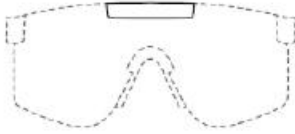
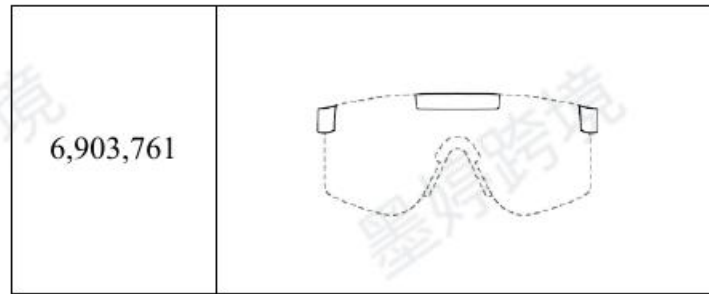


Pit Viper has built substantial goodwill in and to its PIT VIPER Trademarks. The PIT VIPER Trademarks are famous and valuable assets of Pit Viper.

9. In addition to common law trademark rights, Pit Viper has registered several of its PIT VIPER Trademarks with the United States Patent and Trademark Office, a non-exclusive list of which is included below.

Registration No.	Trademark
6,363,262	PIT VIPER
6,924,829	BRAPSTRAP
7,008,040	FLIP-OFFS
7,014,155	LIFT-OFFS
7,014,156	THE EXCITERS
6,980,093	DOUBLE WIDE
6,980,094	SINGLE WIDE
6,995,695	FULL TURBO
6,995,697	THE MIAMI NIGHTS
6,995,698	THE 1993
7,078,584	DEMAND RESPECT & AUTHORITY
6,363,259	
6,903,760	



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

11. Pit Viper has continuously used the PIT VIPER Trademarks in interstate commerce in connection with the sale, distribution, promotion, and advertising of genuine Pit Viper Products since their respective dates of first use as noted on the federal trademark registration certificates.

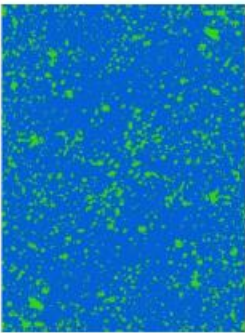
12. Due to Pit Viper's longstanding use of its marks, extensive sales, and significant advertising and promotional activities, the PIT VIPER Trademarks have achieved widespread acceptance and recognition among the consuming public and trade throughout the United States, including in Illinois and this Judicial District.

13. The PIT VIPER Trademarks are distinctive when applied to the Pit Viper Products, signifying to consumers that the products originate from Pit Viper and are manufactured to Pit Viper's high-quality standards. Whether Pit Viper manufactures the products itself or licenses others to do so, Pit Viper has ensured that products bearing its trademarks are manufactured to the highest quality standards.

14. Pit Viper Products branded under the PIT VIPER Trademarks have been widely accepted by the public and are enormously popular. In view of this popularity, the PIT VIPER Trademarks are famous marks.

exclusive to the Pit Viper brand.

16. Plaintiff has also registered its copyrighted works with the United States Copyright Office (collectively, the “Pit Viper Copyrighted Works”). The registrations include, but are not limited to: “LEONARDO (Two-Color High-Density Splatter),” U.S. Copyright Registration No. VA 2-391-538, issued by the Register of Copyrights on April 22, 2024; “COSMOS (Two-Color Low-Density Splatter),” U.S. Copyright Registration No. VA 2-391-528, issued by the Register of Copyrights on April 22, 2024; and “1993 (Three-Color Splatter),” U.S. Copyright Registration No. VA 2-392-545, issued by the Register of Copyrights on April 30, 2024. Images of the Pit Viper Copyrighted Works are below:

U.S. Copyright Registration No.	Pit Viper Copyrighted Work
VA 2-391-538	
VA 2-391-528	