## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

SHONEY'S NORTH AMERICA CORP.,	)
a Georgia Corporation,	)
	)
Plaintiff,	)
	) Civil No. 3:10-0894
V.	) Judge Trauger
	)
GOLDMINE HOSPITALITY, LLC, a Florida	)
Limited Liability Company, SOUTHERN	)
HOSPITALITY SERVICES, LLC, a Florida	)
Limited Liability Company,	)
DIPANKAR BEN BANERJEE, a Florida resident,	)
and MOUSHUMI BANERJEE,	)
	)
Defendants.	)

## **PERMANENT INJUNCTION**

It is HEREBY ORDERED that Defendants and their subsidiaries, affiliates, officers,

agents, employees and those persons in active concert or participation with them are permanently

enjoined:

- (i) from using Shoney's trademarks or service marks, including the
  SHONEY'S trademarks and service marks, or any variant thereof which is
  colorable imitation of or otherwise likely to be mistaken for or confused
  with or dilute the distinctiveness of Shoney's trademarks and service
  marks;
- (ii) from maintaining any signs, menus, fixtures, furniture, furnishings or other materials that display or contain the SHONEY'S Marks, or any colorable imitation thereof, and from maintaining any aspects of interior

and exterior décor of the Nachitoches Restaurant and Bossier City Restaurant that identify or relate to Shoney's trade dress or a Shoney's restaurant;

- (iii) from representing the Nachitoches Restaurant and Bossier City Restaurant operated by Defendants as being in any way associated with Shoney's or its franchise system; and
- (iv) requiring Defendants to file with the Court, within fifteen (15) days of entry of this Order, a signed and notarized report showing Defendants' compliance with the Court's injunction, including color pictures depicting Defendants' de-identification of the Nachitoches Restaurant and Bossier City Restaurant.

## It is so **ORDERED**.

ENTER this 20th day of January 2011.

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ALETA A. TRAUCÉR U.S. District Judge