

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

**CONAIR CORPORATION and
BABYLISS FACO SPRL,**

Plaintiffs,

v.

Case No: 6:14-cv-920-Orl-41TBS

K&A BEAUTY, LLC,

Defendant.

ORDER and INJUNCTION

THIS CAUSE is before the Court on Plaintiffs' Motion for Default Final Judgment on Liability and Permanent Injunction (Doc. 19) filed on July 21, 2014. On July 24, 2014, United States Magistrate Judge Thomas B. Smith submitted a report recommending that the requested relief be granted as modified by the Report and Recommendation. (Doc. 20).

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 20) is **ADOPTED** and **CONFIRMED** and made part of this Order.
2. Plaintiffs' Motion (Doc. 19) is **GRANTED**. Plaintiffs have established the liability of the Defendant and entitlement to a permanent injunction.
3. Defendant K&A Beauty, LLC, its officers, agents, servants, employees, and attorneys, and anyone in active concert or participation with Defendant or its officers,

agents, servants, employees, and attorneys are **hereby permanently restrained, enjoined, and prohibited from:**

a. Making, using, selling, offering for sale, and importing into the United States the ArganWoman ArganCurl product and any product not colorably different from the ArganCurl that practices any of the claims of the following U.S. Patents:

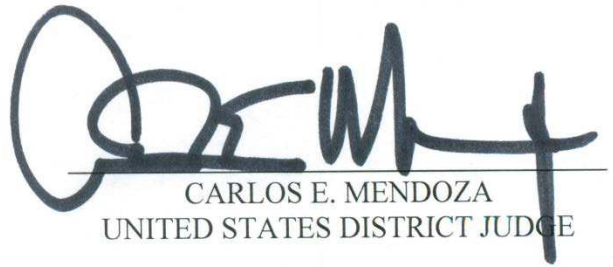
- i. No. 8,607,804, Hair Styling Aid;
- ii. No. 8,651,118, Hair Styling Device;
- iii. No. 8,733,374, Hair Styling Device; and
- iv. No. D696,456, Hair Styling Apparatus; and

b. Selling, offering for sale, marketing, or advertising within the United States the ArganWoman ArganCurl product and any colorable imitation of the ArganCurl that infringes on the trade dress of Plaintiffs' Miracurl and Curl Secret products.

4. Plaintiffs are granted leave to take discovery on the issue of damages. As Defendant has not appeared in this action, Plaintiffs may obtain discovery from them using only the devices available to obtain discovery from non-parties.

5. A hearing on the issue of damages is set for **Tuesday, November 4, 2014, at 9:00 a.m.** in Courtroom 5B.

DONE and ORDERED in Orlando, Florida on September 2, 2014.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties