

10. Plaintiff is the owner of all rights, title, and interest in and to, *inter alia*, the TETRIS word mark and Tetris design mark (U.S. Reg. Nos. 2362250, 2362238, 3518292, 3396574, 3818232, 4313472, 4309504, 1657499, 4592832, 4592985, 4845377, 5617892, 5893160, 6707167, 6707498, 6926544) (collectively, the “Mark” or “Marks”). The registrations are valid, subsisting, unrevoked, and uncanceled pursuant to 15 U.S.C. § 1065. The registrations for the Marks constitutes prima facie evidence of validity and of Plaintiff’s exclusive right to use the Marks pursuant to 15 U.S.C. § 1057(b). A genuine and authentic copy of the U.S. federal trademark registration certificate for the TETRIS Marks is attached as Exhibit 1.

11. Plaintiff’s brand, symbolized by the TETRIS Mark, is a world famous video game brand and franchise with a licensing program that goes well beyond video games, including but not limited to, apparel, toys, stationery, lottery tickets, storage containers, backpacks, lamps and more. It has been featured in the Guinness Book of World Records and recognized around the world as the first casual video game, responsible for launching a multi-billion dollar industry. As detailed below, Plaintiff has been using the TETRIS Mark in connection with the advertising and sale of Plaintiff’s Products in interstate and foreign commerce, including commerce in the State of Illinois and the Northern District of Illinois.