampa, Florida, this 30th day of April, 2018.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies Furnished To:
Counsel/Parties of Record