

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

HERSCHEL SUPPLY COMPANY LTD.,

Plaintiff,

v.

THE PARTNERSHIPS and  
UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE “A,”

Defendants.

Case No. 20-cv-00095

**COMPLAINT**

Plaintiff Herschel Supply Company Ltd. (“Herschel Supply” or “Plaintiff”) hereby brings the present action against the Partnerships and Unincorporated Associations identified on Schedule A attached hereto (collectively, “Defendants”) and alleges as follows:

**I. JURISDICTION AND VENUE**

1. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051, *et seq.*, 28 U.S.C. § 1338(a)-(b) and 28 U.S.C. § 1331. This Court has jurisdiction over the claims in this action that arise under the laws of the State of Illinois pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive, commercial Internet stores operating under the Online Marketplace

Accounts identified in Schedule A attached hereto (collectively, the “Defendant Internet Stores”). Specifically, Defendants are reaching out to do business with Illinois residents by operating one or more commercial, interactive Defendant Internet Stores through which Illinois residents can purchase products using infringing and counterfeit versions of Herschel Supply’s trademarks. Each of the Defendants has targeted sales from Illinois residents by operating online stores that offer shipping to the United States, including Illinois, accept payment in U.S. dollars and, on information and belief, has sold products using infringing and counterfeit versions of Herschel Supply’s federally registered trademarks to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Herschel Supply substantial injury in the State of Illinois.

## **II. INTRODUCTION**

3. This action has been filed by Herschel Supply to combat Internet Store operators who trade upon Herschel Supply’s reputation and goodwill by offering for sale and selling unauthorized and unlicensed products, including backpacks, bags, wallets, accessories, and other merchandise using infringing and counterfeit versions of Herschel Supply’s federally registered trademarks (the “Counterfeit Herschel Supply Products”). Defendants create the Defendant Internet Stores by the dozens and design them to appear to be selling genuine Herschel Supply products, while actually selling Counterfeit Herschel Supply Products to unknowing consumers. The Defendant Internet Stores share unique identifiers, such as design elements and similarities of the counterfeit products offered for sale, establishing a logical relationship between them and suggesting that Defendants’ counterfeiting operation arises out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their

counterfeiting operation. Herschel Supply is forced to file this action to combat Defendants' counterfeiting of its registered Herschel Supply trademarks, as well as to protect unknowing consumers from purchasing Counterfeit Herschel Supply Products over the Internet. Herschel Supply has been and continues to be irreparably damaged through consumer confusion, dilution, and tarnishment of its valuable trademarks as a result of Defendants' actions and seeks injunctive and monetary relief.

### **III. THE PARTIES**

#### **Plaintiff**

4. Plaintiff Herschel Supply Company Ltd. is a British Columbia corporation, having its principal place of business at 327-611 Alexander Street, Vancouver, British Columbia, Canada V6A 1E1.

5. Founded in 2009 by brothers Jamie and Lyndon Cormack, Herschel Supply designs and manufactures the finest quality backpacks, bags, luggage, headwear, travel goods and accessories for everyday explorers around the world (the "Herschel Supply Products"). Herschel Supply is a design-driven, detail-oriented, innovative company that creates opportunities for individuals to express themselves, influence change and contribute to the growth of a global brand. The brand combines vintage and contemporary design elements that evoke heritage and current trends simultaneously.

6. In its first year of operation, Herschel Supply achieved shelf space for its brand new products in major retail outlets like Urban Outfitters. In its first season, Herschel Supply launched in four countries. Today, the company works with approximately 20 different manufacturers around the world and promotes, sells and distributes its genuine products in more than 90 different countries. Herschel Supply Products are now sold in more than 10,000 retail

stores worldwide, including over 3,000 unique retail locations in the United States. Herschel Supply's Herschel Heritage and Herschel Little America backpack have become iconic silhouettes, which is one reason Herschel Supply has become so popular on social media and, as of December 2019, has more than 1.1 million Instagram followers and over 960,000 Facebook fans.

7. Herschel Supply has also partnered with third party brands from Coca-Cola to Disney to Major League Baseball to create new co-branded collections.

8. Herschel Supply branded products are distributed and sold to consumers throughout the United States, including in Illinois, through the official herschel.com website which was launched in 2010, and today through retailers such as Nordstrom, Barney's, Selfridges, Bloomingdales, Zumiez, Saks 5<sup>th</sup> Avenue, and Zappos, among many others.

9. Herschel Supply incorporates a variety of distinctive marks in the design of its various Herschel Supply Products. As a result of its long-standing use, Herschel Supply owns common law trademark rights in its trademarks. Herschel Supply has also registered its trademarks with the United States Patent and Trademark Office. Herschel Supply Products typically include at least one of Herschel Supply's registered trademarks. Often several Herschel Supply marks are displayed on a single Herschel Supply Product. Herschel Supply uses its trademarks in connection with the marketing of its Herschel Supply Products, including the following marks which are collectively referred to as the "HERSCHEL SUPPLY Trademarks."

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
3,936,561	THE HERSCHEL SUPPLY CO. BRAND	Mar. 29, 2011	For: Leather goods, namely, bags, backpacks, travel bags, luggage bags, wallets, purses, sports bags, daypacks, tote bags, duffel bags, book bags, school bags, shoulder bags, hard-sided and soft-sided

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			carry-on bags and gym bags in class 018.
4,571,536	HERSCHEL	July 22, 2014	<p>For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035.</p> <p>For: bags specially adapted for sports equipment in class 028.</p> <p>For: footwear; shoes; boots; headwear; clothing, namely, hats in class 025.</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffel bags, tote bags, shoulder bags and backpacks; shopping bags made of fabric; textile shopping bags; all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment;</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>general purpose bags for holding dance equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; wheeled bags; wheeled duffel bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases; business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; leather cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018.</p> <p>For: pen cases; pencil cases; stationery cases; lunch bags made of textile in class 016.</p> <p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags;</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; sunglasses; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, computers, mobile phones, tablet computers, cameras, portable media players; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones,</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			tablet computers, cameras, portable media players in class 009.
5,041,490	THE HERSCHEL SUPPLY CO. BRAND	Sept. 13, 2016	<p>For: bags specially adapted for sports equipment in class 028.</p> <p>For: footwear; shoes; boots; headwear; hats in class 025.</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffel bags, tote bags, shoulder bags and backpacks; shopping bags made of fabric; textile shopping bags; all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; duffel bags for travel;</p>





REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>flight bags; overnight bags; wheeled bags; wheeled duffle bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases. Business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; leather cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018.</p> <p>For: pen cases; pencil cases; stationery cases; lunch bags made of textile in class 016.</p> <p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; sunglasses; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, computers, mobile phones, tablet computers, cameras, portable media players. Carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009.
4,575,141	THE HERSCHEL SUPPLY CO. BRAND	July 29, 2014	For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035.

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>For: bags specially adapted for sports equipment in class 028.</p> <p>For: footwear; shoes; boots; headwear; hats in class 025.</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffle bags, tote bags, shoulder bags and backpacks; shopping bags made of fabric; textile shopping bags; all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; wheeled bags;</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>wheeled duffle bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases; business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; leather cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018.</p> <p>For: pen cases; pencil cases; stationery cases; lunch bags made of textile in class 016.</p> <p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; sunglasses; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for</p>

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			mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, computers, mobile phones, tablet computers, cameras, portable media players; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009.
3,859,803		Oct. 12, 2010	For: Leather goods, namely, bags, backpacks, travel bags, luggage bags, wallets, purses, sports bags, daypacks, tote bags, duffel bags, book bags, school bags, shoulder bags, hard-sided and soft-sided carry-on bags and gym bags in class 018.

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4,571,535	 <p>THE FINEST QUALITY THE <b>Herschel</b> SUPPLY CO. BRAND TRADE MARK</p>	July 22, 2014	<p>For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035.</p> <p>For: bags specially adapted for sports equipment in class 028.</p> <p>For: footwear; shoes; boots; headwear; hats in class 025.</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffle bags, tote bags, shoulder bags and backpacks; shopping bags made of fabric; textile shopping bags; all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>and gym bags; hiking bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; wheeled bags; wheeled duffel bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases; business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; leather cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018.</p> <p>For: pen cases; pencil cases; stationery cases; lunch bags made of textile in class 016.</p> <p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; sunglasses;</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, computers, mobile phones, tablet computers, cameras, portable media players; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009.
4,571,639	POP QUIZ	July 22, 2014	For: school bags; book bags;



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			<p>rucksacks; backpacks in class 018.</p> <p>For: bags adapted for laptops; sleeves for laptops; bags specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for laptops; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players; cases for music, audio and related electronic equipment, namely, cases for portable computers and the cables associated with all of the foregoing equipment in class 009.</p>
4,571,640	SETTLEMENT	July 22, 2014	<p>For: school bags; book bags; rucksacks; backpacks in class 018.</p> <p>For: bags adapted for laptops; bags specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; carrying cases for mobile computers; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers in class 009.</p>
4,571,641	HERSCHEL RETREAT	July 22, 2014	For: school bags; book bags; rucksacks; backpacks; haversacks

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			in class 018.  For: bags adapted for laptops; computer bags; carrying cases for mobile computers; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers, tablet computers, in class 009.
4,820,483	HERSCHEL HERITAGE	Sept. 29, 2015	For: school bags; book bags; rucksacks; backpacks in class 018.  For: bags adapted for laptops; sleeves for laptops; bags specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for laptops; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cases for music, audio and related electronic equipment, namely, cases for portable computers and the cables associated with all of the foregoing equipment; carrying cases specially adapted for electronic equipment, namely, computers and tablet computers in class 009.
4,820,487	HERSCHEL NOVEL	Sept. 29, 2015	For: Shoulder bags; sling bags; small bags for men; barrel bags; duffel bags; military duffel bags, all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose


REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; gym bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; travel bags; traveling bags; luggage; duffel bags for travel; flight bags; overnight bags in class 018.
4,829,701	HERSCHEL ANCHOR	Oct. 13, 2015	For: sleeves for laptops; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for laptops; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers and tablet computers in class 009.
5,022,917	HERSCHEL CLASSIC	Aug. 16, 2016	For: school bags; book bags; rucksacks; backpacks; haversacks in class 018.  For: bags specially adapted for holding or carrying portable telephones and telephone equipment and accessories in class 009.
5,022,918	HERSCHEL SURVEY	Aug. 16, 2016	For: school bags; book bags; rucksacks; backpacks; small bags for men in class 018.  For: bags adapted for laptops; computer bags; carrying cases for mobile computers; notebook computer carrying cases; computer carrying cases; laptop carrying

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			cases; carrying cases specially adapted for electronic equipment, namely, computers and tablet computers in class 009.
5,253,473	HERSCHEL KIRKWOOD	Aug. 1, 2017	<p>For: school bags; carry-all bags; travel bags; satchel bags; rucksack bags; backpacks; duffel bags; messenger bags; shopping bags made of fabric; shopping bags made of leather; bags for campers in the nature of all-purpose carrying bags in class 018.</p> <p>For: bags adapted for carrying laptops; sleeves for protecting laptops; computer bags; computer cases; backpacks adapted to hold laptops and tablet computers in class 009.</p>
5,481,599	BAD HILLS WORKSHOP	May 29, 2018	<p>For: Bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; bags for cameras and photographic equipment; protective covers and cases for cell phones and portable media players; protective cases for smartphones; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players; bags adapted for laptops; sleeves for laptops; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; wheeled messenger bags especially adapted for holding</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			laptops; sunglasses; cases for eyeglasses and sunglasses; camera cases; bags for cameras and photographic equipment; carrying cases for mobile computers; rolling cases especially adapted for holding laptops and notebook computers; protective covers and cases for tablet computers; protective covers and cases for laptops; protective cases made from leather or imitation leather for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases made from leather or imitation leather; cases for mobile phones made from leather or imitation leather; cases for telephones made from leather or imitation leather; carrying cases for cell phones made from leather or imitation leather; carrying cases specially adapted for pocket calculators and cellphones made from leather or imitation leather; cases made from leather or imitation leather for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases, holders and protective cases made from leather or imitation


REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>leather for power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, computers, mobile phones, tablet computers, cameras, portable media players; carrying cases made from leather or imitation leather specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players; eyeglasses. In class 009</p> <p>For: Pen cases; pencil cases; stationery cases; pen cases, pencil cases, stationery cases all made from either leather or imitation leather in class 016</p> <p>For: Wallets; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; belt bags and hip bags; boston bags; bum bags; hip bags; hobo bags; waist bags; shopping bags made of fabric; string bags for shopping; textile shopping bags; general purpose bags for holding dance equipment; hiking bags; leather and imitation leather sport bags; bags for carrying babies' accessories; business card cases; business card holders in the nature of wallets and purses; credit card cases; credit card cases and holders; key cases; cases for keys; purses; handbags; clutch bags; evening bags; men's clutch bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffel bags, garment bags for travel; all-purpose bags; all-purpose carrying bags; carry-all</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags and gym bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; shoe bags for travel; wheeled bags; wheeled duffel bags; wheeled messenger bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases made from leather or imitation leather; carrying cases made from leather or imitation leather; carrying cases for documents made from leather or imitation leather; credit card cases made from leather or imitation leather; credit card cases and holders made from leather or imitation leather; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; key cases of leather or imitation leather; key cases of leather and skins; leather cases; leather cases for keys; leather key cases; attaché cases; attaché cases made of

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>leather; attaché cases made of imitation leather; briefcases and attaché cases; document cases; haversacks in class 018</p> <p>For: Bags for skateboards; bags specially adapted for sports equipment in class 028</p>
5,370,458	HERSCHEL	January 2, 2018	<p>For: Hobo bags; garment bags for travel; string bags for shopping; diaper bags; bags for carrying babies' accessories; shoe bags for travel; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases for keys; leather key cases in class 018</p> <p>For: shirts, t-shirts, sweaters, sweatshirts, jackets and vests in class 025</p>
5,193,656	HERSCHEL DEXTER	May 2, 2017	<p>For: bags adapted for carrying laptops; sleeves for protecting laptops; computer bags; computer cases; backpacks adapted to hold laptops and tablet computers in class 009</p> <p>For: satchel bags; rucksack bags; backpacks; duffel bags; messenger bags; shopping bags made of fabric; shopping bags made of leather; bags for campers in the nature of all-purpose carrying bags; school bags; carry-all bags; travel bags in class 018</p>
5,478,129		May 29, 2018	<p>For: ski goggles; bags adapted for carrying laptops; backpacks adapted to hold laptops and tablet computers; computer bags; sleeves for protecting laptops; camera bags;</p>



REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>camera cases; computer cases in class 009</p> <p>For: pen cases; pencil cases; passport cases in class 016</p> <p>For: school bags; satchel bags; rucksack bags; backpacks; duffel bags; messenger bags; carry-all bags; bags for campers in the nature of all-purpose carrying bags; travel bags; overnight bags; sports bags; shoe bags for travel; unfitted vanity cases; vanity cases sold empty; cosmetic cases sold empty; cosmetic bags sold empty; toiletry bags sold empty; evening bags; clutch bags; purses; wallets; coin purses; coin holders in the nature of wallets; shopping bags made of fabric; calling card cases; business card cases; cases of leather of imitation leather; suitcases; suitcases with wheels; luggage; luggage with wheels; beach bags; boot shopping bags made of leather; attaché cases; briefcases; handbags; key cases; garment bags for travel in class 018</p> <p>For: Sleeping bags in class 020</p> <p>For: footwear, namely, shoes and boots in class 025</p> <p>For: on-line wholesale and retail store services featuring school bags, satchel bags, rucksack bags, backpacks, duffel bags, messenger bags, carry-all bags, bags adapted for carrying laptops, backpacks adapted to hold laptops and tablet computers, computer bags, bags for campers, travel bags, overnight</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			bags, sports bags and shoe bags; on-line wholesale and retail store services featuring attaché cases and briefcases; on-line wholesale and retail store services featuring clutch bags, purses, wallets, coin cases, shopping bags made of fabric, card cases, cases of leather or imitation leather, business card cases, passport cases, pen cases, pencil cases, suitcases, suitcases with wheels, luggage, luggage with wheels, beach bags, ski boot bags and boot bags; on-line wholesale and retail store services featuring sleeves for protecting laptops, vanity cases, computer cases, cosmetic cases, cosmetic bags and toiletry bags; on-line wholesale and retail store services featuring ski goggles; on-line wholesale and retail store services featuring footwear, namely, shoes and boots; on-line wholesale and retail store services featuring evening bags; on-line wholesale and retail store services featuring shopping bags made of leather, handbags, key cases; on-line wholesale and retail store services featuring sleeping bags, garment bags, garment bags for travel, camera bags in class 035
5,370,459	 <p>THE FINEST QUALITY THE <b>Herschel</b> SUPPLY CO. BRAND TRADE MARK</p>	January 2, 2018	<p>For: garment bags for travel; string bags for shopping; diaper bags; bags for carrying babies' accessories; shoe bags for travel; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases for keys; leather key cases in class 018</p> <p>For: shirts, sweaters, sweatshirts, jackets and vests in class 025</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
5,370,457	THE HERSCHEL SUPPLY CO. BRAND	January 2, 2018	<p>For: garment bags for travel; string bags for shopping; diaper bags; bags for carrying babies' accessories; shoe bags for travel; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases for keys; leather key cases in class 018</p> <p>For: shirts, sweaters, sweatshirts, jackets and vests in class 025</p>
5,470,113	APEXKNIT	May 15, 2018	<p>For: bags adapted for laptops; sleeves for laptops; computer bags; messenger bags especially adapted for holding laptops; protective covers and cases for cell phones, smartphones, laptops, computers, notebook computers and portable media players; textiles, namely, woven or knit fabrics sold as an integral component of bags adapted for laptops, sleeves for laptops, computer bags, messenger bags especially adapted for holding laptops, protective covers and cases for cell phones, smartphones, laptops, computers, notebook computers and portable media players in class 009</p> <p>For: clutch bags; school bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; shopping bags made of fabric; carry-all bags; all-purpose sport bags; beach bags; travel bags; overnight bags; vanity cases sold empty; cosmetic bags sold empty; toiletry bags sold empty; business card cases; credit card cases; key cases; document cases; textiles, namely, woven or</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			knit fabrics sold as an integral component of clutch bags, school bags, satchels, rucksacks, backpacks, duffel bags, courier bags, messenger bags, shopping bags made of fabric, carry-all bags, all-purpose sport bags, beach bags, travel bags, overnight bags, vanity cases sold empty, cosmetic bags sold empty, toiletry bags sold empty, business card cases, credit card cases, key cases, document cases in class 018
5,702,105	HERSCHEL NOVA	March 19, 2019	<p>For: Bags adapted for laptops; computer bags; carrying cases for mobile computers; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers and tablet computers in class 009</p> <p>School bags; book bags; rucksacks; shoulder bags and backpacks; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all- purpose sport bags; all purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; gym bags; beach bags; travel bags; traveling bags; overnight bags in class 018</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
5,306,869	<p style="text-align: center;"><b>HERSCHEL SUPPLY COMPANY</b></p>	October 10, 2017	<p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>pen cases; pencil cases; stationery cases in class 016</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffle bags, garment bags for travel, tote bags, shoulder bags and backpacks; shopping bags made of fabric; string bags for shopping; textile shopping bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; diaper bags; bags for carrying babies' accessories; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; shoe bags for travel; wheeled bags; wheeled duffel bags; leather bags and wallets; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>for carrying toiletries; business card cases. business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases; leather cases for keys; leather key cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018</p> <p>For: lunch bags made of textile in class 021</p> <p>For: footwear; shoes; boots; headwear; clothing, namely, jackets; hats in class 025</p> <p>For: bags specially adapted for sports equipment in class 028</p> <p>For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
5,306,870		October 10, 2017	<p>For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009</p>



REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>pen cases; pencil cases; stationery cases in class 016</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffel bags, garment bags for travel, tote bags, shoulder bags and backpacks; shopping bags made of fabric; string bags for shopping; textile shopping bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; diaper bags; bags for carrying babies' accessories; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; shoe bags for travel; wheeled bags; wheeled duffel bags; leather bags and wallets; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>for carrying toiletries; business card cases. business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases; leather cases for keys; leather key cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018</p> <p>For: footwear; shoes; boots; headwear; hats in class 025</p> <p>For: bags specially adapted for sports equipment in class 028</p> <p>For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035</p>
5,306,868	HERSCHEL SUPPLY COMPANY	October 10, 2017	For: bags adapted for laptops; sleeves for laptops; bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories; computer bags;

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; cases for eyeglasses and sunglasses; carrying cases for mobile computers; protective covers and cases for tablet computers; protective covers and cases for cell phones, laptops and portable media players; protective cases for smartphones; notebook computer carrying cases; computer carrying cases; laptop carrying cases; cell phone cases; cases for mobile phones; cases for telephones; carrying cases for cell phones; carrying cases specially adapted for cellphones; cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; carrying cases specially adapted for electronic equipment, namely, computers, mobile phones, tablet computers, cameras, portable media players in class 009</p> <p>For: pen cases; pencil cases; stationery cases in class 016</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; sling</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			bags; small bags for men; tote bags; barrel bags; school bags; sack packs, namely, drawstring bags used as backpacks; belt bags and hip bags; book bags; boston bags; bum bags; hip bags; waist bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffle bags, garment bags for travel, tote bags, shoulder bags and backpacks; shopping bags made of fabric; string bags for shopping; textile shopping bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for carrying yoga equipment; general purpose bags for holding dance equipment; gym bags; hard-sided and soft-sided carry-on bags and gym bags; hiking bags; diaper bags; bags for carrying babies' accessories; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; shoe bags for travel; wheeled bags; wheeled duffel bags; leather bags and wallets; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases. business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases; leather cases for keys; leather key cases; attaché cases; attache cases made of leather; briefcases and attache cases; document cases; haversacks in class 018</p> <p>For: lunch bags made of textile in class 021</p> <p>For: footwear; shoes; boots; headwear; clothing, namely, jackets; hats in class 025</p> <p>For: bags specially adapted for sports equipment in class 028</p> <p>For: on-line wholesale and retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, headwear, and general consumer goods; retail store services featuring bags, luggage, backpacks, cases, wallets, purses, accessories, clothing, footwear, headwear, eyewear, and general consumer goods in class 035</p>
5,655,925	<i>Welcome to Herschel. Enjoy your stay.</i>	January 15, 2019	For: bags adapted for laptops; sleeves for laptops; computer bags; messenger bags especially adapted for holding laptops; messenger bags especially adapted for holding electronic book readers; wheeled messenger bags especially adapted for holding laptops; camera cases;

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>bags for cameras and photographic equipment; carrying cases for mobile computers; rolling cases especially adapted for holding laptops and notebook computers; protective covers and cases for tablet computers; protective covers and cases for laptops; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specially adapted for electronic equipment, namely, computers, tablet computers, cameras; (Based on Use in Commerce) carrying cases specially adapted for electronic equipment, namely, mobile phones, portable media players in class 009</p> <p>For: pen cases; pencil cases; (Based on Use in Commerce) stationery cases; lunch bags made of textile in class 016</p> <p>For: wallets; purses; handbags; clutch bags; evening bags; men's clutch bags; shoulder bags; tote bags; school bags; sack packs, namely, drawstring bags used as backpacks; book bags; hip bags; satchels; rucksacks; backpacks; duffel bags; courier bags; messenger bags; military duffel bags, garment bags for travel, shoulder bags and backpacks; shopping bags made of fabric; string bags for shopping; textile shopping bags; all-purpose bags; all-purpose carrying bags; carry-all bags; carry-on bags; bags for sports; all-purpose sport bags; all-purpose athletic bags; athletic bags; bags and holdalls for sports clothing; general purpose bags for</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>carrying yoga equipment; general purpose bags for holding dance equipment; general purpose sport trolley bags; gym bags; hard-sided and soft-sided carry-on bags and gym bags; leather and imitation leather sport bags and general purpose trolley bags; bags for climbers in the nature of all-purpose carrying bags; bags for campers in the nature of all-purpose carrying bags; beach bags; travel bags; traveling bags; luggage; suitcases; garment bags for travel; duffel bags for travel; flight bags; overnight bags; shoe bags for travel; wheeled bags; wheeled duffel bags; wheeled messenger bags; leather bags; cosmetic bags sold empty; make-up bags sold empty; toiletry bags sold empty; wash bags for carrying toiletries; business card cases; business card holders in the nature of wallets and purses; carrying cases; carrying cases for documents; credit card cases; credit card cases and holders; leather credit card cases; vanity cases sold empty; overnight cases; travel cases; travelling cases of leather; cases of leather or imitation leather; key cases; cases for keys; key cases of leather or imitation leather; key cases of leather and skins; leather cases; leather cases for keys; leather key cases; attaché cases; attache cases made of leather; attache cases made of imitation leather; briefcases and attache cases; (Based on Use in Commerce) sling bags; small bags for men; barrel bags; belt bags and hip bags; boston bags; bum bags; hobo bags; waist bags; tote bags,</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>hiking bags; diaper bags; bags for carrying babies' accessories; document cases; haversacks; umbrellas in class 018</p> <p>For: shoes; boots; sandals; (Based on Use in Commerce) headwear; hats in class 025</p> <p>For: bags for skateboards; bags specially adapted for sports equipment in class 028</p>
5,505,682	HERSCHEL LITTLE AMERICA	July 3, 2018	<p>For: Bags adapted for laptops; computer bags; carrying cases for mobile computers; notebook computer carrying cases; computer carrying cases; laptop carrying cases; carrying cases specifically adapted for electronic equipment, namely, computers and tablet computers in class 009</p> <p>For: School bags; book bags; rucksacks; backpacks; haversacks in class 018</p>
5,765,864	HERSCHEL	May 28, 2019	<p>For: Locks of metal for bags in class 006</p> <p>For: Scales, electrical adapters in class 009</p> <p>For: Key chains and charms therefor, charms for key rings, key chains in class 014</p> <p>For: Drawing pens, pens, marking pens, pencils, scrapbook albums, books, namely, travel books, writing or drawing books, customizable journal books, blank journal books, non-fiction books on a variety of topics, drawing pads,</p>



REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>ledger books, note books, paper, paper sheets, printed publications, namely, magazines, books in the field of fashion, travel; school supplies, namely, writing instruments, pens, pencils, notebooks, school writing books, paper; stationery in class 016</p> <p>For: Umbrellas in class 018</p> <p>For: Baby changing mats, pillows, air pillows not for medical purposes in class 020</p> <p>For: Towels of textile in class 024</p> <p>For: Sleep masks, bath slippers, slippers, beach shoes, sandals, money belts, parkas, ponchos, scarves, short-sleeve shirts, pullovers, jumpers, pants, trousers in class 025</p>

10. The above U.S. registrations for the HERSCHEL SUPPLY Trademarks are valid, subsisting, in full force and effect, and some are incontestable pursuant to 15 U.S.C. § 1065. The HERSCHEL SUPPLY Trademarks have been used exclusively and continuously by Herschel Supply, some since at least as early as 2009, and have never been abandoned. The registrations for the HERSCHEL SUPPLY Trademarks constitute *prima facie* evidence of their validity and of Herschel Supply's exclusive right to use the HERSCHEL SUPPLY Trademarks pursuant to 15 U.S.C. § 1057(b). Attached hereto as **Exhibit 1** are true and correct copies of the United States Registration Certificates for the HERSCHEL SUPPLY Trademarks included in the above table.

11. The HERSCHEL SUPPLY Trademarks are exclusive to Herschel Supply, and are displayed extensively on Herschel Supply Products and in Herschel Supply's marketing and promotional materials. The HERSCHEL SUPPLY® brand has quickly become one of the most popular and ubiquitous travel and global accessories brands in the world and has been extensively promoted and advertised at great expense. In fact, Herschel Supply has expended millions of dollars annually in advertising, promoting and marketing featuring the HERSCHEL SUPPLY Trademarks. Herschel Supply Products have also been the subject of extensive unsolicited publicity in publications including, but not limited to, *The New York Times*, *USA Today*, *Vogue*, *People*, *Esquire*, *Seattle Times*, *GQ*, *Men's Health*, *Marie Claire* and *Southern Living*, resulting from their high quality and innovative designs. Because of these and other factors, the Herschel Supply name and the HERSCHEL SUPPLY Trademarks have become well-known throughout the United States.

12. The HERSCHEL SUPPLY Trademarks are distinctive when applied to the Herschel Supply Products, signifying to the purchaser that the products come from Herschel Supply and are manufactured to Herschel Supply's quality standards. Whether Herschel Supply manufactures the products itself or licenses others to do so, Herschel Supply has ensured that products bearing its HERSCHEL SUPPLY Trademarks are manufactured to the highest quality standards. The HERSCHEL SUPPLY Trademarks have achieved fame and recognition, which has only added to the distinctiveness of the marks. As such, the goodwill associated with the HERSCHEL SUPPLY Trademarks is of incalculable and inestimable value to Herschel Supply.

13. Since at least as early as 2010, Herschel Supply has operated an e-commerce website where it promotes and sells genuine Herschel Supply Products at [herchel.com](http://herchel.com). Sales of Herschel Supply Products via the [herchel.com](http://herchel.com) website represent a significant portion of

Herschel Supply's business. The herchel.com website features proprietary content, images and designs exclusive to Herschel Supply.

14. Herschel Supply's innovative marketing and product designs have enabled Herschel Supply to achieve widespread recognition and have made the HERSCHEL SUPPLY Trademarks well-known marks. The outstanding reputation and significant goodwill associated with the HERSCHEL SUPPLY® brand have made the HERSCHEL SUPPLY Trademarks valuable assets of Herschel Supply.

15. Herschel Supply has expended substantial time, money, and other resources in developing, advertising and otherwise promoting the HERSCHEL SUPPLY Trademarks. As a result, products bearing the HERSCHEL SUPPLY Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being high-quality products sourced from Herschel Supply. Herschel Supply is a multi-million dollar operation, and Herschel Supply Products have become among the most popular of their kind in the world.

### **The Defendants**

16. Defendants are individuals and business entities who, upon information and belief, reside in the People's Republic of China or other foreign jurisdictions. Defendants conduct business throughout the United States, including within the State of Illinois and this Judicial District, through the operation of the fully interactive, commercial online marketplaces operating under the Defendant Internet Stores. Each Defendant targets the United States, including Illinois, and has offered to sell, and, on information and belief, has sold and continues to sell Counterfeit Herschel Supply Products to consumers within the United States, including the State of Illinois.

17. On information and belief, Defendants are an interrelated group of counterfeiters working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell products using infringing and counterfeit versions of the HERSCHEL SUPPLY Trademarks in the same transaction, occurrence, or series of transactions or occurrences. Tactics used by Defendants to conceal their identities and the full scope of their counterfeiting operation make it virtually impossible for Herschel Supply to learn Defendants' true identities and the exact interworking of their counterfeit network. In the event that Defendants provide additional credible information regarding their identities, Herschel Supply will take appropriate steps to amend the Complaint.

#### **IV. DEFENDANTS' UNLAWFUL CONDUCT**

18. The success of the Herschel Supply brand has resulted in its significant counterfeiting. Consequently, Herschel Supply has a worldwide brand protection program and regularly investigates suspicious websites and online marketplace listings identified in proactive Internet sweeps and reported by consumers. In recent years, Herschel Supply has identified many fully interactive, commercial online marketplace listings on platforms such as iOffer, eBay, Amazon, Wish.com, Dhgate, AliExpress, and Alibaba, including the Defendant Internet Stores, which were offering for sale and selling Counterfeit Herschel Supply Products to consumers in this Judicial District and throughout the United States. Despite Herschel Supply's enforcement efforts, Defendants have persisted in creating the Defendant Internet Stores. E-commerce sales, including through Internet stores like those of Defendants, have resulted in a sharp increase in the shipment of unauthorized products into the United States. **Exhibit 2**, Excerpts from Fiscal year 2018 U.S. Customs and Border Protection ("CBP") Intellectual Property Seizure Statistics Report. Over 90% of all CBP intellectual property seizures were

smaller international mail and express shipments (as opposed to large shipping containers). *Id.* Over 85% of CBP seizures originated from mainland China and Hong Kong. *Id.* Counterfeit and pirated products account for billions in economic losses, resulting in tens of thousands of lost jobs for legitimate businesses and broader economic losses, including lost tax revenue.

19. Defendants facilitate sales by designing the Defendant Internet Stores so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers. Many of the Defendant Internet Stores appear sophisticated and accept payment in U.S. dollars via credit cards, Alipay, Amazon Pay, Western Union and/or PayPal. The Defendant Internet Stores often include content and design elements that make it very difficult for consumers to distinguish such counterfeit stores from the official herschel.com website or another authorized website. Many Defendants further perpetuate the illusion of legitimacy by offering customer service and using indicia of authenticity and security that consumers have come to associate with authorized retailers, including the Visa®, MasterCard®, and/or PayPal® logos. Herschel Supply has not licensed or authorized Defendants to use any of the HERSCHEL SUPPLY Trademarks, and none of the Defendants are authorized retailers of genuine Herschel Supply Products.

20. Many Defendants also deceive unknowing consumers by using the HERSCHEL SUPPLY Trademarks without authorization within the content, text, and/or meta tags of their online marketplace listings in order to attract consumers searching for Herschel Supply Products. Additionally, upon information and belief, Defendants use other unauthorized search engine optimization (SEO) tactics and social media spamming so that the Defendant Internet Stores listings show up at or near the top of relevant search results and misdirect consumers searching for genuine Herschel Supply Products. Other Defendants only show the HERSCHEL SUPPLY

Trademarks in product images while using strategic item titles and descriptions that will trigger their listings when consumers are searching for genuine Herschel Supply Products.

21. Defendants go to great lengths to conceal their identities and often use multiple fictitious names and addresses to register and operate their network of Defendant Internet Stores. On information and belief, Defendants regularly create new online marketplace accounts on various platforms using the identities listed in Schedule A to the Complaint, as well as other unknown fictitious names and addresses. Such Defendant Internet Store registration patterns are one of many common tactics used by the Defendants to conceal their identities, the full scope and interworking of their counterfeiting operation, and to avoid being shut down.

22. Even though Defendants operate under multiple fictitious names, there are numerous similarities among the Defendant Internet Stores. For example, Counterfeit Herschel Supply Products for sale in the Defendant Internet Stores bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Counterfeit Herschel Supply Products were manufactured by and come from a common source and that Defendants are interrelated. The Defendant Internet Stores also include other notable common features, including use of the same accepted payment methods, check-out methods, meta data, illegitimate SEO tactics, HTML user-defined variables, domain redirection, lack of contact information, identically or similarly priced items and volume sales discounts, the same incorrect grammar and misspellings, and the use of the same text and images.

23. In addition to operating under multiple fictitious names, Defendants in this case and defendants in other similar cases against online counterfeiters use a variety of other common tactics to evade enforcement efforts. For example, counterfeiters like Defendants will often register new online marketplace accounts under new aliases once they receive notice of a

lawsuit. Counterfeiters also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection.

24. Further, counterfeiters such as Defendants typically operate multiple credit card merchant accounts and PayPal accounts behind layers of payment gateways so that they can continue operation in spite of Herschel Supply's enforcement efforts. On information and belief, Defendants maintain off-shore bank accounts and regularly move funds from their PayPal accounts or other financial accounts to off-shore bank accounts outside the jurisdiction of this Court. Indeed, analysis of PayPal transaction logs from previous similar cases indicates that off-shore counterfeiters regularly move funds from U.S.-based PayPal accounts to offshore bank accounts outside the jurisdiction of this Court.

25. Defendants, without any authorization or license from Herschel Supply, have knowingly and willfully used and continue to use the HERSCHEL SUPPLY Trademarks in connection with the advertisement, distribution, offering for sale, and sale of Counterfeit Herschel Supply Products into the United States and Illinois over the Internet. Each Defendant Internet Store offers shipping to the United States, including Illinois, and, on information and belief, each Defendant has sold Counterfeit Herschel Supply Products into the United States, including Illinois.

26. Defendants' use of the HERSCHEL SUPPLY Trademarks in connection with the advertising, distribution, offering for sale, and sale of Counterfeit Herschel Supply Products, including the sale of Counterfeit Herschel Supply Products into the United States, including Illinois, is likely to cause and has caused confusion, mistake, and deception by and among consumers and is irreparably harming Herschel Supply.

**COUNT I**  
**TRADEMARK INFRINGEMENT AND COUNTERFEITING (15 U.S.C. § 1114)**

27. Herschel Supply hereby re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 26.

28. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of the federally registered HERSCHEL SUPPLY Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. The HERSCHEL SUPPLY Trademarks are distinctive marks. Consumers have come to expect the highest quality from Herschel Supply Products offered, sold or marketed under the HERSCHEL SUPPLY Trademarks.

29. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products using counterfeit reproductions of the HERSCHEL SUPPLY Trademarks without Herschel Supply's permission.

30. Herschel Supply is the exclusive owner of the HERSCHEL SUPPLY Trademarks. Herschel Supply's United States Registrations for the HERSCHEL SUPPLY Trademarks (Exhibit 1) are in full force and effect. Upon information and belief, Defendants have knowledge of Herschel Supply's rights in the HERSCHEL SUPPLY Trademarks, and are willfully infringing and intentionally using counterfeits of the HERSCHEL SUPPLY Trademarks. Defendants' willful, intentional and unauthorized use of the HERSCHEL SUPPLY Trademarks is likely to cause and is causing confusion, mistake, and deception as to the origin and quality of the Counterfeit Herschel Supply Products among the general public.

31. Defendants' activities constitute willful trademark infringement and counterfeiting under Section 32 of the Lanham Act, 15 U.S.C. § 1114.



32. Herschel Supply has no adequate remedy at law, and if Defendants' actions are not enjoined, Herschel Supply will continue to suffer irreparable harm to its reputation and the goodwill of its well-known HERSCHEL SUPPLY Trademarks.

33. The injuries and damages sustained by Herschel Supply have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offering to sell, and sale of Counterfeit Herschel Supply Products.

**COUNT II**  
**FALSE DESIGNATION OF ORIGIN (15 U.S.C. § 1125(a))**

34. Herschel Supply hereby re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 33.

35. Defendants' promotion, marketing, offering for sale, and sale of Counterfeit Herschel Supply Products has created and is creating a likelihood of confusion, mistake, and deception among the general public as to the affiliation, connection, or association with Herschel Supply or the origin, sponsorship, or approval of Defendants' Counterfeit Herschel Supply Products by Herschel Supply. By using the HERSCHEL SUPPLY Trademarks on the Counterfeit Herschel Supply Products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the Counterfeit Herschel Supply Products.

36. Defendants' false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the Counterfeit Herschel Supply Products to the general public involves the use of counterfeit marks and is a willful violation of Section 43 of the Lanham Act, 15 U.S.C. § 1125.

37. Herschel Supply has no adequate remedy at law and, if Defendants' actions are not enjoined, Herschel Supply will continue to suffer irreparable harm to its reputation and the goodwill of its Herschel Supply brand.

**COUNT III**  
**VIOLATION OF ILLINOIS UNIFORM DECEPTIVE TRADE PRACTICES ACT**  
**(815 ILCS § 510, *et seq.*)**

38. Herschel Supply hereby re-alleges and incorporates by reference the allegations set forth in paragraphs 1 through 37.

39. Defendants have engaged in acts violating Illinois law including, but not limited to, passing off their Counterfeit Herschel Supply Products as those of Herschel Supply, causing a likelihood of confusion and/or misunderstanding as to the source of their goods, causing a likelihood of confusion and/or misunderstanding as to an affiliation, connection, or association with genuine Herschel Supply Products, representing that their products have Herschel Supply's approval when they do not, and engaging in other conduct which creates a likelihood of confusion or misunderstanding among the public.

40. The foregoing Defendants' acts constitute a willful violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, *et seq.*

41. Herschel Supply has no adequate remedy at law, and Defendants' conduct has caused Herschel Supply to suffer damage to its reputation and associated goodwill. Unless enjoined by the Court, Herschel Supply will suffer future irreparable harm as a direct result of Defendants' unlawful activities.

**PRAYER FOR RELIEF**

WHEREFORE, Herschel Supply prays for judgment against Defendants as follows:

- 1) That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:
  - a. using the HERSCHEL SUPPLY Trademarks or any reproductions, counterfeit copies or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine Herschel Supply product or is not authorized by Herschel Supply to be sold in connection with the HERSCHEL SUPPLY Trademarks;
  - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Herschel Supply product or any other product produced by Herschel Supply, that is not Herschel Supply's or not produced under the authorization, control, or supervision of Herschel Supply and approved by Herschel Supply for sale under the HERSCHEL SUPPLY Trademarks;
  - c. committing any acts calculated to cause consumers to believe that Defendants' Counterfeit Herschel Supply Products are those sold under the authorization, control or supervision of Herschel Supply, or are sponsored by, approved by, or otherwise connected with Herschel Supply;
  - d. further infringing the HERSCHEL SUPPLY Trademarks and damaging Herschel Supply's goodwill; and
  - e. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Herschel Supply, nor authorized by Herschel Supply to be sold or offered for sale, and which bear any of Herschel

Supply's trademarks, including the HERSCHEL SUPPLY Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof;

- 2) Entry of an Order that, upon Herschel Supply's request, those in privity with Defendants and those with notice of the injunction, including, without limitation, any online marketplace platforms such as iOffer, eBay, Amazon, Wish.com, Dhgate, AliExpress, and Alibaba, web hosts, sponsored search engine or ad-word providers, credit cards, banks, merchant account providers, third party processors and other payment processing service providers, and Internet search engines such as Google, Bing and Yahoo (collectively, the "Third Party Providers") shall:
  - a. disable and cease providing services being used by Defendants, currently or in the future, to engage in the sale of goods using the HERSCHEL SUPPLY Trademarks;
  - b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the HERSCHEL SUPPLY Trademarks; and
  - c. take all steps necessary to prevent links to the Online Marketplace Accounts identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Online Marketplace Accounts from any search index;
- 3) That Defendants account for and pay to Herschel Supply all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of the HERSCHEL SUPPLY Trademarks be increased by a sum not exceeding three times the amount thereof as provided by 15 U.S.C. § 1117;

- 4) In the alternative, that Herschel Supply be awarded statutory damages for willful trademark counterfeiting pursuant to 15 U.S.C. § 1117(c)(2) of \$2,000,000 for each and every use of the HERSCHEL SUPPLY Trademarks;
- 5) That Herschel Supply be awarded its reasonable attorneys' fees and costs; and
- 6) Award any and all other relief that this Court deems just and proper.

Dated this 6th day of January 2020.

Respectfully submitted,

/s/ Justin R. Gaudio

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