

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 16-20683-CIV-MORENO

HERON DEVELOPMENT CORPORATION,

Plaintiff,

vs.

VACATION TOURS, INC., MEDIA
INSIGHT GROUP, INC., ROSANNA M.
MENDEZ and GEORGE A. ALVAREZ,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND GRANTING IN PART PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

THE MATTER was referred to the Honorable John J. O'Sullivan, United States Magistrate Judge for a Report and Recommendation on Plaintiff's Motion for Preliminary Injunction, filed on September 15, 2016. The Magistrate Judge filed a Report and Recommendation (D.E. 94) on April 13, 2017. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, it is

ADJUDGED that United States Magistrate Judge John O'Sullivan's Report and Recommendation is **AFFIRMED** and **ADOPTED**. Accordingly, it is

ADJUDGED that Plaintiff's Motion for Preliminary Injunction is **GRANTED** solely as to Count 1 (Anticybersquatting Consumer Protection Act). Accordingly, during the pendency of this action, Defendants are: (1) prohibited from registering domain names that incorporate, in

whole or in part, the Palace Resort registered trademarks that have become incontestable; and (2) required to change the Domain Name Service settings on all the Infringing Domain Names to forward website traffic to the appropriate Palace Resort webpage. For example, Defendants' Infringing Domain Name <<http://www.beachpalacecancunhotel.com>> must be forwarded to Plaintiff's website for the Beach Palace in Cancun, <<http://www.palaceresorts.com/beachpalace/en>>.

DONE AND ORDERED in Chambers at Miami, Florida, this 26th of May 2017.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge John J. O'Sullivan

Counsel of Record