

**MINUTES OF THE  
EMERGENCY MEETING  
OF THE  
BOARD OF PARK COMMISSIONERS  
OF THE  
CLEVELAND METROPOLITAN PARK DISTRICT  
JULY 2, 2021**

The Board of Park Commissioners met on this date, Friday, July 2, 8:15 a.m., at the Board's office, 4101 Fulton Parkway, Cleveland, Ohio.

The roll call showed President Dan T. Moore and Vice President Debra K. Berry to be present. Vice President Bruce G. Rinker was absent from the meeting. It was determined there was a quorum. Chief Operating Officer, Joseph V. Roszak, Chief Financial Officer, William Chorba, and Chief Legal and Ethics Officer, Rosalina M. Fini, were also in attendance.

**ACTION ITEMS.**

- (a) ***Authorization to File a Motion for Temporary Restraining Order and Preliminary Injunction and a Complaint for a Temporary Restraining Order, Preliminary and Permanent Injunction***  
*(Originating Source: Brian M. Zimmerman, Chief Executive Officer/Christopher Kuhar, Executive Director of Cleveland Metroparks Zoo/Rosalina M. Fini, Chief Legal & Ethics Officer/Katie M. McVoy, Assistant Legal Counsel/Kelly Manderfield, Chief Marketing Officer)*

**Background**

Cleveland Metroparks has cultivated trademark rights to the mark ASIAN LANTERN FESTIVAL™, reaching throughout Ohio and Western Pennsylvania to attract visitors to the Cleveland Metroparks Zoo's annual summer light show since 2018. Without authorization, the Pittsburgh Zoo is using the mark ASIAN LANTERN FESTIVAL to promote its own inaugural light show scheduled to begin later this summer. The Pittsburgh Zoo's unauthorized use is likely to confuse and mislead consumers.

- No. 21-07-084:** It was moved by Vice President Berry, seconded by President Moore and carried, to authorize counsel to file the Motion for Temporary Restraining Order and Preliminary Injunction and a Complaint for a Temporary Restraining Order, Preliminary and Permanent Injunction

**ACTION ITEMS. (cont.)**

against the Zoological Society of Pittsburgh a/k/a Pittsburgh Zoo & PPG Aquarium (“Pittsburgh Zoo”) for its trademark infringement, unfair competition, and false designation of origin brought under the trademark laws of the United States, including the Lanham Act, 15 U.S.C. §§ 1051 *et seq.*, and for unfair competition under the laws of the state of Ohio.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Moore.

Nays: None.

**DATE OF NEXT MEETING.**

The next Regular Meeting of the Board of Park Commissioners was scheduled by the Board for Thursday, July 15, 2021, 8:00 a.m. at the Board’s office, 4101 Fulton Parkway, Cleveland, Ohio.

**ADJOURNMENT.**

**No. 21-07-085:** There being no further matters to come before the Board, upon motion by Vice President Berry, seconded by President Moore, and carried, President Moore adjourned the meeting at 8:19 a.m.

Vote on the motion was as follows:

Ayes: Ms. Berry and Mr. Moore.

Nays: None.

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President.

Attest:

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Secretary.