

4. This action has been filed by CHARLES L. SCHMIDT to combat online counterfeiters who trade upon Plaintiff's reputation and goodwill by selling and/or offering for sale products in connection with Plaintiff's trademark, which is covered by U.S. Trademark Registration No. 4,417,059 (the "KEYBOARD CAT Trademark"). CHARLES L. SCHMIDT is the owner of the trademark registration for the KEYBOARD CAT Trademark. The registration is valid, subsisting, unrevoked, uncanceled, and incontestable pursuant to 15 U.S.C. § 1065. The registration for the trademark constitutes prima facie evidence of validity and of Plaintiff's exclusive right to use the trademark pursuant to 15 U.S.C. § 1057(b). A genuine and authentic copy of the U.S. federal trademark registration certificate of the KEYBOARD CAT Trademark is attached as **Exhibit 1**.