

9. In 2010, concurrent with the launch of the television series, the Monster High fashion doll line was introduced and became an immediate sensation that sold out in stores worldwide. By 2013, Monster High was the second best-selling doll brand in the world. Total annual sales under the Monster High brand are more than \$500 million dollars, with much of that revenue stemming from sales of Monster High Products other than toys.

10. The Monster High brand has become a global success that resonates with children worldwide, and Monster High Products are among the most recognizable in the world. Among the purchasing public, genuine Monster High Products are instantly recognizable as such.

11. Long before Defendants' acts described herein, Mattel launched the Monster High television show and fashion dolls bearing its now famous MONSTER HIGH marks and Monster High copyrighted works.

12. Mattel has continuously sold products under the MONSTER HIGH trademark and other trademarks (collectively, the "MONSTER HIGH Trademarks"). As a result of this long-standing use by Mattel, strong common law trademark rights and goodwill have amassed in the MONSTER HIGH Trademarks. The MONSTER HIGH Trademarks are registered with the United States Patent and Trademark Office, a non-exclusive list of which is included below.

Registration No.	Trademark
4,523,454; 4,298,505; 4,196,052; 7,538,441; 7,409,736; 7,189,409; 3,932,599; 7,622,643; 7,189,658; 4,026,560; 3,828,721; 7,189,659; 4,250,454	MONSTER HIGH
3,877,854	
7,237,918	ABBEY BOMINABLE
3,922,002; 6,804,801	CLAUDEEN WOLF
7,049,542	CLEO DE NILE
7,049,543	DEUCE GORGON

3,803,936; 3,895,421	DRACULAURA
7,700,916	FANGTASTIC
6,783,249	FRANKIE STEIN
7,026,834	GHOULIA YELPS
6,822,015	LAGOONA BLUE
7,582,055	MONSTER FEST
7,780,252	NEFERA DE NILE
5,470,544	NEPTUNA
4,542,276	TWYLA
7,524,310	SPECTRA VONDERGEIST
7,628,024	VENUS MCFLYTRAP
7,995,255; 7,755,114; 5,177,215; 5,177,218	

13. The above U.S. registrations for the MONSTER HIGH Trademarks are valid, subsisting, in full force and effect, and many are incontestable pursuant to 15 U.S.C. § 1065. The registrations for the MONSTER HIGH Trademarks constitute *prima facie* evidence of their validity and of Mattel's exclusive right to use the MONSTER HIGH Trademarks pursuant to 15 U.S.C. § 1057(b). Incontestable status under 15 U.S.C. § 1065 provides that the registrations for the MONSTER HIGH Trademarks are conclusive evidence of the validity of Mattel's MONSTER HIGH Trademarks and of the registrations of the MONSTER HIGH Trademarks, of Mattel's ownership of the MONSTER HIGH Trademarks, and of Mattel's exclusive right to use the MONSTER HIGH Trademarks in commerce. 15 U.S.C. §§ 1115(b), 1065. True and correct copies

added to the distinctiveness of the marks. As such, the goodwill associated with the MONSTER HIGH Trademarks is of incalculable and inestimable value to Mattel.

17. Monster High Products are distributed and sold to consumers through authorized retail channels throughout the United States, including through authorized retailers in Illinois.

18. Mattel has also registered hundreds of the Monster High brand works with the U.S. Copyright Office (the “Monster High Copyrighted Works”), including, but not limited to, the following:

- “Welcome to Monster High; The Origin Story” (U.S. Copyright Registration No. PA 2-062-653), issued by the Register of Copyrights on October 20, 2016;
- “Monster High: Fright On!” (U.S. Copyright Registration No. PA 1-803-677), issued by the Register of Copyrights on November 21, 2011;
- “Monster High: Why Do Ghouls Fall in Love” (U.S. Copyright Registration No. PA 1-808-292), issued by the Register of Copyrights on February 23, 2012;
- “Monster High: Escape from Skull Shores” (U.S. Copyright Registration No. PA 1-792-520), issued by the Register of Copyrights on April 25, 2012;
- “Monster High 13 Wishes” (U.S. Copyright Registration No. PA 1-871-472), issued by the Register of Copyrights on October 21, 2013;
- “Monster High 1 - #106 Fear Squad” (U.S. Copyright Registration No. PAu 3-693-974), issued by the Register of Copyrights on October 1, 2013;
- “Monster High 1 - #114 Jaundice Brothers” (U.S. Copyright Registration No. PAu 3-694-025), issued by the Register of Copyrights on October 1, 2013;
- “Monster High 1 - #108, Party Planners” (U.S. Copyright Registration No. PAu 3-693-966), issued by the Register of Copyrights October 1, 2013; and
- “Monster High 16 - #663 We Are Monster High” (U.S. Copyright Registration No. PAu 3-718-441), issued by the Register of Copyrights on April 16, 2014.

True and correct copies of the U.S. federal copyright registration certificates for the above-referenced Monster High Copyrighted Works are attached hereto as **Exhibit 2**.

49. Plaintiff is the owner of the Monster High Copyrighted Works. Mattel has complied with the registration requirements of 17 U.S.C. § 411(a) for the Monster High Copyrighted Works. The Monster High Copyrighted Works are protected by Copyright Registration Nos. PA 2-062-653, PA 1-803-677, PA 1-808-292, PA 1-792-520, PA 1-871-472, PAu 3-693-974, PAu 3-694-025, PAu 3-693-966 and PAu 3-718-441 which were duly issued to Mattel by the United States Copyright Office. At all relevant times, Mattel has been and still is the owner of all rights, title, and interest in the Monster High Copyrighted Works, which have never been assigned, licensed, or otherwise transferred to Defendants.

50. The Monster High Copyrighted Works are published on the Internet and available to Defendants online. As such, Defendants had access to the Monster High Copyrighted Works via the Internet.

51. Without authorization from Mattel, or any right under the law, Defendants have deliberately copied, displayed, distributed, reproduced, and/or made derivative works incorporating the Monster High Copyrighted Works on e-commerce stores operating under the Seller Aliases and the corresponding Unauthorized Products. Defendants' derivative works are virtually identical to and/or are substantially similar to the look and feel of the Monster High Copyrighted Works. Such conduct infringes and continues to infringe the Monster High Copyrighted Works in violation of 17 U.S.C. § 501(a) and 17 U.S.C. §§ 106(1)–(3), (5).

52. Defendants reap the benefits of the unauthorized copying and distribution of the Monster High Copyrighted Works in the form of revenue and other profits that are driven by the sale of Unauthorized Products.