

12. Defendants will likely continue to register or acquire new e-commerce store names or other aliases, as well as related payment accounts, for the purpose of offering for sale and/or selling goods bearing and/or using counterfeit and confusingly similar imitations of one or more of Carhartt's trademarks unless enjoined.

13. Defendants' E-commerce Store Names, associated payment accounts, and any other alias e-commerce store or seller identification names used in connection with the sale of counterfeit and infringing goods bearing and/or using one or more of Carhartt's trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement scheme and cause harm to Carhartt. Moreover, Defendants are using Carhartt's famous name and/or trademarks to drive Internet consumer traffic to their e-commerce stores operating under the E-commerce Store Names, thereby increasing the value of the E-commerce Store Names and decreasing the size and value of Carhartt's legitimate marketplace and intellectual property rights at Carhartt's expense.

COMMON FACTUAL ALLEGATIONS

Carhartt's Business and Trademark Rights

14. Carhartt is the owner of all rights in and to the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (collectively, the "Carhartt Marks").

Trademark	Registration Number	Registration Date	Class(es)/Good(s)
	1,193,235	April 6, 1982	IC 025 – Clothing-Namely, Shirts, Pants, Coats, Jackets and Overalls

	1,836,639	May 17, 1994	IC 025 – clothing for adults and children; namely, coats, T-shirts, long underwear, tops, bottoms, bib overalls, pants, jackets, vests, coveralls, jeans, suspenders, vests, shirts, sweatshirts, sweatpants, shorts, hoods, hats, socks and gloves
CARHARTT	1,841,700	June 28, 1994	IC 025 – clothing for adults and children; namely, coats, T-shirts, long underwear, tops, bottoms, bib overalls, pants, jackets, vests, coveralls, jeans, suspenders, vests, shirts, sweatshirts, sweatpants, shorts, hoods, hats, socks and gloves

The Carhartt Marks are used in connection with the manufacture and distribution of high-quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the Carhartt Marks are attached hereto as Composite Exhibit “1.”

15. The Carhartt Marks have been used in interstate commerce to identify and distinguish Carhartt’s high-quality goods for an extended period.

16. The Carhartt Marks have been used in commerce by Carhartt long prior in time to Defendants’ use of copies of those Marks. The Carhartt Marks have never been assigned or licensed to any of the Defendants in this matter.

17. The Carhartt Marks are symbols of Carhartt’s quality, reputation and goodwill and have never been abandoned. Carhartt has carefully monitored and policed the use of the Carhartt Marks and has never assigned or licensed the Carhartt Marks to any Defendant in this matter.