

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CASE NO. 5:07-CV-347-D

_____)
LULU ENTERPRISES, INC.,)
)
Plaintiff,)
)
v.)
)
N-F NEWSITE, LLC,)
)
and)
)
HULU TECH, INC.,)
)
Defendants.)
_____)

ORDER

Upon motion by Plaintiff Lulu Enterprises, Inc. (“Lulu”) for a temporary restraining order made pursuant to Rule 65 of the Federal Rules of Civil Procedure and for good cause shown, Plaintiff’s Motion for Temporary Restraining Order is hereby GRANTED, and this Court will hear argument on Plaintiff’s Motion for Preliminary Injunction on _____.

NOW, THEREFORE, IT IS ORDERED that Defendants N-F NewSite, LLC and Hulu Tech, Inc., be and hereby are ENJOINED from using HULU, HULU.COM, or any trademark, service mark, corporate name, trade name, fictitious name, dba name, logo, domain name, or other indicia of origin that incorporates, or that is confusingly similar to, Lulu’s LULU marks in connection with the launch of any "Private Beta," any other

offering of goods or services, or otherwise; ENJOINED to expressly abandon the pending application to register HULU with the USPTO; ENJOINED from attempting to register, with the USPTO or any other office or body, HULU, HULU.COM, or any trademark, service mark, name, logo, or other indicia of origin that incorporates, or that is confusingly similar to, Lulu's LULU marks; ENJOINED to withdraw or modify any incorporations, registrations, or other filings so that they are not identified under the names HULU, HULU.COM, or any other names that incorporate, or that are confusingly similar to, Lulu's LULU marks; ENJOINED from using the HULU.COM domain name or any other domain names that incorporate, or that are confusingly similar to, the LULU marks; and ENJOINED from otherwise competing unfairly with Lulu or deceiving consumers or others by (i) trading upon Lulu's goodwill and business reputation, (ii) misappropriating Lulu's rights in the LULU marks, or (iii) stating or suggesting that they or their operations or services are related to or connected with Lulu or Lulu's operations and services.

This the _____ day of _____, 2007.

Hon. James C. Dever III
United States District Judge
Eastern District of North Carolina

CERTIFICATE OF SERVICE

The undersigned attorney for Plaintiff hereby certifies that on this day the foregoing Proposed Order was served upon the parties of record in this action through electronic means by virtue of CM/ECF as follows:

Hayden J. Silver, III
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Betsy Cooke
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Kilpatrick Stockton LLP

This the 13th day of September, 2007.

/s/ Thomas H. Segars

Thomas H. Segars