

7. “BRING ME THE HORIZON” (the "Group") is the federally registered trademark used by this performing in connection with their performing, recording, merchandising and other related goods and services in all aspects of the entertainment industry and to distinguish their services from all other such performers. The Group has used their trademarks in connection with their goods and services for over 20 years.

8. The Group has obtained several Federal Trademark Registrations for their “BRING ME THE HORIZON” and related trademarks: “BRING ME THE HORIZON” Registration Number 4113438 (incontestable) for use in connection with: International Class (“IC”) 025 clothing; IC 016: printed matter; IC 026 novelty badges and buttons; IC 009 recordings; and IC 041 entertainment services; “BMTH” Registration Number 7896913 for use in connection with: IC 025 clothing; IC 016 printed matter; IC 014 jewelry; IC 026 novelty badges and buttons; IC 009 recordings; and IC 041 entertainment services; Design  Registration Number 7886568 for use in connection with: IC 025 clothing; IC 016 printed matter; IC 014 jewelry; IC 026 novelty badges and buttons; IC 009 recordings, and IC 041 entertainment services.; Design  Registration Number: 7886570 for use in connection with: IC 025 clothing.; IC 016 printed matter; IC 014 jewelry; IC 026 novelty badges and buttons; IC 009 recordings, and IC 041 entertainment services; and Design  Registration Number 7886569 for use in connection with: IC 025 clothing; IC 016 printed matter; IC 014 jewelry; IC 026 novelty badges and buttons. IC 009 recordings; and IC 041 entertainment services.

9. Pursuant to an agreement between the Group and Plaintiff (the "Agreement"), Plaintiff possesses the exclusive right to utilize all federally registered trademarks, service marks, likenesses, logos and other indicia of the Group (collectively, the "Group's Trademarks") on and