

8. Plaintiff is the owner of the following U.S. Registered Trademark Nos. 2,208,744; 2,375,180; 2,963,164; 4,161,566; 4,625,751; 4,642,009; 4,650,219; 4,660,115; 4,918,335; 4,960,892; 4,960,893; 5,121,111; 5,134,287; 5,134,288; and 5,782,637.

9. The above registrations (the “THE MOUNTAIN Trademarks”) are valid, subsisting, and in full force and effect. True and correct copies of the federal trademark registration certificates for the above-referenced marks are attached hereto as Exhibit 1.