

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TEAM RUBICON GLOBAL, LTD., a
Delaware Corporation,

Plaintiff,

v.

TEAM RUBICON, INC., a Minnesota
Corporation,

Defendant.

Civil Action No. 1:20-cv-02537-LTS-KNF

**NOTICE OF TEAM RUBICON
GLOBAL, LTD.'S MOTION FOR
PRELIMINARY INJUNCTION**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE, that upon the Memorandum of Law in Support of their Motion for Preliminary Injunction, dated April 21, 2020, the Declaration of William McNulty, dated April 21, 2020, and all exhibits attached thereto, the Declaration of Rev. Charles F. Kalmbach, Ph.D., dated April 20, 2020, and all exhibits attached hereto, and upon all the papers and proceedings had or to be had herein, Plaintiff Team Rubicon Global, Ltd. (“TRG”) will and hereby does move, before the Honorable Laura Taylor Swain, of the United States Courthouse for the Southern District of New York located at 40 Foley Square, New York, New York, 10007, on a date and at a time and in a manner to be designated by the Court, for an Order, pursuant to Rule 65 of the Federal Rules of Civil Procedure, preliminarily enjoining Defendant Team Rubicon, Inc. (“TR-USA”) from representing to third parties, either publicly or privately or in any form whatsoever, that TRG’s rights under the Master Trademark License Agreement (the “MTLA”) between the parties, dated August 9, 2015, have terminated. Pursuant to the MTLA, TRG has the exclusive right to use and sublicense certain “Team Rubicon” trademarks outside the United States. TR-USA has informed TRG and numerous third parties that it has recently terminated the MTLA, but the purported termination is improper and ineffective because TR-

USA purports to be acting pursuant to a “for cause” termination provision that requires certain antecedent conditions to exist, and those conditions do not in fact exist. Because TRG will suffer irreparable harm if it is required to wait until the conclusion of this lawsuit to vindicate its rights, and because it is likely to prevail on the merits of its claim at trial (and/or because there are substantially serious questions about the merits of TR-USA’s claim and the balance of hardships tips decisively in its favor), the issuance of a preliminary injunction here is both necessary and proper.

TRG has used its best efforts to resolve informally the matters raised by this request for a preliminary injunction. Through their counsel, the parties have exchanged letters on the subject matter and conducted a telephonic conference to see if the matter might be resolved other than through judicial intervention. Unfortunately, the parties have been unable to achieve a resolution. TRG thus respectfully seeks the assistance of this Court.

DATED: April 21, 2020

Respectfully submitted,

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/s/ Majed Dakak

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**Pro hac vice admission*

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