

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

THE VI CARNIVAL COMMITTEE, INC.,	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:22-cv-0019
	)	
JOSEPH BOSCHULTE, IAN TURNBULL, and	)	
HALVOR HART, in their official capacities,	)	
and Halvor Hart, in his individual	)	
capacity, and THE GOVERNMENT OF THE	)	
VIRGIN ISLANDS,	)	
	)	
Defendants.	)	
	)	

APPEARANCES:

TERRI L. GRIFFITHS, ESQ.
ST. THOMAS, V.I.
FOR PLAINTIFF VIRGIN ISLANDS CARNIVAL COMMITTEE.

VENETIA H. VELAZQUEZ, ESQ.
ARIEL MARIE SMITH-FRANCOIS, ESQ.
VIRGIN ISLANDS DEPARTMENT OF JUSTICE
ST. THOMAS, U.S. VIRGIN ISLANDS
FOR DEFENDANTS JOSEPH BOSCHULTE, IAN TURNBULL, AND HALVOR HART, AND THE GOVERNMENT OF THE VIRGIN ISLANDS.

HALVOR HART, III
ST. THOMAS, U.S. VIRGIN ISLANDS
DEFENDANT HALVOR HART, III, IN HIS INDIVIDUAL CAPACITY
PRO SE

JUDGMENT

BEFORE THE COURT is Defendants Joseph Boschulte, Ian Turnbull, and Halvor Hart, in their official capacities, and the Government of the Virgin Islands' (collectively

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“Defendants”) Motion for Judgment on the Pleadings, filed October 10, 2023.¹ (ECF No. 164.)

For reasons stated in the accompanying Memorandum Opinion of even date, it is hereby

ORDERED that Defendants’ Motion for Judgment on the Pleadings, ECF No. 164, is **GRANTED**; it is further

ORDERED, ADJUDGED, and DECREED that Judgment is rendered in favor of Defendant Government of the Virgin Islands, Joseph Boschulte, Ian Turnbull, and Halvor Hart, in their official capacities, and against Plaintiff on Plaintiff’s claims for Fifth Amendment Takings (Count One), violation of 15 U.S.C. § 1114(b) of the Lanham Act (Count Two), and violation of 15 U.S.C. § 1122(a) of the Lanham Act (Count Four) of the Second Amended Complaint, ECF No. 89, filed on September 23, 2022; it is further

ORDERED, ADJUDGED, and DECREED that Judgment is rendered in favor of Defendant Government of the Virgin Islands, Joseph Boschulte, Ian Turnbull, and Halvor Hart, in their official capacities, and against Plaintiff on Defendants’ Counterclaim Two to cancel the marks pursuant to 15 U.S.C. §§ 1064(3), 1119, and 1127. United States Patent and Trademark Office (“USPTO”) Registration No. 3,190,500 covering the mark “ST. THOMAS CARNIVAL” issued to registration on January 2, 2007, and USPTO Registration No. 3,204,836 covering the mark “VIRGIN ISLANDS CARNIVAL” issued to registration on February 6, 2007, are hereby **CANCELLED**; it is further

¹Defendants filed duplicate docket entries (ECF Nos. 162 and 165) on October 10, 2023; ECF No. 162 was improperly labeled as a motion, and the Court denied it as MOOT. The Court considers ECF No. 165 as Defendants’ memorandum in support of the motion filed at ECF No. 164.

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ORDERED that Counterclaims One, Three, and Four of Defendants' Counterclaims are **MOOT**; it is further

ORDERED that the Clerk of the Court shall certify this **ORDER** to the Director of the United States Patent and Trademark Office, who shall make appropriate entry upon the records of the Patent and Trademark Office pursuant to 15 U.S.C. § 1119; it is further

ORDERED that, as all federal claims are resolved against the Virgin Islands Government and Individuals in their official capacity, the remaining claim against Halvor Hart in his individual capacity (Count Three) is **DENIED without prejudice**; it is further

ORDERED that all motions pending prior to the issuance of this Judgment are **MOOT**;² and it is further

ORDERED that the Clerk of the Court shall **CLOSE** this case.

Dated: March 31, 2026

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge

² The motions that were pending prior to the issuance of this Judgment are the motions docketed at ECF Nos. 152 and 176,