

9. This action has been filed to combat online trademarks who trade upon Plaintiff's reputation and goodwill and valuable intellectual property by selling and/or offering for sale unauthorized and infringing versions of the MILWAUKEE Products in violation of Plaintiff's federally registered trademarks.

10. Plaintiff Milwaukee Tool has long engaged in the business of manufacturing and marketing in interstate commerce tools sold under the MILWAUKEE Trademarks. MILWAUKEE is a federally registered trademark of Milwaukee Tool; Trademark Registration Nos. 917,618; 1,489,877; 1,739,475; 2,624,843; 3,772,366; 3,908,609; 4,203,253; 4,203,255; 4,203,258; 4,203,259; 4,207,146; 4,400,601; 4,400,602; 4,407,484; 4,534,864; 4,580,441; 4,861,744; 4,849,244; 5,071,525; 5,085,184; 5,085,201; 5,085,219; 5,085,220; 5,085,222; 5,085,223; 5,085,240; 5,117,238; 5,117,290; 5,203,577; 5,203,630; 5,318,403; 5,883,416; 5,894,915; 6,011,155; 6,089,843; 6,089,844; 6,089,845; 6,175,446; 6,209,035; 6,209,036; 6,259,202; 6,269,364; 6,369,616; 6,694,516; 6,705,395; 7,619,998; 7,620,164; 7,620,165; 7,620,166; 7,650,845; and 7,676,072 (the "MILWAUKEE Marks").

| Trademark | Registration No. | Goods and Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| MILWAUKEE | 2,624,843        | Maintenance and power tools, namely, hole shooters, screw shooters, screwdrivers, hammers, hammer drills, driver/drills, drill presses, magnetic drill presses, coring machines, sander/grinders, sanders, grinders, electric saws, circular saws, reciprocating saws, worm drive saws, cut-off machines, nut runners, nibblers, polishers, routers, impact wrenches, shears, drain cleaners, vacuum cleaners, and attachments therefor in Classes 013, 019, 021, 023, 031, 034, 035. |
| MILWAUKEE | 5,203,577        | Hand tools, namely, hand saws and blades for hand saws, utility knives and blades for utility knives, duct knives, folding knives; hand tools, namely, scissors, snips, seamers, crimpers, wrenches, screwdrivers, nut drivers, pliers,                                                                                                                                                                                                                                               |

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|                                                                                    |           | tubing cutters, clamps; tool belts and tool pouches for attachment to tool belts; chalk line reels; hand powered staple guns and hammer tackers in Classes 023, 028, 044                                                                                                               |
| MILWAUKEE                                                                          | 5,203,630 | Batteries and battery chargers in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                      |
| MILWAUKEE                                                                          | 5,318,403 | Batteries and battery chargers in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                      |
| MILWAUKEE                                                                          | 5,894,915 | Electrically heated clothing, namely, jackets, sweatshirts, vests, gloves, hand warmers; flashlights; lanterns for lighting; flood lights; LED flashlights; portable utility lights; portable battery-operated lights; spot lights in Classes 013, 021, 023, 031, 034                  |
| MILWAUKEE                                                                          | 6,705,395 | Hard hats; Protective face-shields for protective helmets; Protective glasses; Protective industrial face masks; Protective industrial face shields; Protective helmets; Protective industrial respirators; Reflective safety vests; Safety helmets in Classes 021, 023, 026, 036, 038 |
| MILWAUKEE                                                                          | 7,619,998 | Backpacks; Back packs; Tool bags sold empty; Tool pouches, sold empty in Classes 001, 002, 003, 022, 041                                                                                                                                                                               |
| MILWAUKEE                                                                          | 7,620,164 | Tool boxes, not of metal, empty; Tool and tool accessory boxes not made of metal sold empty and parts and fittings therefor; Non-metal tool boxes in Classes 002, 013, 022, 025, 032, 050                                                                                              |
| MILWAUKEE                                                                          | 7,620,165 | Felt tip pens; Marking pens in Classes 002, 005, 022, 023, 029, 037, 038, 050                                                                                                                                                                                                          |
| MILWAUKEE                                                                          | 7,620,166 | Tool boxes of metal; Tool chests of metal sold empty in Classes 002, 012, 013, 014, 023, 025, 050                                                                                                                                                                                      |
| MILWAUKEE                                                                          | 7,650,845 | Mobile storage carts for tools and tool accessories; Tire inflators; Carts; Goods handling carts; Handling Carts in Classes 019, 021, 023, 031, 035, 044                                                                                                                               |
| MILWAUKEE                                                                          | 7,676,072 | Lanyards for holding power tools in Classes 013, 019, 021, 023, 024, 031, 034, 035                                                                                                                                                                                                     |
|  | 5,883,416 | Batteries in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                                           |

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|     | 5,845,616 | Batteries in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|    | 5,117,238 | Hand tools, namely, hand saws and blades for hand saws, utility knives, blades for utility knives, insulation knives, duct knives, folding knives; hand powered staple guns and hammer tackers; Hand tools, namely, scissors, snips, hand seamers, screwdrivers, nut drivers, pliers, and tubing cutters; Tool belts and tool pouches for attachment to tool belts; Hand tools in the nature of hand seamers; Hand tools, namely, wire crimpers; Hand tools, namely, clamps; chalk line reels in Classes 023, 028, 044                                                                                                                                                                                                                                                                                                                                                           |
|   | 5,071,525 | Batteries, battery chargers, radios; electronic test and measuring instruments and devices and electronic test tools, namely, digital multi-meters, voltage measuring clamps and forks, current measuring clamps and forks, voltage detectors, distance meters, temperature meters, and the structural parts thereof; Structural accessories for the aforementioned goods, namely, electrical cables for powering the devices, probes for testing integrated circuits; Inspection cameras, and the structural parts and structural accessories thereof, namely, extension cables, replacement cables, hooks in the nature of camera mounts and supports, scientific and technical apparatus in the nature of optical mirrors, and magnets not for medical use; levels, namely, battery powered plumb lasers and torpedo levels; tape measures in Classes 021, 023, 026, 036, 038 |
|  | 917,618   | Portable electric drills and attachments therefor; saws and attachments therefor; sanders; screw drivers; polishers; impact wrenches ; metal cutting shears in Class 023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|  | 1,489,877 | Electrically powered tools and equipment, namely-hole and screw shooters, diamond core drills, diamond core bits, drill presses having a weight of 200 pounds or less, and parts for each of the foregoing in Class 021 and 023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  | 1,739,475 | Electrically powered wire rope and link chain hoists, and overhead trolleys for moving the hoists, and parts therefor in Class 023;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|                                                                                    |           | Manually operated link chain and lever hoists and overhead trolleys for moving the hoists, and parts therefor in Class 021                                                                                                                                                                                                               |
|    | 3,772,366 | Batteries and battery chargers, electronic test and measuring instruments and devices and electronic test tools, namely, digital multi-meters, voltage measuring clamps and forks, current measuring clamps and forks, voltage detectors, and the structural parts and structural accessories thereof in Classes 021, 023, 026, 036, 038 |
|    | 3,908,609 | Hand tools, namely, hand operated manual tools, namely, saws, blades for hand saws, utility knives, blades for utility knives, screwdrivers, nutdrivers, pliers, tubing cutters, snips, tin snips, wrenches, wire strippers, clamps, chisels, and tool belts in Classes 023, 028, 044                                                    |
|    | 5,085,201 | Backpacks; Tool bags sold empty; Tool pouches, sold empty in Classes 001, 002, 003, 022, 041                                                                                                                                                                                                                                             |
|    | 5,085,219 | Felt-tip pens; Marking pens in Classes 002, 005, 022, 023, 029, 037, 038, 050                                                                                                                                                                                                                                                            |
|   | 5,085,220 | Tool boxes of metal; Tools chests of metal sold empty in Classes 002, 012, 013, 014, 023, 025, 050                                                                                                                                                                                                                                       |
|  | 5,085,222 | Tool and tool accessory boxes not made of metal sold empty and parts and fittings therefor; Tool boxes not of metal in Classes 002, 013, 022, 025, 032, 050                                                                                                                                                                              |
|  | 5,085,223 | Bottle openers in Classes 002, 013, 023, 029, 030, 033, 040, 050                                                                                                                                                                                                                                                                         |
|  | 5,085,240 | Cutting fluids; Lubricating oils and greases in Classes 001, 006, 015                                                                                                                                                                                                                                                                    |
|  | 5,117,290 | Hand tools, namely, hand saws and blades for hand saws, utility knives, blades for utility knives, insulation knives, duct knives, folding knives; hand powered staple guns and hammer tackers; Hand tools, namely, scissors, snips, hand seamers, screwdrivers, nut drivers, pliers, and tubing cutters; Tool belts and tool pouches    |

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|                                                                                    |           | for attachment to tool belts; Hand tools in the nature of hand seamers, Hand tools, namely, wire crimpers; Hand tools, namely, clamps; chalk line reels in Classes 023, 028, 044                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|    | 6,011,155 | Flashlights in Classes 013, 021, 023, 031, 034                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|    | 6,089,843 | Power tools, namely, rivet tools; chainsaws and chainsaw replacement chains in Classes 013, 019, 021, 023, 031, 034, 035                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|    | 6,089,844 | Power tools, namely, planers; Power tools, namely, drywall screw guns; Power tools, namely, mud mixers; drain and sewer cleaning power tools in Classes 013, 019, 021, 023, 031, 034, 035                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|    | 6,089,845 | Power tools, namely, vacuum cleaners, wet/dry vacuums and vacuum attachment accessories sold as a unit therewith; dust extractors and dust extractor attachment accessories sold as a unit therewith in Classes 013, 019, 021, 023, 031, 034, 035                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|  | 6,175,446 | <p>Inspection cameras, and the structural parts and structural accessories thereof, namely, extension cables, replacement cables, hooks, minors and magnets; levels, namely, battery powered plumb lasers not for medical use, motorized rotary levels, box levels, masonry levels, i-beam levels, torpedo levels and utility levels; tape measures; rulers, namely, straight rulers and folding rulers in Classes 021, 023, 026, 036, 038;</p> <p>Flashlights in Classes 013, 021, 023, 031, 034;</p> <p>Clothing, namely, jackets, shirts, sweatshirts and hats; all the foregoing not relating to baseball or softball or to a baseball or softball team, league, mascot or stadium in Classes 022, 039</p> |
|  | 6,209,035 | Protective work gloves; lanyards for safety purposes for fall protection in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|  | 6,209,036 | Power tools, namely, power-operated sprayers and sprayer tanks; power-operated pipe threaders; power-operated fish tape for pulling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



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|                                                                                  |           | cables in Classes 013, 019, 021, 023, 031, 034, 035                                                                                                                                                                                                                                                                                                                                                   |
|  | 6,369,616 | Air compressors as in Classes 013, 019, 021, 023, 024, 031, 034, 035                                                                                                                                                                                                                                                                                                                                  |
|  | 6,259,202 | Position indicating beacon using radio frequency technology to locate asset in the nature of tools, tool attachments, tool accessories, tool boxes, tool storage carts, lights, batteries, battery chargers and electronic test and measuring instruments and devices in Classes 021, 023, 026, 036, 038                                                                                              |
| M12                                                                              | 4,203,255 | Flashlights in Classes 013, 021, 023, 031, 034                                                                                                                                                                                                                                                                                                                                                        |
| M12                                                                              | 4,207,146 | Clothing, namely, jackets in Classes 022, 039                                                                                                                                                                                                                                                                                                                                                         |
| M12                                                                              | 4,400,602 | Power tools, namely, screwdrivers, rotary hammers, hammer drills, driver/drills, right angle drills, rotary tools, oscillating tools, expansion tools, grease guns, power saws, reciprocating saws, jig saws, band saws, palm nailers, impact wrenches, impact drivers, tubing cutters, powered shears, caulk guns, ratchet wrenches, cable cutters in Classes 013, 019, 021, 023, 024, 031, 034, 035 |
| M12                                                                              | 4,407,484 | Batteries; battery chargers; radios; electronic test and measuring instruments and devices and electronic test tools, namely, temperature meters, thermal imagers, thermal cameras, voltage measuring clamps and forks, current measuring clamps and forks, inspection cameras; levels, namely, battery powered plumb lasers in Classes 021, 023, 026, 036, 038                                       |
| M18                                                                              | 4,203,258 | Batteries, battery chargers and radios in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                                                                                                                             |
| M18                                                                              | 4,203,259 | Flashlights in Classes 013, 021, 023, 031, 034                                                                                                                                                                                                                                                                                                                                                        |
| M18                                                                              | 4,580,441 | Power tools namely, hammers, rotary hammers, hammer drills, drills/drivers, right angle drills, expansion tools, impact wrenches, impact drivers, power saws, reciprocating saws, jig saws, circular saws, band saws, grinders, grease guns, caulk guns, vacuum cleaners and attachments therefor in Classes 013, 019, 021, 023, 031, 034, 035                                                        |
| M28                                                                              | 4,203,253 | Batteries, battery chargers in Classes 021, 023, 026, 036, 038                                                                                                                                                                                                                                                                                                                                        |

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| M28     | 4,400,601 | Power tools, namely, right angle drills, rotary hammers, impact wrenches, circular saws in Classes 013, 019, 021, 023, 031, 034, 035                                                                                                                                                                                                                                                                                                                               |
| MX FUEL | 6,694,516 | Portable utility lights; mobile light towers; work lights in Classes 013, 021, 023, 024, 031, 034                                                                                                                                                                                                                                                                                                                                                                  |
| XC      | 6,269,364 | Power Tools, namely, power-operated hammers, rotary hammers, hammer drills, drills/drivers, right angle drills, expansion tools in the nature of tools used to temporarily expand pipes, impact wrenches, impact drivers, power-operated saws, reciprocating saws, jig saws, circular saws, band saws, grinders, power-operated grease guns, power-operated caulk guns, vacuum cleaners and attachments therefor in Classes 013, 019, 021, 023, 024, 031, 034, 035 |
|         |           | Power tools, namely, drills, driver/drills, hammers and hammer drills, rotary hammers, screw drivers, right angle drills, ratchet wrenches, impact wrenches, impact drivers and attachments therefor; power-operated polishers, power-operated sander-grinders and                                                                                                                                                                                                 |