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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>GILBERT J. ARENAS, Jr., an individual,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p>v.</p> <p>SHED MEDIA US, INC., a Delaware corporation,</p> <p style="text-align: center;">Defendant - Appellee.</p>
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No. 11-56622

D.C. No. 2:11-cv-05279-DMG-PJW

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Dolly M. Gee, District Judge, Presiding

Submitted December 19, 2011\*\*

Before: GOODWIN, WALLACE, and McKEOWN, Circuit Judges.

Gilbert Arenas, Jr. appeals the district court’s denial of his request for a preliminary injunction against Shed Media US, Inc. We have jurisdiction under 28 U.S.C. § 1292(a)(1), and we affirm. Arenas sought injunctive relief based on his

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

claims for common law misappropriation of likeness and trademark infringement.

The district court concluded that he was unlikely to prevail on his claims.

We express no view on the merits of the complaint. Our sole inquiry is whether the district court abused its discretion in denying preliminary injunctive relief. *The Lands Council v. McNair*, 537 F.3d 981, 986 (9th Cir. 2008); *see Winter v. Natural Resources Defense Council*, 129 S. Ct. 365, 374 (2008) (listing factors for district court to consider); *Sports Form, Inc. v. United Press Int'l, Inc.*, 686 F.2d 750, 752-53 (9th Cir. 1982) (explaining limited scope of review). We conclude the district court did not abuse its discretion. Accordingly, we affirm the district court's order denying the preliminary injunction.

**AFFIRMED.**