

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court _____ for the Central District of California _____ on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. SACV21-0402-JVS	DATE FILED 03/03/2021	U.S. DISTRICT COURT for the Central District of California
PLAINTIFF BOILING CRAB FRANCHISE CO., LLC,		DEFENDANT CAJUN BOILING CRAB INC., CAJUN BOILING CRAB CO., and ANTWAN ALLAM ALEXANDER CHENEVERT (A/K/A/ ALEXANDER CHENEVERT)
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		See attachment
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT <i>Final Judgment and Permanent Injunction filed 08/06/2021. MDJS-6, Case Terminated.</i>

CLERK <i>Kiry K. Gray</i>	(BY) DEPUTY CLERK <i>Evelyn Synagogue</i>	DATE <i>8/06/2021</i>
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**REPORT ON THE FILING OR DETERMINATION OF AN
ACTION REGARDING A PATENT OR TRADEMARK**

Attachment

TRADEMARK NO.	DATE OF TRADEMARK	HOLDER OF TRADEMARK
3256219	6/26/2007	Boiling Crab Franchise Co., LLC
4174077	7/17/2012	Boiling Crab Franchise Co., LLC
4491054	3/4/2014	Boiling Crab Franchise Co., LLC
5374534	1/9/2018	Boiling Crab Franchise Co., LLC
3615722	05/05/2009	Boiling Crab Franchise Co., LLC
5162320	03/14/2017	Boiling Crab Franchise Co., LLC
5162591	03/14/2017	Boiling Crab Franchise Co., LLC

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JS-6

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24 BOILING CRAB FRANCHISE CO., LLC

25 IN THE UNITED STATES DISTRICT COURT
26 THE CENTRAL DISTRICT OF CALIFORNIA

27 BOILING CRAB FRANCHISE CO., LLC,

Case No. 8:21-cv-00402-JVS-DFM

28 Plaintiff,

**CORRECTED FINAL
JUDGMENT AND
PERMANENT INJUNCTION**

v.

29 CAJUN BOILING CRAB INC., CAJUN
30 BOILING CRAB CO., and ANTWAN
31 ALLAM ALEXANDER CHENEVERT
32 (A/K/A ALEXANDER CHENEVERT),

33 Defendants.

**FINAL JUDGEMENT AND PERMANENT INJUNCTION Case No.
8:21-cv-00402-JVS-DFM**

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1 The above-entitled matter came on by motion by plaintiff Boiling Crab
2 Franchise Co., LLC (“The Boiling Crab” or “Plaintiff”) for entry of default
3 judgment against defendants Cajun Boiling Crab Inc., Cajun Boiling Crab Co. and
4 Antwan Allam Alexander Chenevert (a/k/a Alexander Chenevert) (collectively,
5 “Defendants”), and the Honorable James V. Selna, after taking the matter under
6 submission, rendered a decision granting the motion.

7 **NOW, THEREFORE, IT IS ORDERED ADJUDGED AND DECREED**
8 that by reason of the pleadings, testimony and evidence submitted on the motion,
9 and the findings of this Court, judgment is hereby entered in favor of Plaintiff and
10 against all Defendants on Plaintiff’s First Claim for Infringement of a Federally
11 Registered Trademark, Second Claim for Federal Unfair Competition, and Third
12 Claim for Unfair Competition Under Cal. Bus. & Prof. Code § 17200.

13 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that,

14 1. Defendants and their agents, servants, employees, successors,
15 licensees and assignees, and all persons, firm entities, partners, or corporations in
16 active concert or participation with Defendants, are permanently enjoined from
17 doing, threatening, or attempting to do or causing to be done, either directly or
18 indirectly, by any means, method, or device, any of the following acts:

19 a) Directly or indirectly infringing, using, or displaying The Boiling
20 Crab’s THE BOILING CRAB trademarks (“Marks”) or any mark or trade name
21 similar thereto, including but not limited to Defendants’ existing CAJUN
22 BOILING CRAB, CAJUN BOILING CRAB INC. and CAJUN BOILING CRAB
23 CO. names and/or trademarks (“Infringing Marks”) in any manner or for any
24 purpose, including but not limited to, in advertising, promoting, producing,
25 distributing, selling, offering for sale, or giving away any services or products
26 which infringe, use, or display the Marks, or any similar marks or trade names;

27 b) Using any term that is likely to be confused with The Boiling Crab’s
28 Marks;

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1 c) Falsely representing, misleading, or deceiving consumers into
2 believing that services or products advertised, promoted, produced, distributed,
3 sold, or offered for sale by Defendants originate from The Boiling Crab or its the
4 BOILING CRAB restaurants, or are sponsored, approved, licensed by, or
5 associated with The Boiling Crab or its THE BOILING CRAB restaurants, or that
6 Defendants or their services or products are in some way associated or affiliated
7 with The Boiling Crab or its restaurants, including by using the phrase EAT WITH
8 YOUR HANDS or the hashtag #EATWITHYOURHANDS, including but not
9 limited to, in advertising, promoting, producing, distributing, selling, offering for
10 sale, or giving away any services or products;

11 d) Passing off, inducing, or enabling others to sell or pass off any
12 product or service as and for products or services produced or provided by The
13 Boiling Crab, which are not Plaintiff's or not produced under the control and
14 supervision of The Boiling Crab and approved by The Boiling Crab for sale under
15 the Boiling Crab's Marks;

16 e) Committing any other acts calculated to or that do unfairly compete
17 with The Boiling Crab in any manner;

18 f) Filing or maintaining any trade name, business license, d/b/a, or
19 similar document using the Marks or any mark confusingly similar thereto; and

20 g) Registering, using, or trafficking in any domain name containing or
21 consisting of the Marks or any mark confusingly similar thereto.

22 2. Defendants are ordered to pay The Boiling Crab's damages in the
23 amount of \$291,650.

24 3. Defendants are ordered to pay The Boiling Crab's attorney fees in the
25 amount of \$9,433.

26 4. Defendants be ordered to pay post-judgment interest according to law
27 on the award of damages and attorneys' fees.
28

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