

Plaintiff's federally registered trademarks and copyrights.

10. Plaintiff Toho Co., Ltd. is the current registered owner of U.S. Trademark Registration Nos. 1,161,858; 1,858,403; 2,134,696; 2,211,328; 2,360,489; 4,183,291; 5,093,240; 6,172,295, and 7,245,324 (the "GODZILLA Marks").

11. The GODZILLA Marks registrations are valid, subsisting, unrevoked, uncanceled, and incontestable pursuant to 15 U.S.C. § 1065. The registrations constitute prima facie evidence of validity and of Plaintiff's exclusive right to use the GODZILLA Marks pursuant to 15 U.S.C. § 1057(b).

12. True and correct copies of the registration certificates for the GODZILLA Marks are attached as Exhibit 1.

13. In addition, Toho Co., Ltd. is the current owner of several copyright registrations including, but not limited to, the following Copyright Registration Nos. PA0000785448; PA0000152335; PA0000187943; PA0000157725; PA0000276046; PA0000967584; PA0001036332; PA0001265507; PA0000172648; PA0000152333; PA0000465312; PA0000796965; PA0000382931; PA0000426964; PA0000595595; PA0000796966; PA0000382933; PA0001035743; PA0000382929; PA0000796964; PA0000782264; LP0000029676; PA0001372864; PA0001232751; PA0001195981; PA0001151212; PA0002049886; and PA0000152334 (collectively the “GODZILLA Works”).

14. True and correct copies of the registration certificates for the GODZILLA Works are attached as Exhibit 2.

15. The GODZILLA Trademarks and GODZILLA Works have been the subject of substantial and continuous marketing and promotion by Plaintiff. Plaintiff has and continues to widely market and promote the GODZILLA Trademarks and GODZILLA Works in the industry and to consumers. Plaintiff’s promotional efforts include — by way of example, but not limitation — substantial print media, the GODZILLA website and social media sites, and point of sale materials.

16. The GODZILLA Marks and GODZILLA Works have been continuously used and have never been abandoned. The GODZILLA trademark and copyright registrations are valid, subsisting, and in full force and effect. The registrations of the GODZILLA Marks constitute prima facie evidence of their validity pursuant to 15 U.S.C. §1057(b).

17. Plaintiff has invested substantial time, money, and effort in building up, developing, advertising, and otherwise promoting the GODZILLA Marks and GODZILLA Works. As a result, products associated with the GODZILLA Marks and GODZILLA Works are