

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO.**

ON CLOUDS GMBH,

Plaintiff,

vs.

THE INDIVIDUALS, BUSINESS ENTITIES,  
AND UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE "A,"

Defendants.

\_\_\_\_\_ /

**COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF**

Plaintiff, On Clouds GmbH ("On" or "Plaintiff"), hereby sues Defendants, the Individuals, Business Entities, and Unincorporated Associations Identified on Schedule "A" (collectively "Defendants"). Defendants are promoting, advertising, offering for sale, selling, and/or distributing goods bearing and/or using counterfeits and confusingly similar imitations of On's trademarks within this district through various Internet based e-commerce stores operating under the seller names set forth on Schedule "A" (the "E-commerce Store Names"). In support of its claims, On alleges as follows:

**JURISDICTION AND VENUE**

1. This is an action for damages and injunctive relief for federal trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1125(a), and 1125(d), The All Writs Act, 28 U.S.C. § 1651(a), and Florida's common law. Accordingly, this Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28

U.S.C. § 1367 over On's state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this district because they direct business activities toward and conduct business with consumers throughout the United States, including within the State of Florida and this district through, at least, the Internet based e-commerce stores accessible and doing business in Florida and operating under their E-commerce Store Names. Alternatively, based on their overall contacts with the United States, Defendants are subject to personal jurisdiction in this district pursuant to Federal Rule of Civil Procedure 4(k)(2) because (i) Defendants are not subject to jurisdiction in any state's court of general jurisdiction; and (ii) exercising jurisdiction is consistent with the United States Constitution and laws.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 since Defendants are, upon information and belief, non-residents in the United States and engaged in infringing activities and causing harm within this district by advertising, offering to sell, selling, and/or shipping infringing products into this district.

#### **THE PLAINTIFF**

4. On is a foreign business entity organized and existing under the laws of Switzerland, having its principal place of business at Förrlibuckstrasse 190 in Zürich, Switzerland 8005. On is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high-quality goods under multiple world-famous common law and federally registered trademarks, as discussed in Paragraph 14 below and identified in Schedule "B" hereto. On offers for sale and sells its trademarked goods within the State of Florida, including this district, and throughout the United States. Defendants, through the offer to sell and sale of counterfeit and infringing on branded products, are directly and unfairly

competing with On's economic interests in the United States, including within the State of Florida and causing On irreparable harm and damage within this jurisdiction.

5. Like many other famous trademark owners, On suffers ongoing daily and sustained violations of its trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit On's trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits across their e-commerce stores. The natural and intended byproduct of Defendants' combined actions is the erosion and destruction of the goodwill associated with the On name and associated trademarks and the destruction of the legitimate market sector in which it operates.

6. To combat the indivisible harm caused by the concurrent actions of Defendants and others engaging in similar conduct, each year On expends significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement. The exponential growth of counterfeiting over the Internet, including through online marketplace and social media platforms, has created an environment that requires companies such as On to expend significant resources across a wide spectrum of efforts in order to protect both consumers and itself from confusion and the erosion of the goodwill embodied in On's brand.

### **THE DEFENDANTS**

7. Defendants are individuals, business entities of unknown makeup, or unincorporated associations each of whom, upon information and belief, either reside and/or operate in foreign jurisdictions, redistribute products from the same or similar sources in those locations, and/or ship their goods from the same or similar sources in those locations to consumers as well as shipping and fulfillment centers, warehouses, and/or storage facilities within the United

States to redistribute their products from those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities toward consumers throughout the United States, including within this district, through the simultaneous operation of, at least, their commercial Internet based e-commerce stores under the E-commerce Store Names.

8. Defendants use aliases in conjunction with the operation of their businesses, including but not limited to those identified by Defendant Number on Schedule "A."

9. Defendants are the past and/or present controlling forces behind the sale of products bearing and/or using counterfeits and infringements of On's trademarks as described herein.

10. Defendants directly engage in unfair competition with On by advertising, offering for sale, and/or selling goods each bearing and/or using counterfeits and infringements of one or more of On's trademarks to consumers within the United States and this district through Internet based e-commerce stores using, at least, the E-commerce Store Names, as well as additional e-commerce store or seller identification aliases not yet known to On. Defendants have purposefully directed some portion of their unlawful activities toward consumers in the State of Florida through the advertisement, offer to sell, sale, and/or shipment of counterfeit and infringing On branded goods into the State.

11. Defendants have registered, established or purchased, and maintained their E-commerce Store Names. Defendants may have engaged in fraudulent conduct with respect to the registration of the E-commerce Store Names by providing false and/or misleading information during the registration or maintenance process related to their respective E-commerce Store Names. Many Defendants have anonymously registered and/or maintained their E-commerce Store Names for the sole purpose of engaging in unlawful counterfeiting activities.

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 On's trademarks unless preliminarily and permanently 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 On's trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement schemes and cause harm to On. Moreover, Defendants are using On'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 On's legitimate marketplace and intellectual property rights at On's expense.

### **COMMON FACTUAL ALLEGATIONS**

#### **On's Business and Trademark Rights**

14. On is the owner of all rights in and to the trademarks identified on Schedule "B" hereto, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (collectively, the "On Marks"). The On 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 On Marks are attached hereto as Composite Exhibit "1."

15. The On Marks have been used in interstate commerce to identify and distinguish On's high-quality goods for an extended period of time.

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

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

18. The On Marks are well-known and famous and have been for many years. On expends substantial resources developing, advertising, and otherwise promoting the On Marks and products bearing the On Marks. The On Marks qualify as famous marks as that term is used in 15 U.S.C. § 1125(c)(1).

19. Further, On extensively uses, advertises, and promotes the On Marks in the United States in association with the sale of high-quality goods.

20. As a result of On's efforts, members of the consuming public readily identify merchandise bearing or sold using the On Marks, as being high-quality goods sponsored and approved by On.

21. Accordingly, the On Marks have achieved secondary meaning among consumers as identifiers of high-quality goods.

22. Genuine goods bearing the On Marks are widely legitimately advertised, promoted, and offered for sale by On, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines and social media platforms, is important to On's overall marketing and consumer education efforts. Thus, On expends significant monetary and other resources on Internet marketing and consumer education regarding its products, including search engine optimization, search engine marketing, and social media

strategies. Those strategies allow On and its authorized retailers to educate consumers fairly and legitimately about the value associated with the On brand and the goods sold thereunder, and the problems associated with the counterfeiting of On's trademarks.

**Defendants' Infringing Activities**

23. Defendants are each promoting, advertising, distributing, offering for sale, and/or selling goods in interstate commerce bearing and/or using counterfeit and confusingly similar imitations of one or more of the On Marks (the "Counterfeit Goods") through at least the Internet based e-commerce stores operating under the E-commerce Store Names. Specifically, Defendants are each using the On Marks to initially attract online consumers and drive them to Defendants' e-commerce stores operating under the E-commerce Store Names. Defendants are each using virtually identical copies of one or more of the On Marks for different quality goods. On has used the On Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of On's merchandise.

24. Defendants' Counterfeit Goods are of a quality substantially different than that of On's genuine goods. Defendants, are actively using, promoting and otherwise advertising, distributing, offering for sale, and/or selling substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine high-quality goods offered for sale by On, despite Defendants' knowledge that they are without authority to use the On Marks. The net effect of Defendants' actions is likely to cause confusion of consumers at the time of initial interest, sale, and in the post-sale setting, who will believe all of Defendants' goods offered for sale in or through Defendants' e-commerce stores are genuine goods originating from, associated with, and/or approved by On.

25. Defendants advertise their e-commerce stores, including their Counterfeit Goods offered for sale, to the consuming public via e-commerce stores using, at least, the E-commerce Store Names. In so doing, Defendants improperly and unlawfully use one or more of the On Marks without On's permission.

26. Defendants are concurrently employing and benefiting from substantially similar advertising and marketing strategies based, in large measure, upon an unauthorized use of counterfeits and infringements of the On Marks. Specifically, Defendants are using counterfeits and infringements of On's famous name and the On Marks to make their e-commerce stores selling unauthorized goods appear more relevant and attractive to consumers searching for both On and non-On goods and information online. By their actions, Defendants are jointly contributing to the creation and maintenance of an unlawful marketplace operating in parallel to the legitimate marketplace for On's genuine goods. Defendants are causing individual, concurrent, and indivisible harm to On and the consuming public by (i) depriving On and other third parties of their right to fairly compete for space online and within search engine results and reducing the visibility of On's genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with the On Marks by viewing inferior products in either the pre or post sale setting, and/or (iii) increasing On's overall cost to market its goods and educate consumers about its brand via the Internet.

27. Defendants are concurrently conducting and targeting their counterfeiting and infringing activities toward consumers and likely causing unified harm within this district and elsewhere throughout the United States. As a result, Defendants are defrauding On and the consuming public for Defendants' own benefit.



28. At all times relevant hereto, Defendants in this action have had full knowledge of On's ownership of the On Marks, including its exclusive right to use and license such intellectual property and the goodwill associated therewith.

29. Defendants' use of the On Marks, including the promotion and advertisement, reproduction, distribution, offering for sale and sale of their Counterfeit Goods, is without On's consent or authorization.

30. Defendants are engaging in the above-described unlawful counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to On's rights for the purpose of trading on On's goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, On and the consuming public will continue to be harmed.

31. Defendants' above identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive consumers, the public, and the trade into believing there is a connection or association between On's genuine goods and Defendants' Counterfeit Goods, which there is not.

32. Moreover, certain Defendants (the "Cybersquatting Defendants") have registered their respective E-commerce Store Names using marks that are nearly identical and/or confusingly similar to at least one of the On Marks, (the "Cybersquatted E-commerce Store Names").

33. The Cybersquatting Defendants have registered and/or used the Cybersquatted E-commerce Store Names with the bad faith intent to profit from the On Marks.

34. Defendants do not have, nor have they ever had, the right or authority to use the On Marks. Further, the On Marks have never been assigned or licensed to be used on the e-commerce stores operating under the Cybersquatted E-commerce Store Names.

35. Upon information and belief, the Cybersquatting Defendants have provided false and/or misleading contact information when applying for the registration of their Cybersquatted E-commerce Store Names or have intentionally failed to maintain accurate contact information with respect to the registration of the Cybersquatted E-commerce Store Names.

36. The Cybersquatting Defendants have never used the Cybersquatted E-commerce Store Names in connection with a bona fide offering of goods or services.

37. The Cybersquatting Defendants have not made any bona fide non-commercial or fair use of the On Marks on a website accessible under the Cybersquatted E-commerce Store Names.

38. The Cybersquatting Defendants have intentionally incorporated at least one of the On Marks in its Cybersquatted E-commerce Store Names to divert consumers looking for On's Internet e-commerce store to their own Internet e-commerce stores for commercial gain.

39. Given the visibility of Defendants' various e-commerce stores and the similarity of their concurrent actions, it is clear Defendants are either affiliated, or at a minimum, cannot help but know of each other's existence and the unified harm likely to be caused to On and the overall consumer market in which they operate because of Defendants' concurrent actions.

40. Although some Defendants may be physically acting independently, they may properly be deemed to be acting in concert because the combined force of their actions serves to multiply the harm caused to On.

41. Defendants' payment and financial accounts, including but not limited to those specifically set forth on Schedule "A," are being used by Defendants to accept, receive, and deposit profits from Defendants' trademark counterfeiting and infringing and unfairly competitive activities connected to their E-commerce Store Names and any other alias e-commerce store names being used and/or controlled by them.

42. Further, Defendants, upon information and belief, are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to On.

43. On has no adequate remedy at law.

44. On is suffering irreparable injury and has suffered substantial damages because of Defendants' unauthorized and wrongful use of the On Marks. If Defendants' intentional counterfeiting and infringing, and unfairly competitive activities are not preliminarily and permanently enjoined by this Court, On and the consuming public will continue to be harmed while Defendants wrongfully earn a substantial profit.

45. The harm and damages sustained by On has been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods.

**COUNT I – TRADEMARK COUNTERFEITING AND INFRINGEMENT**  
**PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)**

46. On hereby adopts and re-alleges the factual allegations set forth in Paragraphs 1 through 45 above.

47. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeit and confusingly similar imitations of the On Marks in commerce in connection with the promotion, advertisement, distribution, offering for sale, and sale of the Counterfeit Goods.

48. Defendants are promoting and otherwise advertising, selling, offering for sale, and/or distributing goods bearing and/or using counterfeits and/or infringements of one or more of the On Marks. Defendants are continuously infringing and inducing others to infringe the On Marks by using one or more of the trademarks to advertise, promote, offer to sell, and/or sell counterfeit and infringing On branded goods.

49. Defendants' concurrent counterfeiting and infringing activities are likely to cause and are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

50. Defendants' unlawful actions have caused and are continuing to cause unquantifiable damages and irreparable harm to On and are unjustly enriching Defendants with profits at On's expense.

51. Defendants' above-described unlawful actions constitute counterfeiting and infringement of the On Marks in violation of On's rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

52. On has suffered and will continue to suffer irreparable injury and damages while Defendants are earning a substantial profit due to Defendants' above-described activities if Defendants are not preliminarily and permanently enjoined.

**COUNT II – FALSE DESIGNATION OF ORIGIN**  
**PURSUANT TO § 43(a) OF THE LANHAM ACT (15 U.S.C. § 1125(a))**

53. On hereby adopts and re-alleges the factual allegations set forth in Paragraphs 1 through 45 above.

54. Defendants' Counterfeit Goods bearing, offered for sale, and/or sold using copies of one or more of the On Marks have been widely advertised and offered for sale throughout the United States via the Internet.

55. Defendants' Counterfeit Goods bearing, offered for sale, and/or sold using copies of one or more of the On Marks are virtually identical in appearance to On's genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among consumers as to at least the origin or sponsorship of their Counterfeit Goods.

56. Defendants have used in connection with their advertisement, offer for sale, and/or sale of their Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and designs, which falsely describe or represent such goods and have caused such goods to enter into commerce in the United States with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to On's detriment.

57. Defendants have each authorized infringing uses of one or more of the On Marks in Defendants' advertisement and promotion of their counterfeit and infringing goods. Some Defendants have also misrepresented to members of the consuming public that the Counterfeit Goods they advertise and sell are genuine, non-infringing goods.

58. Additionally, Defendants are simultaneously using counterfeits and infringements of one or more of the On Marks to unfairly compete with On and others for space within organic and paid search engine and social media results. Defendants are thereby jointly (i) depriving On of valuable marketing and educational space online which would otherwise be available to On and (ii) reducing the visibility of On's genuine goods on the World Wide Web.

59. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

60. On has no adequate remedy at law and has sustained both individual and indivisible injury and damages caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, On will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages, while Defendants are earning a substantial profit.

**COUNT III - CLAIM FOR RELIEF FOR CYBERSQUATTING**  
**PURSUANT TO §43(d) OF THE LANHAM ACT (15 U.S.C. §1125(d))**  
(Against the Cybersquatting Defendants only)

61. On hereby adopts and re-alleges the factual allegations set forth in Paragraphs 1 through 45 above.

62. At all times relevant hereto, On has been and still is the owner of the rights, title, and interest in and to the On Marks.

63. The Cybersquatting Defendants have acted with the bad faith intent to profit from the On Marks and the goodwill associated with the On Marks by registering and using their Cybersquatted E-commerce Store Names.

64. The On Marks were already distinctive and famous at the time the Cybersquatting Defendants registered the Cybersquatted E-commerce Store Names.

65. The Cybersquatting Defendants have no intellectual property rights in or to the On Marks.

66. The Cybersquatted E-commerce Store Names are identical to, confusingly similar to, or dilutive of one or more of the On Marks.

67. The Cybersquatted Defendants' conduct is done with knowledge and constitutes a willful violation of On's rights in the On Marks. At a minimum, the Cybersquatting Defendants' conduct constitutes reckless disregard for and willful blindness to On's rights.

68. The Cybersquatting Defendants' actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. §1125(d).

69. On has no adequate remedy at law.

70. On has suffered and will continue to suffer irreparable injury and damages while the Cybersquatting Defendants are earning a substantial profit due to the above-described activities if these Defendants are not preliminarily and permanently enjoined.

#### **COUNT IV – COMMON LAW UNFAIR COMPETITION**

71. On hereby adopts and re-alleges the factual allegations set forth in Paragraphs 1 through 45 above.

72. This is an action against Defendants based on their promotion, advertisement, distribution, offering for sale, and/or sale of goods bearing and/or using marks that are virtually identical to one or more of the On Marks in violation of Florida's common law of unfair competition.

73. Specifically, Defendants are each promoting and otherwise advertising, selling, offering for sale, and/or distributing goods bearing and/or using counterfeits and infringements of one or more of the On Marks. Defendants are also each using counterfeits and infringements of one or more of the On Marks to unfairly compete with On and others for (i) space in search engine results across an array of search terms and (ii) visibility on the World Wide Web.

74. Defendants' infringing activities are likely to cause and are causing confusion, mistake, and deception among consumers as to the origin and quality of Defendants' e-commerce stores as a whole and all products sold therein by their use of the On Marks.

75. On has no adequate remedy at law and has suffered and will continue to suffer irreparable injury and damages because of Defendants' concurrent actions, while Defendants are earning a substantial profit from those actions.

**COUNT V – COMMON LAW TRADEMARK INFRINGEMENT**

76. On hereby adopts and re-alleges the factual allegations set forth in Paragraphs 1 through 45 above.

77. On is the owner of all common law rights in and to the On Marks.

78. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and/or sale of their Counterfeit Goods bearing and/or using one or more of the On Marks.

79. Specifically, each Defendant is promoting, and otherwise advertising, distributing, offering for sale, and/or selling goods bearing and/or using infringements of one or more of the On Marks.

80. Defendants' infringing activities are likely to cause and are causing confusion, mistake and deception among consumers as to the origin and quality of Defendants' Counterfeit Goods bearing and/or using the On Marks.

81. On has no adequate remedy at law and has suffered and will continue to suffer irreparable injury and damages because of Defendants' actions, while Defendants are earning a substantial profit from those actions.

**PRAYER FOR RELIEF**

82. WHEREFORE, On demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:



a. Entry of temporary, preliminary, and permanent injunctions pursuant to 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting the On Marks; from using the On Marks, or any mark or design similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name, or trademark or design that may be calculated to falsely advertise the services or goods of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with On; from falsely representing themselves as being connected with On, through sponsorship or association, or engaging in any act that is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with On; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the On Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of On, or in any way endorsed by On and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of the On name or trademarks; and from otherwise unfairly competing with On.

b. Entry of a temporary restraining order, as well as preliminary and permanent injunctions pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, enjoining Defendants and all third parties with actual notice of an injunction issued by

the Court from participating in, including providing financial services, technical services or other support to, Defendants in connection with the sale and distribution of non-genuine goods bearing and/or using counterfeits and/or infringements of the On Marks.

c. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon On's request, those acting in concert or participation as service providers to Defendants, who have notice of the injunction, shall disable and/or cease hosting, facilitating access to, or providing any supporting service to any and all e-commerce stores, including but not limited to the E-commerce Store Names, through which Defendants engage in the promotion, offering for sale and/or sale of goods bearing and/or using counterfeits and/or infringements of the On Marks.

d. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that, upon On's request, any Internet marketplace website operators, administrators, registrars, and/or top level domain (TLD) Registries for the E-commerce Store Names and any other alias e-commerce store names being used by Defendants who are provided with notice of an injunction issued by the Court, identify any e-mail address known to be associated with Defendants' E-commerce Store Names.

e. Entry of an order pursuant to 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon On's request, the Defendants and the top level domain (TLD) Registry for each of the E-commerce Store Names, or their administrators, including backend registry operators or administrators, place the E-commerce Store Names, and any other e-commerce store names being used and/or controlled by Defendants to engage in the business of marketing, offering to sell, and/or selling goods bearing and/or using counterfeits and infringements of the On Marks, on Registry Hold status for the remainder of the registration period

for any such e-commerce store, thus removing them from the TLD zone files that link the E-commerce Store Names, and any other alias e-commerce store names used by Defendants to the IP addresses where the associated e-commerce store names are hosted.

f. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority canceling for the life of the current registration or, at On's election, transferring the E-commerce Store Names and any other e-commerce store names used by Defendants to engage in their counterfeiting of the On Marks at issue to On's control so they may no longer be used for unlawful purposes.

g. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority authorizing On to request any Internet search engines or service provider referring or linking users to any Uniform Resource Locator ("URL") of the E-commerce Store Names, which are provided with notice of the order, to permanently disable, de-index or delist all URLs of the E-commerce Store Names and/or permanently disable the references or links to all URLs of the E-commerce Store Names used by Defendants to promote, offer for sale and/or sell goods bearing and/or using counterfeits and/or infringements of the On Marks, based upon Defendants' unlawful activities being conducted via the E-commerce Store Names as a whole and via any specific URLs identified by On.

h. Entry of an order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority, requiring Defendants, their agent(s) or assign(s) to assign all rights, title, and interest, to their E-commerce Store Names, and any other e-commerce store names used by Defendants to On and, if within five (5) days of entry of such order Defendants fail to make such an assignment, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

i. Entry of an order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority, requiring Defendants, their agent(s) or assign(s) to instruct in writing, all search engines to permanently delist or deindex the E-commerce Store Names, and any other e-commerce store names used by Defendants, and, if within five (5) days of entry of such order Defendants fail to make such a written instruction, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

j. Entry of an order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority, requiring Defendants, their agent(s) or assign(s) to instruct the Registrar(s) for each E-commerce Store Name(s) in writing to permanently close the registration account(s) in which any E-commerce Store Name(s) are located and, if within five (5) days of entry of such Order Defendants fail to make such a written instruction, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

k. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that, upon On's request, any messaging service and Internet marketplace and website operators and/or administrators who are provided with notice of an injunction issued by the Court, permanently remove any and all listings and associated images of goods bearing and/or using counterfeits and/or infringements of On's Marks via the e-commerce stores operating under the E-commerce Store Names, and upon On's request, any other listings and images of goods bearing and/or using counterfeits and/or infringements of On's Marks associated with or linked to the same sellers or linked to any other e-commerce store names being

used and/or controlled by Defendants to promote, offer for sale and/or sell goods bearing and/or using counterfeits and/or infringements of On's Marks

l. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, Federal Rule of Civil Procedure 65, and the Court's inherent authority that, upon On's request, Defendants and any Internet platform or marketplace website operators and/or administrators of the E-commerce Store Names who are provided with notice of an injunction issued by the Court, immediately cease fulfillment of and sequester all goods of each Defendant bearing and/or using one or more of On's Marks in its inventory, possession, custody, or control, and surrender those goods to On.

m. Entry of an order requiring, upon On's request, Defendants to request in writing permanent termination of any messaging services, E-commerce Store Names, usernames, e-commerce stores, and social media accounts they own, operate, or control on any messaging service, e-commerce marketplace, or social media website.

n. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, authorizing On to serve an injunction issued by the Court on any e-mail service provider with a request that the service provider permanently suspend the e-mail addresses that are or have been used by Defendants in connection with Defendants' promotion, offering for sale, and/or sale of goods bearing and/or using counterfeits, and/or infringements of the On Marks.

o. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority authorizing On to serve the injunction on the e-commerce store's registrar(s) and/or the privacy protection service(s) for the E-commerce Store Names to disclose

to On the true identities and contact information for the registrants of the E-commerce Store Names.

p. Entry of an order requiring Defendants to account to and pay On for all profits and damages resulting from Defendants' trademark counterfeiting and infringing and unfairly competitive activities and that the award to On be trebled, as provided for under 15 U.S.C. § 1117, or that On be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product type offered for sale or sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

q. Entry of an order requiring the Cybersquatting Defendants to account to and pay On for all profits and damages resulting from the Cybersquatting Defendants' cybersquatting activities and that the award to On be trebled, as provided for under 15 U.S.C. §1117, or that On be awarded statutory damages from the Cybersquatting Defendants in the amount of one hundred thousand dollars (\$100,000.00) per cybersquatted e-commerce store name used as provided by 15 U.S.C. §1117(d) of the Lanham Act.

r. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of On's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

s. Entry of an order pursuant to 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, Federal Rule of Civil Procedure 65, and the Court's inherent authority that, upon On's request, Defendants and any financial institutions, payment processors, banks, escrow services, money transmitters, e-commerce shipping partner, fulfillment center, warehouse, storage facility, or marketplace platforms, and their related companies and affiliates, identify, restrain, and be required to surrender to On all funds, up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the E-commerce Store Names, or

other alias e-commerce store names used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), and remain restrained until such funds are surrendered to On in partial satisfaction of the monetary judgment entered herein.

t. Entry of an order requiring Defendants, at On's request, to pay the cost necessary to correct any erroneous impression the consuming public may have received or derived concerning the nature, characteristics, or qualities of Defendants' products, including without limitation, the placement of corrective advertising and providing written notice to the public.

u. Entry of an award of pre-judgment interest on the judgment amount.

v. Entry of an order for any further relief as the Court may deem just and proper.

DATED: February 25, 2025.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

Stephen M. Gaffigan (Fla. Bar No. 025844)

Virgilio Gigante (Fla. Bar No. 082635)

T. Raquel Wiborg-Rodriguez (Fla. Bar. No. 103372)

Mallory R. Denzl (Fla. Bar No. 1050351)

401 East Las Olas Blvd., Suite 130-453

Ft. Lauderdale, Florida 33301

Telephone: (954) 767-4819

E-mail: [Stephen@smgpa.cloud](mailto:Stephen@smgpa.cloud)

E-mail: [Leo@smgpa.cloud](mailto:Leo@smgpa.cloud)

E-mail: [Raquel@smgpa.cloud](mailto:Raquel@smgpa.cloud)

E-mail: [MalloryR@smgpa.cloud](mailto:MalloryR@smgpa.cloud)



Attorneys for Plaintiff, On Clouds GmbH

**SCHEDULE "A"**

**[This page is the subject of Plaintiff's Motion to File Under Seal. As such, this page has been redacted in accordance with L.R. 5.4(b)(1)]**




**SCHEDULE "B"**  
**ON'S FEDERALLY REGISTERED TRADEMARKS**


| <b>Trademark</b>  | <b>Registration Number</b> | <b>Registration Date</b> | <b>Class(es) / Good(s)</b>  |
|---|----------------------------|--------------------------|---|
|  | 3,968,726                  | May 31, 2011             | IC 025 – ((Clothing, namely, shorts, t-shirts, tank tops, socks, sweatshirts, sweatpants, jogging suits, warm-up suits, jackets,)) footwear, ((headgear, namely, hats and visors))  |
| CLOUDTEC  | 4,462,668                  | January 7, 2014          | IC 025 – Footwear   |
|  | 4,669,141                  | January 13, 2015         | IC 025 – Footwear, namely, shoes, sports shoes  |
| CLOUDSURFER   | 5,126,157                  | January 24, 2017         | IC 025 – Footwear   |
| Cloudventure  | 5,331,900                  | November 14, 2017        | IC 025 – Footwear, shoes, sports shoes  |
| CLOUDFLYER  | 5,372,306                  | January 9, 2018          | IC 025 – Footwear, shoes; sports shoes  |
| Cloudflow   | 5,388,785                  | January 30, 2018         | IC 025 – Footwear, shoes, sports shoes  |
| CLOUD X   | 5,572,603                  | October 2, 2018          | IC 025 – Footwear, headwear; shirts, neckties; trousers, bathing suits, coats, combinations-trousers in the name of clothing, pelerines, cyclists' clothing, namely, shirts, shorts and jerseys; sashes for wear, aprons, headbands, tracksuits; anoraks, namely, parkas; ski pants; waist belts clothing; fur coats; mufflers clothing; gloves; dressing gowns; footwear for infants, slippers, shoes, sports shoes, esparto shoes or sandals, beach shoes, heels, bath slippers, boot liners, boots, socks and sandals; leather shoes, pockets for clothing |
| HELION  | 5,754,065                  | May 21, 2019             | IC 025 – Footwear soles; rubber soles for footwear; foam rubber soles for footwear; tongues or pull straps for footwear and boots; heels for footwear; footwear; shoes; moccasins; footwear for sports; running shoes; boots for mountain climbing; hiking boots; leisure footwear; beach footwear; bath slippers; slippers; boots; half-boots; sandals   |

| Trademark  | Registration Number | Registration Date | Class(es) / Good(s)  |
|------------|---------------------|-------------------|--|
| CLOUDSWIFT | 5,772,204           | June 11, 2019     | IC 025 – Footwear, headwear; shirts, neckties; trousers, bathing suits, coats, combinations-trousers, pelerines, cyclists' clothing, namely, cyclists' jerseys, bicycling gloves, shorts, sashes for wear, aprons, headbands, tracksuits; anoraks; ski pants; waist belts; fur coats; mufflers as neck scarves; gloves; dressing gowns; footwear for infants, slippers, shoes, sports shoes, esparto shoes or sandals, beach shoes, heels, bath slippers, boot liners, boots, socks and sandals; leather clothing, namely, leather pants, leather jackets, leather belts; pockets for clothing   |
| Cloudrock  | 5,887,768           | October 22, 2019  | IC 025 – Clothing namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; running shoes; footwear for sports; athletic footwear; footwear for walking; trail shoes; trail racing shoes; hiking boots; boots for mountain climbing; climbing footwear; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball shoes; bath slipper; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; anti-moisture tops as clothing and pants; anti-moisture underwear; breathable tops as clothing and pants; breathable underwear; sports bras; tee-shirts; sports t-shirts; racing suits; tops as clothing; singlets; tank tops; long sleeve shirts; sweatshirts; vests; trousers; sport trousers; running pants; shorts; sports shorts; racing shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; |

| Trademark    | Registration Number | Registration Date | Class(es) / Good(s)  |
|--------------|---------------------|-------------------|--|
|              |                     |                   | bathing trunks; bikinis; baseball caps; caps being bonnets; bathing caps; leggings being leg warmers; boxer underpants; socks; sports socks; half-boots; sports tank tops; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; thermal headwear; headbands; neck scarfs being mufflers; gloves; sweat bands; waist belts being clothing; bath robes   |
| CLOUDSTRATUS | 5,887,794           | October 22, 2019  | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; running shoes; footwear for sports; athletic footwear; footwear for walking; trail shoes; trail running shoes; hiking boots; boots for mountain climbing; climbing footwear; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball shoes; bath slipper; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; anti-moisture tops as clothing and pants; anti-moisture underwear; breathable tops as clothing and pants; breathable underwear; sports bras; tee-shirts; racing suits; tops as clothing; singlets; tank tops; long sleeve shirts; sweatshirts; vests; trousers; sport trousers; running pants; shorts; sports shorts; racing shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; caps being bonnets; caps |

| Trademark  | Registration Number | Registration Date | Class(es) / Good(s)  |
|------------|---------------------|-------------------|--|
|            |                     |                   | being headwear; bathing caps; leggings being leg warmers; boxer underpants; socks; sports socks; half-boots; sports tank tops; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; hermal headwear; headbands; neck scarfs being mufflers; gloves; sweat bands; waist belts being clothing; bath robes  |
| Speedboard | 6,015,820           | March 24, 2020    | IC 025 – Inner soles; inner soles for footwear; shoe soles; rubber soles for footwear; foam rubber soles for footwear; tongues or pull straps for footwear and boots; heels for footwear; footwear; shoes; moccasins; footwear for sports; running shoes; outdoor footwear; athletic footwear; footwear for walking; trail shoes; trail running shoes; climbing boots; mountaineering footwear; hiking boots; climbing footwear; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball shoes; leisure footwear; beach footwear; bath slippers; slippers; boots; half-boots; sandals   |
| Cloudnova  | 6,050,403           | May 12, 2020      | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, |

| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)   |
|---|---------------------|-------------------|---|
|   |                     |                   | shorts, tights, skirts, socks; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; t-shirts; sports t-shirts; running shirts; tops as clothing; garments, namely, under garments, sleeping garments; tank-tops; long-sleeved shirts; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; hats; caps being bonnets; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; thermal headwear; headbands; neck scarves being mufflers; gloves; sweat bands; head sweatbands; waist belts being clothing; bath robes |
|  | 6,087,928           | June 30, 2020     | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants,   |

| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)  |
|---|---------------------|-------------------|--|
|   |                     |                   | shorts, tights, skirts, socks; moisture-wicking clothing in the nature of tops and pants; moisture-wicking underwear; breathable clothing in the nature of tops and pants; breathable underwear; sports bras; t-shirts; sports t-shirts; running shirts; tops as clothing; garments, namely, under garments, sleeping garments; tank-tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; hats; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; scarves; gloves; sweat bands; head sweat bands; waist belts; bath robes |
|  | 6,110,208           | July 28, 2020     | IC 025 – Caps being headgear; trouser straps; gloves; hats; hosiery; jackets; clothing of leather, namely leather jackets, shirts, skirts; clothing of imitations of leather in the nature of jackets, shirts, skirts; overcoats; briefs; parkas; ponchos; footwear; scarves; shirts; pullovers; tee-shirts; trousers; underwear; sweat-absorbent underclothing; waterproof clothing in the nature of t-shirts, tops, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; shorts; combinations being clothing; aprons; rainwear; raincoats; clothing, namely t-shirts, tops, knitwear, tank tops, long sleeve shirts, sweatshirts, vests, jackets,   |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)   |
|-----------|---------------------|-------------------|---|
|           |                     |                   | pants, shorts, tights, skirts, socks; headwear  |
| CLOUDBOOM | 6,132,818           | August 25, 2020   | IC 025 – Clothing, namely, tee-shirts, tops, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; t-shirts; sports t-shirts; running shirts; tops as clothing; garments, namely, under garments, sleeping garments; tank tops; long-sleeved shirts; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; hats; caps being bonnets; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal protection clothing, namely, tee-shirts, tops, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves being mufflers; gloves; sweat bands; head |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)   |
|-----------|---------------------|-------------------|---|
|           |                     |                   | sweatbands; waist belts being clothing; bath robes  |
| ON        | 6,674,432           | March 22, 2022    | IC 025 – Clothing, namely, t-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, coats, trousers, pants, shorts, tights, skirts, socks, footies, underwear, boxer shorts, garments in the nature of shirts and pants, sports bras, rain slickers, pelerines, bathing suits, bathing trunks, bikinis, bath robes, leg warmers, headbands, gloves, sweat bands, head sweatbands, waist belts being clothing, neck scarves being mufflers; footwear; headwear  |
| Cloudgo   | 6,891,529           | November 8, 2022  | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; clothing, namely, moisture-wicking tops and pants; moisture-wicking underwear; clothing, namely, breathable tops and pants; breathable underwear; sports bras; T-shirts; sports t-shirts; running shirts; tops as clothing; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; |




| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)   |
|-------------|---------------------|-------------------|---|
|             |                     |                   | pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; hats; caps as headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal protection clothing, namely tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; scarves; gloves; sweat bands; head sweatbands; waist belts; bath robes   |
| CLOUDRUNNER | 6,945,341           | January 10, 2023  | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; clothing, namely, moisture-wicking tops and pants; moisture-wicking underwear; breathable tops and pants being clothing; breathable underwear; sports bras; T-shirts; sports t-shirts; running shirts; tops being clothing; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; |

| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)   |
|-------------|---------------------|-------------------|---|
|             |                     |                   | baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bath robes   |
| Cloudwander | 6,945,381           | January 10, 2023  | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; clothing, namely, moisture-wicking tops and pants; moisture-wicking underwear; breathable tops and pants being clothing; breathable underwear; sports bras; T-shirts; sports T-shirts; running shirts; tops; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running pants; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps; bathing caps; leg |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)  |
|-----------|---------------------|-------------------|--|
|           |                     |                   | warmers; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes   |
| Cloudrift | 6,945,383           | January 10, 2023  | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; moisture-wicking tops and pants; moisture-wicking underwear; breathable tops and pants being clothing; breathable underwear; sports bras; T-shirts; sports T-shirts; running shirts; tops being clothing; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running pants; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)   |
|-----------|---------------------|-------------------|---|
|           |                     |                   | boxer shorts; socks; sports socks; ankle socks; sports singlets; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes  |
| On Cloud  | 7,021,250           | April 11, 2023    | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, trousers, shorts, tights, skirts, socks; clothing, namely, moisture-wicking tops and pants; moisture-wicking underwear; clothing, namely, breathable tops and pants; breathable underwear; sports bras; T-shirts; sports t-shirts; running shirts; tops as clothing; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; hats; caps as headwear; bathing caps; leg warmers; boxer shorts; socks; sports |

| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)  |
|---|---------------------|-------------------|--|
|   |                     |                   | socks; footies; sports singlets; underwear; thermal protection clothing, namely tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; scarves; gloves; sweat bands; head sweatbands; waist belts; bath robes  |
|  | 7,128,937           | August 8, 2023    | IC 025 – Clothing, namely, tee-shirts, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; moisture-wicking tops being clothing and pants; moisture-wicking underwear; breathable tops and pants being clothing; breathable underwear; sports bras; T-shirts; sports t-shirts; running shirts; clothing tops; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; footies; sports singlets; underwear; thermal protection |

| Trademark | Registration Number | Registration Date  | Class(es) / Good(s)  |
|-----------|---------------------|--------------------|--|
|           |                     |                    | clothing, namely, shirts and pants; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bath robes  |
| Cloudeasy | 7,159,659           | September 12, 2023 | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; moisture-wicking tops being clothing and pants; moisture-wicking underwear; Clothing, namely, breathable tops and pants; breathable underwear; sports bras; T-shirts; sports T-shirts; running shirts; tops being clothing; jerseys; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running pants; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports singlets; underwear; thermal protection clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, |


| Trademark      | Registration Number | Registration Date | Class(es) / Good(s)   |
|----------------|---------------------|-------------------|---|
|                |                     |                   | vests, jackets, pants, shorts, tights, skirts, socks; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes  |
| Cloud Play     | 7,369,493           | April 30, 2024    | IC 025 – Clothing in the nature of pants and shirts; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; footwear for children; sports clothing in the nature of pants and shirts; leisure wear in the nature of pants and shirts; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; tee-shirts; sports t-shirts; running shirts; tops as clothing; clothing jerseys; tank tops; long-sleeved jerseys being clothing; sweatshirts; vests; trousers; sports trousers; running trousers; shorts; sports shorts; running shorts; ski pants; clothing jackets; outdoor clothing jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes |
| On Cloud Shoes | 7,369,507           | April 30, 2024    | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear;  |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)  |
|-----------|---------------------|-------------------|--|
|           |                     |                   | headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; footwear for children; sportswear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; tee-shirts; sports t-shirts; running shirts; tops as clothing; clothing and sports jerseys; tank tops; long-sleeved clothing and sports jerseys; sweatshirts; vests; trousers; sports trousers; running pants; shorts; sports shorts; running shorts; ski pants; clothing jackets; outdoor clothing jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal protection clothing, namely warm up outfits, warm up suits; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes; inner soles; soles for footwear; heels |
| CloudTilt | 7,369,766           | April 30, 2024    | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants,  |



| Trademark | Registration Number | Registration Date | Class(es) / Good(s)   |
|-----------|---------------------|-------------------|---|
|           |                     |                   | shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; children's shoes; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; clothing for children, namely, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; tennis wear; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; tee-shirts; sports t-shirts; running shirts; tops as clothing; clothing and sports jerseys; tank tops; long-sleeved clothing and sports jerseys; sweatshirts; vests; trousers; sweatpants; running pants; shorts; sports shorts; running shorts; ski pants; clothing jackets; outdoor clothing jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal protection clothing, namely, warm up outfits, warm up suits; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)  |
|-----------|---------------------|-------------------|--|
|           |                     |                   | bathrobes; insoles; soles for footwear; heels; shoe insoles; rubber soles for footwear; foam rubber soles for footwear; tongues and pull straps for shoes and boots, and drinking vests in the nature of clothing vests  |
| Clouthero | 7,376,628           | May 7, 2024       | IC 025 – Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; t-shirts; sports t-shirts; running shirts; tops as clothing; clothing and sports jerseys; tank tops; long-sleeved clothing and sports jerseys; sweatshirts; vests; trousers; sweatpants; running trousers; shorts; sports shorts; running shorts; ski pants; clothing jackets; outdoor clothing jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports singlets; underwear; thermal protection clothing, namely, warm up outfits, warm |

| Trademark   | Registration Number | Registration Date | Class(es) / Good(s)  |
|---|---------------------|-------------------|--|
|   |                     |                   | up suits; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes; insoles; soles for footwear; heels; children's footwear; children's clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; tennis wear; shoe insoles; rubber soles for footwear; foam rubber soles for footwear; tongues and pull straps for shoes and boots  |
|  | 7,424,065           | June 25, 2024     | IC 025 – Clothing, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; footwear; headwear; outdoor shoes; casual shoes; running shoes; sports shoes; athletic footwear; trekking shoes; trail shoes; trail running shoes; hiking boots; alpine boots; mountaineering boots; climbing shoes; baseball shoes; football boots; tennis shoes; snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; leisure wear, namely, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; moisture-wicking tops as clothing and pants; moisture-wicking underwear; breathable tops as clothing and pants; breathable underwear; sports bras; T-shirts; sports T-shirts; running shirts; tops as clothing; clothing and sports jerseys; tank tops; long-sleeved clothing and sports jerseys; sweatshirts; vests; trousers; sweatpants; running pants; shorts; sports shorts; running shorts; ski pants; clothing jackets; outdoor clothing jackets; sports jackets; sports coats; rain |

| Trademark | Registration Number | Registration Date | Class(es) / Good(s)  |
|-----------|---------------------|-------------------|--|
|           |                     |                   | slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; stocking caps; caps being headwear; bathing caps; leg warmers; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal protection clothing, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; neck scarves; gloves; sweat bands; head sweatbands; waist belts; bathrobes; insoles; soles for footwear; heels for shoes; children's shoes; children's clothing, namely, tee-shirts, tops as clothing, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; tennis wear; shoe insoles; rubber soles for footwear; foam rubber soles for footwear; tongues and pull straps for shoes and boots; drinking vests in the nature of clothing vests |