

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DEES NUTS LLC,
a Florida limited liability company,

Plaintiff,

v.

Case No. 3:23-cv-01006-MMH-JBT

FEASTABLES INC.,
a Delaware corporation,

Defendant.

**FINAL ORDER GRANTING PERMANENT INJUNCTION
AGAINST FEASTABLES INC.**

THIS CAUSE is before the Court on the Joint Motion for Entry of Stipulated Judgment Granting Permanent Injunction Against Defendant Feastables, Inc. (Doc. 36), filed on November 17, 2023, as modified by the Notice of Withdrawal of Request to Retain Jurisdiction to Enforce Settlement Agreement and Submission of Proposed Final Order (Doc. 38), filed on December 5, 2023 (collectively, “Modified Joint Motion”). Accordingly, after a review of the Modified Joint Motion, the Court finds:

1. On August 25, 2023, Plaintiff filed a Verified Complaint seeking a permanent injunction, inter alia, against Defendant, Feastables, Inc. (“Feastables”) for committing trademark infringement under the Lanham Act ([15 U.S.C. § 1114](#)), unfair competition under the Lanham Act, Florida common law

trademark infringement, Florida common law unfair competition, and deceptive and unfair trade practices under the Florida Deceptive and Unfair Trade Practices Act (§§ 501.201 et seq., Florida Statutes). ([Doc. 1](#))

2. As set forth in the parties' Modified Joint Motion, Plaintiff and Defendant have agreed to the entry of this Final Order Granting Permanent Injunction Against Feastables Inc.


IT IS HEREBY ORDERED AND ADJUDGED:

1. Plaintiff has maintained the presumption of validity of its federally registered trademark for DEE'S NUTS (TM. Reg. No. 4215028), which identifies "processed nuts" under International Class 029 and shall continue to enjoy the exclusive rights provided therein.

2. As such, the Court DIRECTS, that upon receiving actual notice of this Order by personal service or otherwise, Defendant, its respective members, officers, directors, agents, employees, affiliates, divisions, and subsidiaries, be permanently enjoined from manufacturing, or causing to be manufactured, purchasing, importing, exporting, advertising, marketing, distributing, offering for sale, selling or commercially exploiting in any manner, snack foods bearing the Dee's Nuts Mark, and/or reproductions, counterfeits, copies or colorable imitations thereof, including but not limited to, the DEEZ NUTZ mark.

IT IS FURTHER ORDERED that, for a period of 18 months, this Court shall retain jurisdiction over this action for purposes of implementing and enforcing the permanent injunction.

DONE AND ORDERED in Jacksonville, Florida on December 6, 2023.


MARCIA MORALES HOWARD
United States District Judge