

(the “SPRUNKI Trademarks”). As a result, strong common law trademark rights have amassed in the SPRUNKI Trademarks. Plaintiff’s use of the marks has also built substantial goodwill in and to the SPRUNKI Trademarks. Plaintiff has registered the below SPRUNKI Trademarks with the United States Patent and Trademark Office.

Registration No.	Trademark
7,902,874 7,902,877	SPRUNKI

12. The above U.S. registrations for the SPRUNKI Trademarks are valid, subsisting, and in full force and effect. The registrations for the SPRUNKI Trademarks constitutes *prima facie* evidence of their validity and of Plaintiff’s exclusive right to use the SPRUNKI Trademarks pursuant to 15 U.S.C. § 1057 (b). True and correct copies of the United States Registration Certificates for the above-listed SPRUNKI Trademarks are attached hereto as **Exhibit 1**.

13. The SPRUNKI Trademarks are distinctive when applied to the Sprunki Products, signifying to the purchaser that the products come from Plaintiff and are manufactured to Plaintiff’s quality standards. Whether Plaintiff manufactures the products itself or contracts with others to do so, Plaintiff has ensured that products bearing the SPRUNKI Trademarks are manufactured to the highest quality standards.

14. The innovative marketing and product designs of the Sprunki Products have enabled the Sprunki brand to achieve widespread recognition and have made the SPRUNKI Trademarks some of the most well-known marks in the video game industry. The significant goodwill associated with the Sprunki brand has made the SPRUNKI Trademarks a valuable asset of Plaintiff.

15. Plaintiff has expended substantial time, money, and other resources in advertising and promoting the SPRUNKI Trademarks. Sprunki Products have also been the subject of