

FILED IN OPEN COURT
U.S.D.C. - Atlanta

JUL 18 2017

JAMES N. HATTEN, Clerk
By: *Edwards*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FRONTO KING, LLC,

Plaintiff,

v.

FIVE A TRADING, INC. d/b/a A
TO Z WHOLESALE and NEW
GENERATION IMPORTS d/b/a
PURE FRONTO,

Defendants.

CIVIL ACTION FILE

NUMBER 1:15-cv-1668-TCB

VERDICT

We, the jury, being duly empaneled and sworn in this action, find
as follows:

Validity of a Trademark

Do you find by a preponderance of the evidence that:

1. Fronto King, LLC's registration of the word mark FRONTO
KING is invalid because the registered trademark is a generic
designation for the goods covered by the registration?

Answer Yes or No: No

2. Fronto King, LLC's registration of the packaging design is invalid because the registered trademark is a generic designation for the goods covered by the registration?

Answer Yes or No: No

If you answered "Yes" to either of the above questions, this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If you answered "No" to both of the above questions, then Fronto King's trademark is valid, and you should proceed to the questions below.

Infringement of a Registered Trademark

Do you find by a preponderance of the evidence that:

1. Defendant Five A Trading's use of PURE FRONTO (word mark) infringes upon Fronto King's FRONTO KING (word mark)?

Answer Yes or No: No

2. Defendant Five A Trading's use of the PURE FRONTO packaging design infringes upon Fronto King's FRONTO KING packaging design?

Answer Yes or No: YES

3. Defendant New Generation Imports' use of PURE FRONTO (word mark) infringes upon Fronto King's FRONTO KING (word mark)?

Answer Yes or No: No

4. Defendant New Generation Imports' use of the PURE FRONTO packaging design infringes upon Fronto King's FRONTO KING packaging design?

Answer Yes or No: YES

If you answered "No" to all of the above questions, this ends your deliberations, and your foreperson should sign and date the last page of this verdict form. If you answered "Yes" to any of the above questions, then you should proceed to the questions below.

Damages: Defendant Five A Trading, Inc.

Do you find by a preponderance of the evidence that:

1. Fronto King has suffered actual monetary damages because of Defendant Five A Trading's infringement?

Answer Yes or No: YES

If you answered "Yes," in what amount? \$21,400

2. Defendant Five A Trading's conduct was willful and deliberate, or Five A Trading was unjustly enriched, or an award of Five A Trading's profits is necessary to deter future conduct?

Answer Yes or No: YES

If you answered "Yes," in what amount? \$250,000

If you answered "Yes" to either question 1 or question 2, skip question 3 and proceed to the questions below. If you answered "No" to questions 1 and 2, answer question 3 then proceed to the questions below.

3. Fronto King has not proved any actual monetary damages caused by Defendant Five A Trading, and an award of Five A Trading's profits is not appropriate, but Fronto King is entitled to an award of nominal damages against Five A Trading?

Answer Yes or No: _____

If you answered "Yes," in what amount? _____

Damages: Defendant New Generation Imports

Do you find by a preponderance of the evidence that:

1. Fronto King has suffered actual monetary damages because of Defendant New Generation Imports' infringement?

Answer Yes or No: YES

If you answered "Yes," in what amount? \$0

2. Defendant New Generation Imports' conduct was willful and deliberate, or New Generation Imports was unjustly enriched, or an award of New Generation Imports' profits is necessary to deter future conduct?

Answer Yes or No: YES

If you answered "Yes," in what amount? \$0

If you answered "Yes" to either question 1 or question 2, skip question 3 and proceed to the questions below. If you answered "No" to questions 1 and 2, answer question 3 then proceed to the questions below.

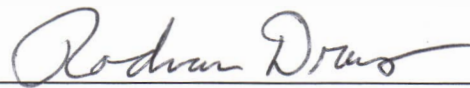
3. Fronto King has not proved any actual monetary damages caused by Defendant New Generation Imports, and an award of New

Generation Imports' profits is not appropriate, but Fronto King is entitled to an award of nominal damages against New Generation Imports?

Answer Yes or No: _____

If you answered "Yes," in what amount? _____

SO SAY WE ALL.



Foreperson's Signature

RODMAN DREWS

Foreperson's Printed Name

This 18th day of July, 2017.