

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

LATE FOR THE SKY PRODUCTIONS CO., INC.,	:	CASE No. 1:14-CV-386
	:	
	:	
PLAINTIFF,	:	[SENIOR JUDGE SANDRA S. BECKWITH]
	:	
v.	:	[MAGISTRATE JUDGE BOWMAN]
	:	
MASTERPIECES PUZZLE CO.,	:	
	:	
DEFENDANT.	:	

CONSENT JUDGMENT

WHEREAS, Plaintiff, Late for the Sky Productions Co., Inc., (“Plaintiff”) filed its complaint on May 12, 2014, against Defendant Masterpieces Puzzle Co. (“Defendant”) alleging trademark infringement and unfair competition under The Lanham Act, 15 U.S.C. § 1051, *et seq.*, as well as the state and common law of Ohio, arising from Defendant’s use of the trademark JOHN DEERE FARM-OPOLY in connection with the sale of board games;

WHEREAS, the parties have agreed to resolve their claims without the need for further litigation;

WHEREAS, Defendant consents to entry of this Consent Judgment without trial or adjudication of any issue of fact or law and waives any right to appeal this judgment;

WHEREAS, Defendant, by entering into this Consent Judgment, does not admit any allegations other than those facts of the Complaint deemed necessary to the jurisdiction of this Court;

WHEREAS, the intention of Plaintiff in effecting this settlement is to remediate harms allegedly resulting from the alleged unlawful conduct of the Defendant;

NOW THEREFORE, without trial or adjudication of issues of fact or law, and upon consent of Defendant, the Court finds that there is good and sufficient cause to enter this Consent Judgment, and that it is therefore ORDERED, ADJUDGED, AND DECREED:

1. Defendant Masterpieces Puzzle Co. and its agents, employees, and affiliates are hereby restrained and enjoined directly or indirectly from using the FARM-OPOLY Mark in connection with the sale of board games except that Defendant may sell its remaining inventory of John Deere Farm-opoly games (less than 1,075 games) to only John Deere Dealer Stores located outside North America, the United Kingdom, and European Union countries.

2. Defendant Masterpieces Puzzle Co. is further enjoined from using or disclosing any confidential business information that Plaintiff disclosed to Masterpieces and its attorneys with a designation of "Confidential" or "Highly Confidential – Attorneys' Eyes Only" pursuant to Protective Order (Dkt. #15) during discovery in the Action.

3. The Court shall retain jurisdiction to enforce this consent injunction as well as the confidential settlement agreement entered separately between the parties.

SO ORDERED this 13th day of April, 2015

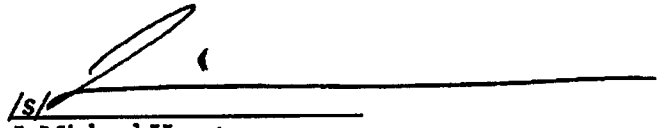

SANDRA S. BECKWITH
UNITED STATES DISTRICT JUDGE

AGREED:



Charles H. Brown, III
Sean K. Owens
Wood Herron & Evans LLP
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
T: (513)-241-2324
F: (513)-241-6234
E: cbrown@whe-law.com
E: sowens@whe-law.com

Attorneys for Plaintiff
Late for the Sky Productions, Co., Inc.



J. Michael Hurst
Thomas F. Hankinson
Keating Muething & Klekamp PLL
One East Fourth Street, Suite 1400
Cincinnati, Ohio 45202
T: (513) 579-6400
F: (513) 579-6457
E: mhurst@kmklaw.com
E: thankinson@kmklaw.com

Attorneys for Defendant Masterpieces
Puzzle Co.