

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SALUD NATURAL ENTREPRENEUR,
INC.,

Plaintiff,

v.

NUTRICENTRO INTERNACIONAL, INC.,
et al.,

Defendants.

No. 09 C 4417
Judge James B. Zagel

MEMORANDUM OPINION AND ORDER

Plaintiff filed a motion to voluntarily dismiss subject to terms and conditions on 6/5/2012. After a hearing, I took Plaintiff's Motion to voluntarily dismiss under advisement on 6/12/2012. I then granted the motion in part on 7/3/2012 and dismissed Carlos Vasquez from the case in his personal capacity.

In light of the present circumstances, I am now granting the rest of Plaintiff's motion for voluntary dismissal subject to the terms and conditions contained therein and dismissing this case. The terms are as follows:

(1) Defendant Azteca Productos, Inc., its officers, representatives, directors, agents, affiliates, employees, and any and all persons or entities in active concert with them are permanently enjoined from using the marks NUTRILINA, and/or PINALINA, or any other symbol/mark/trademark confusingly or deceptively similar to Plaintiff's trademark NOPALINA® in connection with the manufacturing, promotion, advertising, sale, offer for sale, of any product, or association with the solicitation, conduct and/or expansion of Defendant's business, or any herbal supplement product, or otherwise competing unfairly with Plaintiff;

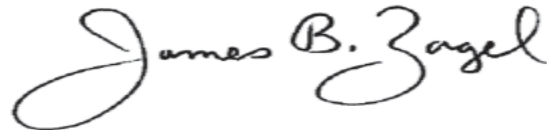
(2) Defendant Azteca Productos, Inc., its officers, representatives, directors, agents, affiliates, employees, and any and all persons or entities in active concert with them are permanently enjoined from

using the trademark NOPALINA® in any manner, as a keyword, keyword tag, meta tag, metadata, or in any sponsored or non-sponsored link, and in any manner over the web or in any other media;

(3) Defendant Azteca Productos, Inc., its officers, representatives, directors, agents, affiliates, employees, and any and all persons or entities in active concert with them are permanently enjoined from selling or otherwise transferring any ownership of other rights in the marks NUTRILINA and/or PINALINA, including any rights in any domain names containing NUTRILINA and/or PINALINA, and Azteca Productos; and

(4) The court shall retain jurisdiction of this action to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this order.

ENTER:

A handwritten signature in black ink that reads "James B. Zagel". The signature is written in a cursive, flowing style with a large initial "J" and "Z".

James B. Zagel
United States District Judge

DATE: October 27, 2015