

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Joel Price v. The Individuals, Partnerships, and Unincorporated
Associations Identified on Schedule A

Price · No. 8:25-cv-3398-KKM-AEP · Decided January 23, 2026

SUMMARY

The United States District Court for the Middle District of Florida partially grants and partially denies Joel Price’s motion to extend an ex parte temporary restraining order or obtain a preliminary injunction in a trademark-counterfeiting action. The court extends the temporary restraining order through January 26, 2026, requires service of the relevant filings, sets response deadlines, and schedules a preliminary-injunction hearing.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	United States District Judge Mizelle
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	January 23, 2026
DOCKET	8:25-cv-3398-KKM-AEP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a preliminary injunction or, alternatively, a second extension of an ex parte temporary restraining order in a trademark-counterfeiting action.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

[injunctions](#) [trademark infringement](#) [trademark law](#) [civil procedure](#)

PRACTICE AREAS

[civil procedure](#) [intellectual property](#) [trademark law](#) [commercial litigation](#)

QUESTIONS PRESENTED

1. Whether the court could extend the temporary restraining order beyond the applicable twenty-eight-day period without the defendants' consent.
2. Whether the court should extend the existing TRO for the limited period necessary to provide defendants notice and an opportunity to respond to the motion for preliminary injunction.

HOLDINGS

1. A district court cannot indefinitely extend a temporary restraining order without the parties' consent; after twenty-eight days, the TRO converts to a preliminary injunction.
2. The court extended the TRO through January 26, 2026, while requiring plaintiff to serve defendants and allowing them to respond before the preliminary-injunction hearing.

KEY QUOTATIONS

“Nonetheless, without the consent of the parties, a district court cannot indefinitely extend a temporary restraining order, which converts to a preliminary injunction after twenty-eight days have passed.”

FACTUAL BACKGROUND

Joel Price owns a federally registered trademark and identified 102 seller IDs allegedly advertising, offering, or selling counterfeit, infringing, or imitation goods bearing the mark through e-commerce stores. The existing TRO required third-party platforms and banks to restrain transfers of defendants' funds and provide identifying information. Compliance was incomplete: eBay froze some accounts, Amazon acknowledged the TRO, and Alibaba and TikTok had not complied. Price asserted that additional counterfeit products would likely enter the marketplace, causing consumer confusion and potential lost sales.

PROCEDURAL HISTORY

The court issued an ex parte temporary restraining order on December 29, 2025, and extended it on January 9, 2026. Plaintiff then moved for a preliminary injunction or another extension, asserting continued difficulties obtaining compliance from third-party platforms and banks. The court extended the TRO through January 26, 2026, denied the request for an indefinite or further extension to the extent unauthorized, required service on defendants, and set a briefing deadline and preliminary-injunction hearing.

DISPOSITION

other

CASES CITED

- Levine v. Comcoa Ltd., 70 F.3d 1191, 1193 (11th Cir. 1995)