

8. Plaintiff is the owner of Trademark Registration No. 2,425,833 (collectively, the “BORESNAKE Trademark”).

Registration Number	Registered Trademark	International Class
2,425,833	BORESNAKE	13

9. The above registration for the BORESNAKE mark is valid, subsisting and in full force and effect. A true and correct copy of the federal trademark registration certificate for the above-referenced mark is attached hereto as Exhibit 1.

10. Plaintiff’s BORESNAKE Trademark qualifies as a famous mark as used in 15 U.S.C. §1125(c)(1) and has been continuously used and never abandoned.

11. Plaintiff’s BORESNAKE Trademark is exclusive to Plaintiff and is displayed extensively on Plaintiff’s Products and in Plaintiff’s marketing and promotional materials. Plaintiff’s BORESNAKE Trademark has been the subject of substantial and continuous marketing and promotion by Plaintiff at great expense. In fact, Plaintiff has expended significant resources annually in advertising, promoting and marketing featuring Plaintiff’s BORESNAKE Trademark. Plaintiff’s promotional efforts include — by way of example, but not limitation — substantial print media, a website, social media sites and point of sale materials. Because of these and other factors, Plaintiff’s BORESNAKE Trademark has become famous worldwide.

12. Plaintiff’s BORESNAKE Trademark is distinctive and identifies merchandise as goods from BORESNAKE or its duly authorized licensees when applied to Plaintiff’s Products, signifying to the purchaser that the products come from Plaintiff and are manufactured to Plaintiff’s quality standards. As a result, products bearing the BORESNAKE Trademark are widely recognized and exclusively associated by consumers, the public and the trade as being