

SNOOPY mark, CHARLIE BROWN mark, and various copyrighted works (the “Peanuts Copyrighted Works”).

13. Plaintiff (through its predecessor-in-interest, United Feature Syndicate Inc. and licensees) has used PEANUTS and other trademarks for many years and has continuously sold products under PEANUTS and other trademarks (collectively, the “PEANUTS Trademarks”). As a result of this long-standing use, strong common law trademark rights have amassed in the PEANUTS Trademarks. Plaintiff’s use of these marks has also built substantial goodwill in and to the PEANUTS Trademarks. The PEANUTS Trademarks are famous marks and valuable assets of Plaintiff. Peanuts Products typically include at least one of the registered PEANUTS Trademarks and/or the Peanuts Copyrighted Works.

14. Several of the PEANUTS Trademarks are registered with the United States Patent and Trademark Office, a non-exclusive list of which is included below.

Registration No.	Trademark
1,255,304 1,265,839 1,301,542 1,729,501 1,970,335 4,017,645 4,429,043 5,023,666 5,392,411	PEANUTS
1,254,632 1,256,819 1,256,900 1,256,970 1,267,166 1,268,857 1,286,055 1,300,520	SNOOPY

Registration No.	Trademark
4,145,986 5,218,767	
5,214,344	CHARLIE BROWN

15. The above U.S. registrations for the PEANUTS Trademarks are valid, subsisting, in full force and effect, and many are incontestable pursuant to 15 U.S.C. § 1065. The registrations for the PEANUTS Trademarks constitute *prima facie* evidence of their validity and of Plaintiff's exclusive right to use the PEANUTS Trademarks pursuant to 15 U.S.C. § 1057(b). True and correct copies of the United States Registration Certificates for the above-listed PEANUTS Trademarks are attached hereto as **Exhibit 1**.

16. The PEANUTS Trademarks are distinctive when applied to the Peanuts Products, signifying to the purchaser that the products come from Plaintiff and are manufactured to Plaintiff's quality standards. Whether Plaintiff manufactures the products itself or contracts with others to do so, Plaintiff has ensured that products bearing the PEANUTS Trademarks are manufactured to the highest quality standards.

17. The PEANUTS Trademarks are famous marks, as that term is used in 15 U.S.C. § 1125(c)(1), and have been continuously used and never abandoned. The innovative marketing and product designs of the Peanuts Products have enabled the Peanuts brand to achieve widespread recognition and fame and have made the PEANUTS Trademarks some of the most well-known marks in the toy and children's entertainment industries. The widespread fame, outstanding reputation, and significant goodwill associated with the Peanuts brand have made the PEANUTS Trademarks valuable assets of Plaintiff.

18. Plaintiff has expended substantial time, money, and other resources in advertising and promoting the PEANUTS Trademarks. In fact, Plaintiff has expended millions of dollars in

advertising, promoting, and marketing featuring the PEANUTS Trademarks. Peanuts Products have also been the subject of extensive unsolicited publicity resulting from their fame, high-quality, and innovative designs. As a result, products bearing the PEANUTS Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being high-quality products sourced from Plaintiff. Peanuts Products have become among the most popular of their kind in the U.S. and the world. The PEANUTS Trademarks have achieved tremendous fame and recognition which has only added to the inherent distinctiveness of the marks. As such, the goodwill associated with the PEANUTS Trademarks is of incalculable and inestimable value to Plaintiff.

19. Genuine Peanuts Products are sold only through authorized retail channels and are recognized by the public as being exclusively associated with the Peanuts brand.

20. Plaintiff has registered its Peanuts Copyrighted Works with the United States Copyright Office. The registrations include but are not limited to: “Peanuts” (U.S. Copyright Registration No. B 404-271), issued by the Register of Copyrights on January 1, 1968, and renewed as U.S. Copyright Registration No. RE 723-431 on February 20, 1996; “Peanuts; sculpture. By Determined Productions, Inc.” (U.S. Copyright Registration No. GP 59-162), issued by the Register of Copyrights on January 12, 1968, and renewed as RE 753-956 on April 8, 1997; and “Colorful World of Snoopy, Linus, Schroeder, Lucy and Charlie Brown” (U.S. Copyright Registration No. A 95-985), issued by the Register of Copyrights on October 1, 1968, and renewed as RE 738-848 on November 21, 1996. A true and correct copy of the record from the U.S. Copyright Office website for the above-referenced Peanuts Copyrighted Works is attached hereto as **Exhibit 2**.