

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BEST WESTERN INTERNATIONAL, INC.,)
)
 Plaintiff,)
)
 v.)
)
 SUMAN M. PATEL,)
)
 Defendant.)

No. 08-CV-232-WDS

ORDER

STIEHL, District Judge:

Before the Court is plaintiff’s Motion for Temporary Restraining Order (Doc. 3), to which the defendant has filed a response (Doc. 32). The Court having considered the evidence and being fully advised in the premises, **FINDS** as follows:

1. Plaintiff has shown that it is reasonably likely to prevail on the merits in this action;
2. Plaintiff has shown that it is experiencing irreparable harm, and the granting of a restraining order will not substantially harm defendant;
3. Plaintiff has no adequate remedy at law; and
4. Issuance of this Temporary Restraining Order will not harm the public interest.
5. Plaintiff and defendant agree that no bond shall be necessary with respect to this Order.

Accordingly, defendant Suman M. Patel, his agents, servants and employees are hereby temporarily restrained and enjoined from:

- A) Using, displaying or advertising or authorizing or licensing any other person to use, display or advertise plaintiff’s “Best Western” trademarks or service marks on or in connection with motel/hotel goods and services.

- B) Using, displaying or advertising or authorizing or licensing any other person to use, display or advertise plaintiff's "Best Western" trademarks or service marks or any simulation, reproduction, counterfeit, copy or colorable imitation thereof in any manner likely to cause confusion, mistake or deception as to the identity or source thereof.
- C) Committing any acts calculated to cause others to believe that defendant is, in any way, connected to or associated with or sponsored by plaintiff.
- D) Otherwise engaging in any other activity or conduct using plaintiff's "Best Western" trademarks or service marks or any simulation, reproduction, counterfeit, copy or colorable imitation thereof in any manner likely to cause others to falsely believe that defendant is in any way connected to, associated with, or sponsored by plaintiff.
- E) Defendant shall cause all signs bearing the name or Marks of Best Western International, Inc., to be completely covered so as to preclude any Best Western Marks from being visible, during daylight or at night, to the general public.
- F) No bond shall be required with respect to this Order.

This Order shall remain in full force and effect until further order of this Court; not to exceed ten (10) days from the date of this Order.

IT IS SO ORDERED.

DATED: March 13, 2009

s/ WILLIAM D. STIEHL
District Judge