

Registration Number	Registered Trademark	International Classes
3,128,839	BLACKHAWK!	9
3,582,358	BLACKHAWK!	13

9. The BLACKHAWK Trademarks are distinctive and identify the merchandise as goods from Plaintiff. The registrations for the BLACKHAWK Trademarks constitute prima facie evidence of their validity and of Plaintiff's exclusive right to use the BLACKHAWK Trademarks pursuant to 15 U.S.C. § 1057(b).

10. Plaintiff's BLACKHAWK Trademarks qualify as famous marks as used in 15 U.S.C. § 1125(c)(1) and have been continuously used and never abandoned.

11. Plaintiff's BLACKHAWK Trademarks are exclusive to Plaintiff and are displayed extensively on Plaintiff's Products, including but not limited to tactical clothing, and in Plaintiff's marketing and promotional materials. Plaintiff has expended substantial time, money and other resources in developing, advertising and otherwise promoting its Trademarks. In fact, Plaintiff expends significant resources annually advertising, promoting and marketing its BLACKHAWK Trademarks. 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. As a result, products bearing the BLACKHAWK Trademarks are widely recognized and exclusively associated by consumers, the public and the trade as being products sourced from Plaintiff.

12. Plaintiff's BLACKHAWK Trademarks are distinctive when applied to Plaintiff's Products, signifying to the purchaser that the products come from Plaintiff and are manufactured