

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 1:20-cv-23276-GAYLES/OTAZO-REYES

UNISOURCE DISCOVERY, INC.,

Plaintiff,

v.

**UNISOURCE DISCOVERY, LLC
and STEVEN A. CERASALE,**

Defendants.

ORDER

THIS CAUSE comes before the Court on Magistrate Judge Alicia M. Otazo-Reyes’s Report and Recommendation (the “Report”) [ECF No. 250] regarding Plaintiff Unisource Discovery, Inc.’s Ex Parte Amended Motion for Preliminary Injunction (the “Motion”) [ECF No. 139]. On August 6, 2020, Plaintiff brought this action against Defendants Unisource Discovery, LLC and Steven A. Cerasale. [ECF No. 1]. On November 1, 2020, the Court referred this matter to Judge Otazo-Reyes, pursuant to 28 U.S.C. § 636(b)(1)(B), for a ruling on all pre-trial, non-dispositive matters and a report and recommendation on all dispositive matters. [ECF No. 20]. On July 12, 2021, Plaintiff filed the instant Motion seeking to enjoin Defendants “for unlawful use and trading on Plaintiff’s well-known registered ‘Unisource’ Trademark.” [ECF No. 139]. On January 10, 2022, Judge Otazo-Reyes issued her Report recommending that the Court deny Plaintiff’s Motion. [ECF No. 250]. Plaintiff timely filed its Objections, [ECF No. 267], to which Defendants filed a Response, [ECF No. 277], and Plaintiff filed a Reply, [ECF No. 283].

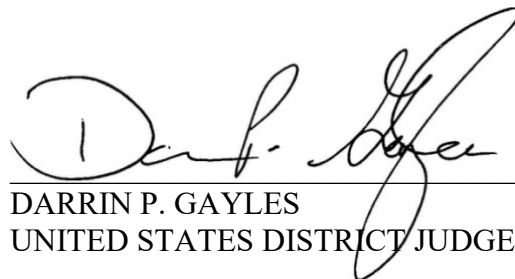
A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objections are made are accorded *de novo* review, if those objections "pinpoint the specific findings that the party disagrees with." *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which *no* specific objections are made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

Having conducted a *de novo* review of the Motion, Objections, and record, the Court agrees with Judge Otazo-Reyes's well-reasoned analysis and recommendation that Plaintiff's Motion should be denied.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Magistrate Judge Alicia M. Otazo-Reyes's Report and Recommendation, [ECF No. 250], is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference.
2. Plaintiff Unisource Discovery, Inc.'s Ex Parte Amended Motion for Preliminary Injunction, [ECF No. 139], is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 25th day of February, 2022.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE