

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

THE OHIO STATE UNIVERSITY,

Plaintiff,

v.

Case No. 2:13-cv-400

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

EDWIN R. JAMES SR.

d/b/a OHIO STATE AUTO SALES,

Defendant.

ORDER

This matter is before the Court for consideration of Plaintiff's motion for default judgment. (ECF No. 14.) Previously, the Clerk filed an entry of default against Defendant on August 7, 2013. (ECF No. 13.) The Court **GRANTS** the motion and enters the requested default judgment against Defendant for the costs of this action. Because the conceded facts set forth in the pleading indicate that this is an exceptional case under 15 U.S.C. § 1117(a), this Court also awards Plaintiffs its reasonable attorneys' fees in an amount to be determined.

The Court enters a permanent injunction against Defendant and its agents, servants, employees, successors, representatives, and assigns, and all others in concert and privity with Defendant from infringing, or falsely designating the origin of the Ohio State Trademarks, from commercially using the Ohio State Trademarks in commerce in any way, and from injuring Ohio State's reputation. Additionally, Defendant and its agents, servants, employees, successors, and assigns, and all others in active concert and participation with Defendant are permanently restrained from using, registering, selling, transferring, or assigning any name that contains the Ohio State Trademarks. This permanent injunction also enjoins Defendant from using any of

Ohio State's Ohio State Trademarks, names, or marks or from otherwise engaging in acts or conduct that would cause confusion as to the source, sponsorship, or affiliation of Ohio State with Defendant.

The costs and attorneys' fees matters are scheduled for a non-oral hearing on November 1, 2013.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE