

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

ONE HOUR AIR CONDITIONING
FRANCHISING, LLC, a Florida limited
liability company,

Plaintiff,

vs.

CASE NO. 8:14-cv-1908-EAK-EAJ

SOUTHLAND AIR CONDITIONING
AND HEATING, INC. a California corporation,
MICHAEL G. LOMBARDI, individually, and
BRIAN V. LOMBARDI, individually,

Defendants.

CONSENT JUDGMENT AND PERMANENT INJUNCTION
AGREED TO BY THE PARTIES

Upon consideration of the Joint Motion for the Entry of a Consent Judgment, the papers submitted with that Motion, and Good Cause being shown, IT IS HEREBY ORDERED:

1. The clerk shall enter a JUDGMENT against Defendants Southland Air Conditioning and Heating, Inc., Michael G. Lombardi, and Brian V. Lombardi (collectively, "Defendants") in connection with each of the claims and counterclaims pleaded in this Action, thereby closing this Action.

2. No damages will be awarded and Plaintiff and Defendants will each bear its own costs and attorneys' fees incurred in connection with this Action. This provision is not meant to contradict anything the parties have agreed upon in any Settlement Agreement.

3. This Consent Judgment and Permanent Injunction applies to Defendants and

to all of Defendants' owners, shareholders, parents, subsidiaries, employees, affiliates, successors and assigns.

4. This Consent Judgment and Permanent Injunction serves to permanently stop and enjoin, within thirty (30) days of entry of this Consent Judgment and Permanent Injunction, all use by the Defendants of a clock or watch face in connection with Defendants' business, name, and logo. Such prohibited use includes, but is not limited to, the use of signage, advertisements, flyers, promotional materials, written statements, business cards, and letterhead as well as any uses on the Internet or on Defendants' service trucks.

5. Defendants will remove permanently from the Internet, including from any website or Facebook page that Defendants own, operate and/or control, all uses of a clock or watch face in connection with Defendants' business, name, and logo, and are permanently enjoined from any such use on the Internet in the future, including, without limitation, on or related to any additional websites owned, operated or controlled by Defendants. Internet use includes, but is not limited to, web pages, online videos, Facebook pages, YouTube pages, other social media, and any other online information that Defendants may operate and/or control now or in the future.

6. Defendants will act expeditiously to remove permanently and destroy all signage, advertisements, promotions, statements and any other information that it owns, operates and/or controls in any other media using a clock or watch face in connection with Defendants' business, name, and logo. Defendants are permanently enjoined from any use of these materials in the future.

7. Defendants are permanently enjoined from any new uses of a clock or watch face in connection with Defendants' business, name, and logo to identify any business, product or service. Such uses include, but are not limited to, signage, advertisements, flyers, promotional materials, written statements, business cards, and letterhead as well as uses on the Internet or on Defendants' service trucks.

8. If Defendants violate any of the terms of this Consent Judgment and Permanent Injunction, such actions will constitute all of the following: federal trademark infringement, common law trademark infringement, and unfair competition. If such a violation occurs, any court of competent jurisdiction may immediately schedule a hearing to determine damages.

9. If Plaintiff is forced to bring any future lawsuit against Defendants as a result of any violation of this Consent Judgment and Permanent Injunction, then Defendants will pay for Plaintiff's attorneys' fees for such enforcement if such enforcement is successful.

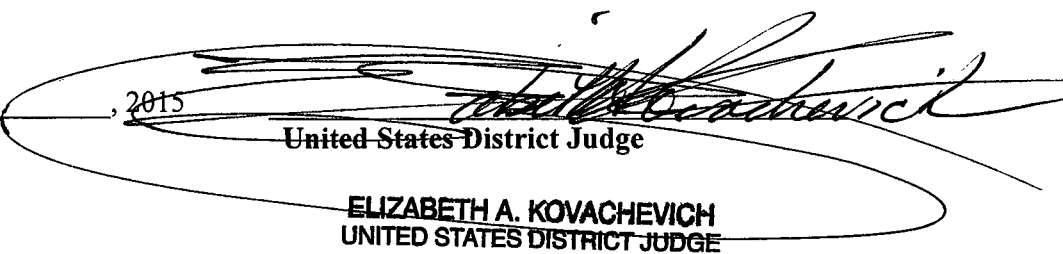
10. The clerk of Court shall close this case.



SO ORDERED.

SIGNED July 10th

, 2015



United States District Judge

ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE