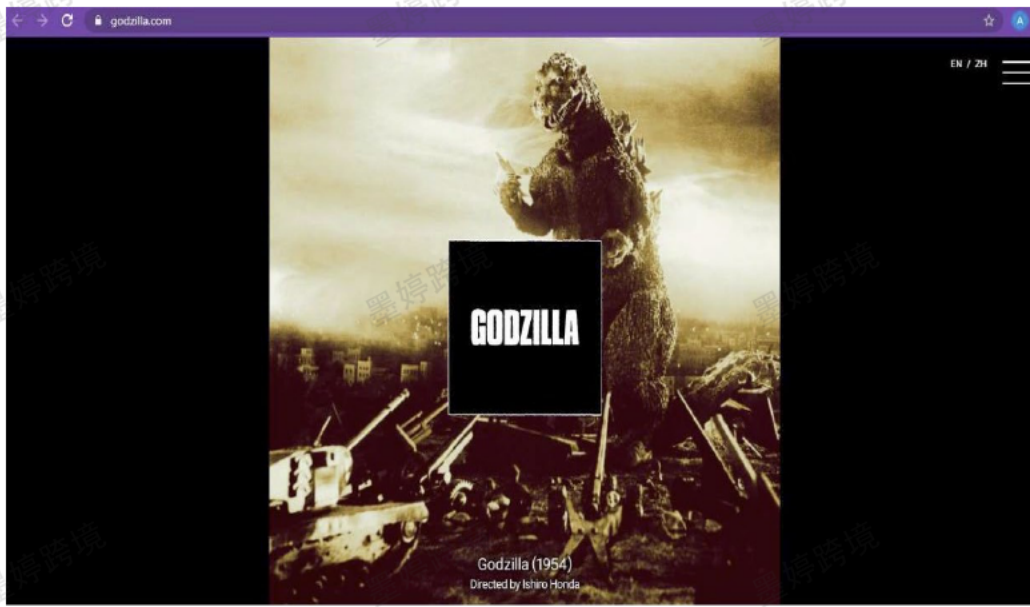




9. This action has been filed to combat online trademark and copyright infringers who trade upon Plaintiff's reputation and goodwill and valuable intellectual property by selling and/or offering for sale unauthorized and infringing versions of the GODZILLA Products in violation of Plaintiff's federally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

10. Plaintiff Toho Co., Ltd. is the 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. The GODZILLA Marks have achieved fame within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c). Long prior to Defendants' infringing acts complained of herein, GODZILLA had become a household name, widely recognized by the general consuming

public world-wide, including in the United States and this District, as a designation of source for Plaintiff's goods and services.

13.

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

15. 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; PA00001036332; PA00001265507; PA0000172648; PA0000152333; PA0000465312; PA0000796965; PA0000382931; PA0000426964; PA0000595595; PA0000796966; PA0000382933; PA00001035743; PA0000382929; PA0000796964; PA0000782264; LP0000029676; PA00001372864; PA00001232751; PA00001195981; PA00001151212; PA00002049886; and PA0000152334 (collectively the "GODZILLA Works").

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

17. 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.

18. The GODZILLA Marks and GODZILLA Works have been continuously used and have never been abandoned. The GODZILLA trademark and copyright registrations are valid,