

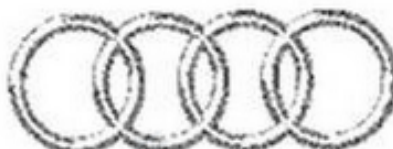
and innovative design. Among the purchasing public, genuine Audi Products are instantly recognizable as such and symbolize high quality.

7. Plaintiff distributes and sells Audi Products through a network of licensed independent Audi dealerships, who then sell to consumers throughout the United States, including through several licensed Audi dealerships in Illinois. Since at least as early as 1997, Plaintiff also

can purchase genuine Audi parts, automotive accessories, and personal goods and accessories.

8. Audi AG incorporates a variety of distinctive marks in the design of its various Audi Products and uses its trademarks in connection with the marketing of its Audi Products. Under agreement with Audi AG, Plaintiff uses the trademarks in connection with the marketing of Audi Products in the United States. Audi AG is the exclusive owner of numerous federally-registered trademarks for automobiles, parts, accessories, and a long list of related services and merchandise, including the following marks which are collectively referred to as the “Audi Trademarks.” The Audi Trademarks cover automobile parts and accessories, including, but not limited to, automobile emblems, floor mats, and parts and accessories for vehicle lighting.

Registration No.	Trademark
4,995,364 5,093,264	AUDI
1,283,271 3,241,273 3,702,707	QUATTRO
2,875,529	S-LINE
2,083,439	

3,007,305	
3,201,037	
3,848,240	
4,405,143	
5,457,305	

9. The Audi Trademarks have been used exclusively and continuously by Plaintiff within the United States for many years and have never been abandoned. The above U.S. registrations for the Audi Trademarks are valid, subsisting, in full force and effect, and many are incontestable pursuant to 15 U.S.C. § 1065. True and correct copies of the United States Registration Certificates for the above-listed Audi Trademarks are attached hereto as **Exhibit 1**. The registrations for the Audi Trademarks constitute *prima facie* evidence of their validity and of the exclusive right to use the Audi Trademarks pursuant to 15 U.S.C. § 1057(b).

has caused confusion, mistake, and deception by and among consumers and is irreparably harming Plaintiff.

**COUNT I
TRADEMARK INFRINGEMENT AND COUNTERFEITING (15 U.S.C. § 1114)**

27. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

28. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of the federally registered Audi Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. The Audi Trademarks are distinctive marks. Consumers have come to expect the highest quality from Audi Products offered, sold or marketed under the Audi Trademarks.

29. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products using counterfeit reproductions of the Audi Trademarks without permission.

30. Plaintiff is the exclusive licensee of the Audi Trademarks in the United States. The United States Registrations for the Audi Trademarks (**Exhibit 1**) are in full force and effect. Upon information and belief, Defendants have knowledge of Plaintiff's rights in the Audi Trademarks, and are willfully infringing and intentionally using counterfeits of the Audi Trademarks. Defendants' willful, intentional and unauthorized use of the Audi Trademarks is likely to cause and is causing confusion, mistake, and deception as to the origin and quality of the Counterfeit Audi Products among the general public.

31. Defendants' activities constitute willful trademark infringement and counterfeiting under Section 32 of the Lanham Act, 15 U.S.C. § 1114.