

JUDGE KAWAN

11 CIV 9480

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GOTHAM LICENSING GROUP, LLC,

Plaintiff,

v.

7525419 CANADA INC. D/B/A BEYOND
THE RACK,

Defendant.

Civil Action No.



**COMPLAINT FOR TRADEMARK
COUNTERFEITING, TRADEMARK
INFRINGEMENT AND RELATED
CAUSES OF ACTION**

JURY TRIAL DEMANDED

Plaintiff, by its attorneys, for its Complaint against the Defendants, alleges:

JURISDICTION AND VENUE

1. This is an action for violation of Sections 32 and 43 (a) of the Lanham Act, 15 U.S.C. §§ 1114, 1125; for violation of Section 360-l of the New York General Business Law; and for violation of the common law of the State of New York pertaining to unfair competition.

2. This Court has jurisdiction over the subject matter of these claims pursuant to 28 U.S.C. § 1338 and under principles of supplemental jurisdiction, 28 U.S.C. § 1367(a). Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391.

THE PARTIES

3. Plaintiff Gotham Licensing Group, LLC ("Gotham") is a limited liability company organized and existing under the laws of the State of New York, maintaining a place of business at 1407 Broadway, New York, New York 10018.

4. Upon information and belief, Defendant 7525419 Canada Inc. d/b/a Beyond the Rack is a corporation organized and existing under the laws of Canada, maintaining a place of business at 368 Isabey Street, St-Laurent, Canada H4T 1W1.

5. Upon information and belief, Defendant also has a place of business in this judicial district at 1001 Avenue of the Americas, New York, New York 10018.

6. Defendant conducts its business over the internet through its website at <http://www.beyondtherack.com/>, through which it sells products to its members throughout the country.

7. Defendant transacts business within this district, derives revenue from intrastate and interstate commerce, and has committed tortious acts within this district and also without this district having consequences within this district, and said Defendant is otherwise within the jurisdiction of this Court.

FACTS COMMON TO ALL COUNTS

GOTHAM AND ITS TRADEMARKS

8. Gotham is a well-known designer of clothing and related fashion accessories. Gotham designs, manufactures, promotes, licenses and sells clothing under various trademarks in the U.S. and throughout the world, including the marks set below.

9. On or about January 21, 1997, the DOLLHOUSE mark was registered as a trademark for use in connection with pants, jeans, leggings, stirrup pants, shorts, skirts, split shorts, split skirts, vests, shirts, t-shirts, blouses, sweaters and jackets with the United States Patent and Trademark Office. Gotham's registration for the DOLLHOUSE mark, No. 2,032,709, remains in full force and effect and is incontestable. A copy of this registration is attached as Exhibit A.

10. On or about November 3, 1998, the DOLLHOUSE mark was registered as a trademark for use in connection with eyeglasses and sunglasses, jewelry and watches, and leather goods with the United States Patent and Trademark Office. Gotham's registration for the DOLLHOUSE mark, No. 2,201,406, remains in full force and effect and is incontestable. A copy of this registration is attached as Exhibit B.

11. On or about November 3, 1998, the DOLLHOUSE mark was registered as a trademark for use in connection with retail store services in the field of apparel, footwear, bags, jewelry and cosmetics and perfumes with the United States Patent and Trademark Office. Gotham's registration for the DOLLHOUSE mark, No. 2,201,405, remains in full force and effect and is incontestable. A copy of this registration is attached as Exhibit C.

12. On or about November 12, 2002, the DOLLHOUSE mark was registered as a trademark for use in connection with underwear, robes, sleepwear, briefs, string bikinis, camisoles, tank tops, bras, panties, socks, panty hose, tights, stocking, slipper socks, dresses, rompers, jumpsuit, swim suits, scarves, hats and gloves with the United States Patent and Trademark Office. Gotham's registration for the DOLLHOUSE mark, No. 2,648,406, remains in full force and effect and is incontestable. A copy of this registration is attached as Exhibit D.

13. On or about April 11, 2006, the DOLLHOUSE mark was registered as a trademark for use in connection with footwear and shoes with the United States Patent and Trademark Office. Gotham's registration for the DOLLHOUSE mark, No. 3,079,142, remains in full force and effect. A copy of this registration is attached as Exhibit E.

14. On or about January 10, 2006, the “Dollhouse Girl Head” design shown below



was registered as a trademark for use in connection with pants, jeans, shorts, skirts, dresses, rompers, tops, shirts, sweat pants, sweat shirts, t-shirts, sweaters, jackets, underwear, robes, sleepwear, briefs, camisoles, bras, panties, socks, tights, pantyhose, slipper socks, swimsuits, scarves, gloves, hats; and shoes with the United States Patent and Trademark Office. Gotham’s registration for the “Dollhouse Girl Head” design, No. 3,040,388, remains in full force and effect. A copy of this registration is attached as Exhibit F.

15. On or about November 25, 2008, the “Dollhouse Silhouette” design shown below



was registered as a trademark for use in connection with cargo pants; denim jackets; jeans; knit shirts; leather jackets; pants; footwear; hosiery; long sleeved and short sleeved t-shirts; t-shirts and vests with the United States Patent and Trademark Office.

Gotham's registration for the "Dollhouse Silhouette" design, No. 3,537,556, remains in full force and effect. A copy of this registration is attached as Exhibit G.

16. On or about July 9, 2002, the BLUE JEANS AND ROCK & ROLL mark was registered as a trademark for use in connection with jeans, jackets and shirts with the United States Patent and Trademark Office. Gotham's registration for the BLUE JEANS AND ROCK & ROLL mark, No. 2,591,388, remains in full force and effect and is incontestable. A copy of this registration is attached as Exhibit H.

17. On or about January 23, 2007, the YOU ARE BEAUTIFUL mark was registered as a trademark for use in connection with jeans, jackets and shirts with the United States Patent and Trademark Office. Gotham's registration for the YOU ARE BEAUTIFUL mark, No. 3,202,169, remains in full force and effect. A copy of this registration is attached as Exhibit I.

18. Herein, the foregoing DOLLHOUSE, "Dollhouse Girl Head" design; Dollhouse Silhouette design; BLUE JEANS AND ROCK & ROLL and YOU ARE BEAUTIFUL marks are collectively referred to as the "DOLLHOUSE Marks".

19. Since at least as early as 1995, apparel and related goods bearing the DOLLHOUSE mark have been widely advertised, offered for sale and sold throughout the United States.

20. DOLLHOUSE branded products are offered for sale at retailers such as Macy's, Charlotte Russe, Wet Seal, Deb Shops, TJ Maxx and Marshall's, online retailers such as www.thedenimshop.com, and has been featured in publications such as Nylon, Seventeen, Lucky, Teen Vogue, Women's Wear Daily, Cosmo Girl and InStyle.

21. DOLLHOUSE branded apparel and related goods are also promoted and offered for sale on the website at www.dollhouse.com. DOLLHOUSE products are, in part, offered on the www.dollhouse.com website as part of “flash sales,” or sales of limited duration announced with little notice.

22. As a result of Gotham’s exclusive and extensive use and promotion of the DOLLHOUSE Marks, these trademarks have acquired enormous value and recognition in the United States and throughout the world. The DOLLHOUSE Marks are well-known to the consuming public and trade as identifying and distinguishing Gotham as the source of the high quality products to which the DOLLHOUSE Marks are applied. The DOLLHOUSE Marks are both distinctive and famous.

DEFENDANT AND ITS WRONGFUL ACTS

23. Defendant is a so-called “flash retailer” of apparel and accessories. Upon information and belief, each day Defendant offers approximately fifteen new sales events featuring various apparel and accessory items. During the sales events, products are offered at deep discounts. These sales events are open only to members of Defendant’s website and last for about forty-eight hours.

24. Upon information and belief, Defendant has over five million members, many of whom are located in this judicial district.

25. Defendant, without the consent of Gotham, designed, manufactured, distributed, advertised, offered for sale and sold, throughout the United States, apparel bearing infringements and or counterfeits of the DOLLHOUSE Marks (the “Counterfeit Goods”). The Counterfeit Goods are apparel not designed or manufactured by Gotham

or with Gotham's permission, bearing identical reproductions of the DOLLHOUSE Marks.

26. Attached as Exhibits J through N are photographs of Counterfeit Goods purchased through Defendant's website. Also included are photographs of the tags and packaging for the Counterfeit Goods. The DOLLHOUSE Marks appear on the Counterfeit Goods themselves, as well as the tags and packaging therefor.

27. The Counterfeit Goods bear Gotham's RN number. Gotham has not authorized the use of its RN number on the Counterfeit Goods.

28. Attached as Exhibit O are packing slips for orders for the Counterfeit Goods placed with Defendant.

29. Defendant distributed, advertised, offered for sale and sold the Counterfeit Goods through its website at www.beyondtherack.com.

30. Defendant has sold and continues to sell the aforementioned counterfeit products in New York and throughout the United States.

COUNT I [TRADEMARK COUNTERFEITING]

31. Plaintiff repeats and realleges each allegation in paragraphs 1-30 as if set forth in full herein.

32. Plaintiff has never authorized Defendant to use any of Plaintiff's trademarks, to apply any of Plaintiff's trademarks to products or to sell products bearing any of Plaintiff's trademarks.

33. Defendant has sold the Counterfeit Goods which bear the DOLLHOUSE Marks in a manner that is identical to or substantially indistinguishable from the registered DOLLHOUSE Marks.

34. Upon information and belief, Defendant's acts have been done willfully and intentionally, with full knowledge of Plaintiff's trademark rights.

35. Defendant's continuation of its infringing acts has caused and will cause Plaintiff irreparable harm and injury.

36. Defendants have improperly sold the Counterfeit Goods with the intent to cause confusion and mistake, to deceive and mislead the trade and the purchasing public and to improperly appropriate Plaintiff's valuable trademark rights.

37. Defendant's said acts violate Section 32 of the Lanham Act, 15 U.S.C. § 1114.

38. Defendant's wrongful acts have injured Plaintiff in an amount thus far not determined, but if continued will result in damages of at least \$5 million. Further, Defendant's wrongful acts have caused and will continue to cause Plaintiff to suffer irreparable harm for which it has no adequate remedy at law.

COUNT II [TRADEMARK INFRINGEMENT]

39. Plaintiff repeats and realleges each allegation in paragraphs 1-38 as if set forth in full herein.

40. Plaintiff has never authorized Defendant to use any of Plaintiff's trademarks, to apply any of Plaintiff's trademarks to products or to sell products bearing any of Plaintiff's trademarks.

41. Upon information and belief, Defendant's acts have been done willfully and intentionally, with full knowledge of Plaintiff's trademark rights.

42. Defendant's continuation of its infringing acts has caused and will cause Plaintiff irreparable harm and injury.

43. Defendants have improperly sold the Counterfeit Goods with the intent to cause confusion and mistake, to deceive and mislead the trade and the purchasing public and to improperly appropriate Plaintiff's valuable trademark rights.

44. Defendant's said acts violate Section 32 of the Lanham Act, 15 U.S.C. § 1114.

45. Defendant's wrongful acts have injured Plaintiff in an amount thus far not determined, but if continued will result in damages of at least \$5 million. Further, Defendant's wrongful acts have caused and will continue to cause Plaintiff to suffer irreparable harm for which it has no adequate remedy at law.

COUNT III [FALSE DESIGNATION OF ORIGIN]

46. Plaintiff repeats and realleges each allegation in paragraphs 1-45 as if set forth in full herein.

47. Defendants' efforts to misrepresent themselves as a legitimate source of the items bearing the DOLLHOUSE Marks takes control of the reputation and goodwill of those products away from Gotham, which owns and is responsible for the goodwill of the DOLLHOUSE Marks in the United States and elsewhere in the world.

48. Defendants have improperly sold goods bearing the DOLLHOUSE Marks that are the subject of Gotham's trademark registrations with the intent to cause

confusion and mistake, to deceive and mislead trade and the purchasing public and to improperly appropriate Plaintiff's valuable trademark rights.

49. Defendants' said acts violate Section 43 (a) of the Lanham Act, 15 U.S.C. § 1125 (a).

50. Defendant's wrongful acts have injured Plaintiff in an amount thus far not determined, but if continued will result in damages of at least \$5 million. Further, Defendant's wrongful acts have caused and will continue to cause Plaintiff to suffer irreparable harm for which it has no adequate remedy at law.

COUNT IV [COMMON LAW UNFAIR COMPETITION]

51. Plaintiff repeats each allegation in paragraphs 1-50 as if set forth in full herein.

52. As a result of Defendants' improper sale of goods bearing Gotham's registered DOLLHOUSE Marks, the purchasing public is likely to buy the Counterfeit Goods in the erroneous belief that they are authorized by Gotham or are otherwise associated with Gotham.

53. Upon information and belief, Defendants have intentionally misappropriated the DOLLHOUSE Marks that are the subject of Gotham's trademark registrations with the intention of causing confusion, mistake and deception among consumers and the trade as to the source of the goods and with the intent to unfairly profit from Plaintiff's goodwill at Plaintiff's expense.

54. As a result of the foregoing, Defendant's actions constitute unfair competition and misappropriation which have had and will continue to have a detrimental effect on the general consuming public in violation of the common law of the State of New York.

55. Defendant's wrongful acts have injured Plaintiff in an amount thus far not determined, but if continued will result in damages of at least \$5 million. Further, Defendant's wrongful acts have caused and will continue to cause Plaintiff to suffer irreparable harm for which it has no adequate remedy at law.

COUNT V [INJURY TO BUSINESS REPUTATION AND DILUTION]

56. Plaintiff repeats and realleges each allegation of paragraphs 1-55 hereof, as if fully set forth herein.

57. By reason of the practices and acts set forth above, Defendant is likely to injure Gotham's business reputation and dilute the distinctive quality of Gotham's marks, in violation of Section 360-I of the New York General Business Law.

58. These acts of Defendant are without the permission, license or consent of Plaintiff and, unless enjoined by this Court, Defendant will continue these practices and acts, thereby harming Plaintiff's business reputation and causing Plaintiff immediate and irreparable injury.

59. Defendant's wrongful acts have injured Plaintiff in an amount thus far not determined, but if continued will result in damages of at least \$5 million. Further, Defendant's wrongful acts have caused and will continue to cause Plaintiff to suffer irreparable harm for which it has no adequate remedy at law.

WHEREFORE, Plaintiff demands:

A. An injunction permanently enjoining and restraining Defendant, its directors, officers, agents, servants, employees, successors, assigns, subsidiaries, related companies, parent companies, licensees, assigns, and all persons in active concert or participation with it:

1. From imitating, copying or making unauthorized use of the DOLLHOUSE Marks;

2. From manufacturing, importing, exporting, distributing, offering for sale, marketing or selling the Counterfeit Goods or any other products bearing any unauthorized reproduction, counterfeit, copy or colorable imitation of any of the DOLLHOUSE Marks, either individually or in conjunction with other words, marks or designs;

3. From using any mark confusingly similar to any of the DOLLHOUSE Marks in connection with the manufacture, promotion, advertisement, display, sale, offering for sale, production, import, export, or distribution of any product in such a manner as to relate or connect, or tend to relate or connect, such product in any way with Gotham or to any goods sold, sponsored, approved by or connected with Gotham;

4. From passing off or otherwise representing to the apparel trade or the public in any way that the Counterfeit Goods sold by Defendant emanates from, are related in source or sponsorship to, or are in any way related to Plaintiff, or that Plaintiff has in any way authorized Defendant to sell the Counterfeit Goods;

5. From injuring Plaintiff's business reputation by diluting the distinctive quality of Plaintiff's products; and

6. From engaging in misappropriation, deceptive trade practices or acts in the conduct of Defendant's business by means of selling products bearing Plaintiff's trademarks or any trademark confusingly similar thereto;

7. From engaging in any other activity constituting unfair competition with Gotham or constituting an infringement of any of the DOLLHOUSE Marks or of Gotham's rights in, or its rights to use or exploit such trademarks and the goodwill associated with the DOLLHOUSE Marks;

8. From engaging in any other activity, including the effectuation of assignments or transfers of their interests in marks confusingly similar to any of the DOLLHOUSE Marks, the formation of other corporations, partnerships, associations or other entities or the utilization of any other devices, for the purpose of circumventing, evading, avoiding or otherwise violating the prohibitions set forth herein;

B. Directing Defendant to deliver to Plaintiff for destruction all items in its possession bearing any of Plaintiff's trademarks and/or any unauthorized reproductions, counterfeits, copies or colorable imitations thereof;

C. Directing Defendant to immediately recall and destroy all of its catalogs showing, advertising or promoting any items bearing Plaintiff's trademarks;

D. Directing Defendant to remove all references to or images of the Counterfeit Goods, the DOLLHOUSE Marks and/or Gotham from Defendant's internet website;

E. Directing Defendant to account to Plaintiff for all profits resulting from Defendant's infringing activities;

F. Awarding Plaintiff its damages from Defendant's wrongful acts;

G. Awarding Plaintiff three times the amount of Plaintiff's damages or Defendant's profits, whichever is greater;

H. Awarding Plaintiff the cost of this action, as well as reasonable attorneys' fees;

I. Awarding Plaintiff punitive damages as a result of Defendant's wrongful acts; and;

J. Awarding Plaintiff, at its election, statutory damages in the amount of \$2,000,000 per mark for each type of good in connection with which Defendant used counterfeits of the DOLLHOUSE Marks;

K. Directing that this Court retain jurisdiction of this action for the purpose of enabling Gotham to apply to the Court at any time for such further orders and interpretation or execution of any order entered in this action, for the modification of any such order, for the enforcement or compliance therewith and for the punishment of any violations thereof; and

L. Awarding Plaintiff such other and further relief as the Court may deem just and proper.

PLAINTIFF DEMANDS A JURY TRIAL AS TO ALL MATTERS TRIABLE BY JURY

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Dated: December 23, 2011
New York, New York

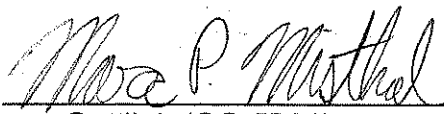
By: 
George Gottlieb (GG-5761)
Marc P. Misthal (MM-6636)
Donna Mirman

EXHIBIT A

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,032,709

United States Patent and Trademark Office

Registered Jan. 21, 1997

**TRADEMARK
PRINCIPAL REGISTER**

DOLLHOUSE

JOUJOU DESIGNS INC. (NEW YORK CORPORATION)
525 SEVENTH AVENUE
NEW YORK, NY 10018

FOR: APPAREL, NAMELY, PANTS, JEANS, LEGGINGS, STIRRUP PANTS, SHORTS, SKIRTS, SPLIT SHORTS, SPLIT SKIRTS, VESTS, SHIRTS, T-SHIRTS, BLOUSES, SWEAT-

ERS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-1-1994; IN COMMERCE 12-1-1994.

SN 74-599,443, FILED 11-16-1994.

CHRISIE B. KING, EXAMINING ATTORNEY

EXHIBIT B

Int. Cls.: 9, 14 and 18

**Prior U.S. Cls.: 1, 2, 3, 21, 22, 23, 26, 27, 28, 36,
38, 41 and 50**

Reg. No. 2,201,406

United States Patent and Trademark Office

Registered Nov. 3, 1998

**TRADEMARK
PRINCIPAL REGISTER**

DOLLHOUSE

**JOUJOU DESIGNS, INC. (NEW YORK CORPORATION)
525 SEVENTH AVENUE
NEW YORK, NY 10018**

**FOR: EYEGLASSES AND SUNGLASSES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).
FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.**

**FOR: JEWELRY AND WATCHES, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).
FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.**

FOR: LEATHER GOODS, NAMELY, BELTS, HANDBAGS, KEY CASES, WALLETS, TOTE BAGS, COSMETIC BAGS SOLD EMPTY, BACKPACKS, FANNNY PACKS AND LUGGAGE; AND UMBRELLAS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 6-1-1997; IN COMMERCE 6-1-1997.

OWNER OF U.S. REG. NO. 2,032,709.

SER. NO. 75-364,537, FILED 9-29-1997.

G. T. GLYNN, EXAMINING ATTORNEY

EXHIBIT C

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 2,201,405

United States Patent and Trademark Office

Registered Nov. 3, 1998

**SERVICE MARK
PRINCIPAL REGISTER**

DOLLHOUSE

**JOUJOU DESIGNS, INC. (NEW YORK CORPORATION)
525 SEVENTH AVENUE
NEW YORK, NY 10018**

**FIRST USE 6-1-1997; IN COMMERCE
6-1-1997.**

OWNER OF U.S. REG. NO. 2,032,709.

**FOR: RETAIL STORE SERVICES IN THE
FIELD OF APPAREL, FOOTWEAR, BAGS,
JEWELRY AND COSMETICS AND PERFUMES,
IN CLASS 35 (U.S. CLS. 100, 101 AND 102).**

SER. NO. 75-364,273, FILED 9-29-1997.

ANDREW A. ROPPEL, EXAMINING ATTORNEY

EXHIBIT D

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,648,406
Registered Nov. 12, 2002

**TRADEMARK
PRINCIPAL REGISTER**

DOLLHOUSE

GOTHAM LICENSING GROUP, LLC (NEW
YORK LIMITED LIABILITY COMPANY)
1407 BROADWAY, SUITE 506
NEW YORK, NY 10018

FOR: UNDERWEAR, ROBES, SLEEPWEAR,
BRIEFS, STRING BIKINIS, CAMISOLES, TANK
TOPS, BRAS, PANTIES, SOCKS, PANTY HOSE,
TIGHTS, STOCKING, SLIPPER SOCKS, DRESSES,
ROMPERS, JUMPSUIT, SWIM SUITS, SCARVES,
HATS AND GLOVES, IN CLASS 25 (U.S. CLS. 22
AND 39).

FIRST USE 1-0-1998; IN COMMERCE 1-0-1998.

OWNER OF U.S. REG. NOS. 2,032,709, 2,201,405,
AND 2,201,406.

SER. NO. 76-201,772, FILED 1-30-2001.

MONIQUE MILLER, EXAMINING ATTORNEY

EXHIBIT E

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,079,142

Registered Apr. 11, 2006

**TRADEMARK
PRINCIPAL REGISTER**

DOLLHOUSE

GOTHAM LICENSING GROUP, LLC (NEW
YORK LTD LIAB CO)
ROOM 506
1407 BROADWAY
NEW YORK, NY 10018

FOR: FOOTWEAR AND SHOES, IN CLASS 25 (U.S.
CLS. 22 AND 39).

FIRST USE 11-30-1998; IN COMMERCE 11-30-1998.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,032,709, 2,648,406
AND OTHERS.

SER. NO. 78-569,404, FILED 2-17-2005.

DEBRA LEE, EXAMINING ATTORNEY

EXHIBIT F

Int. Cls.: 14 and 25

Prior U.S. Cls.: 2, 22, 27, 28, 39 and 50

Reg. No. 3,040,388

United States Patent and Trademark Office

Registered Jan. 10, 2006

TRADEMARK
PRINCIPAL REGISTER



GOTHAM LICENSING GROUP, LLC (NEW YORK LTD LIAB CO)
SUITE 506
1407 BROADWAY
NEW YORK, NY 10018

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 11-26-1994; IN COMMERCE 11-26-1994.

FOR: CLOTHING, NAMELY, PANTS, JEANS, SHORTS, SKIRTS, DRESSES, ROMPERS, TOPS, SHIRTS, SWEAT PANTS, SWEAT SHIRTS, T-SHIRTS, SWEATERS, JACKETS, UNDERWEAR, ROBES, SLEEPWEAR, BRIEFS, CAMISOLES, BRAS,

PANTIES, SOCKS, TIGHTS, PANTYHOSE, SLIPPER SOCKS, SWIMSUITS, SCARVES, GLOVES, HATS; AND FOOTWEAR, NAMELY, SHOES, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 11-26-1994; IN COMMERCE 11-26-1994.

THE MARK CONSISTS OF THE DESIGN OF GIGI'S HEAD.

SER. NO. 78-417,352, FILED 5-12-2004.

CIMMERIAN COLEMAN, EXAMINING ATTORNEY

EXHIBIT G

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,537,556

Registered Nov. 25, 2008

**TRADEMARK
PRINCIPAL REGISTER**



GOTHAM LICENSING GROUP, LLC (NEW
YORK LIMITED LIABILITY COMPANY)
SUITE 506
1407 BROADWAY
NEW YORK, NY 10018

FOR: CARGO PANTS; DENIM JACKETS; JEANS;
KNIT SHIRTS; LEATHER JACKETS; PANTS; FOOT-
WEAR; HOSIERY; LONG SLEEVED AND SHORT

SLEEVED T-SHIRTS; T-SHIRTS AND VESTS , IN
CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-1-2006; IN COMMERCE 9-1-2006.

SN 77-022,523, FILED 10-17-2006.

ROBERT LAVACHE, EXAMINING ATTORNEY

EXHIBIT H

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,591,388

United States Patent and Trademark Office

Registered July 9, 2002

**TRADEMARK
PRINCIPAL REGISTER**

BLUE JEANS AND ROCK & ROLL

BBC APPAREL GROUP, LLC (NEW YORK LIMITED LIABILITY COMPANY)
1407 BROADWAY
SUITE 506
NEW YORK, NY 10018

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "BLUE JEANS", APART FROM THE MARK AS SHOWN.

FOR: APPAREL, NAMELY, JEANS, JACKETS, SHIRTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

SER. NO. 76-300,343, FILED 8-16-2001.

FIRST USE 6-13-2001; IN COMMERCE 6-13-2001.

RUDY R. SINGLETON, EXAMINING ATTORNEY

EXHIBIT I

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,202,169

Registered Jan. 23, 2007

**TRADEMARK
PRINCIPAL REGISTER**

YOU ARE BEAUTIFUL

GOTHAM LICENSING GROUP, LLC (NEW
YORK LTD LIAB CO)
SUITE 506
1407 BROADWAY
NEW YORK, NY 10018

FOR: BOXER SHORTS; CROP TOPS; DENIM
JACKETS; DRESSES; FLIP FLOPS; FOOTWEAR;
HOSIERY; JACKETS; JEANS; LEATHER JACKETS;
SCARVES; SHIRTS; SHORT-SLEEVED OR LONG-
SLEEVED T-SHIRTS; SLEEPWEAR; SPORT SHIRTS;
SWIMSUITS; TANK TOPS; UNDERWEAR, IN
CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 1-31-2006; IN COMMERCE 1-31-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-874,154, FILED 5-2-2006.

JASON LOTT, EXAMINING ATTORNEY

EXHIBIT J

S

Brittany Dress in Black
DOLDH13650085K-S
dh136-5008
Size: S
Brand: Dolhouse
Made in China

dolhouse®

STYLE NO. DH136-5008

Size: S

DOLLHOUSE
HEROINES OF THE CITY

DOLLHOUSE
ESSENTIAL COLLECTION FOR THE WOMEN

DOLLHOUSE
HEROINES OF THE CITY

SEXY
GLAMOUR
ATTRACTIVE
DOMINANT
POWERFUL
IT TROUBLES HEROIN

Style: 1000000000 Size: S

WWW.DOLLHOUSE.COM



EXHIBIT K

Stretch Sweater in Lure
DOLDH4493US
dh 4493

Color: Pink
Brand: Dollhouse
Made in: China



DOLDH4493US

dollhouse



Dollhouse

S

STYLE NO: DH 4493

dollhouse®

S

Dollhouse



EXHIBIT L



DOLCE & GABBANA
DOLCE & GABBANA
DOLCE & GABBANA

S

2

Made in China

S

STYLE NO.: DH4495

SIZE: S

COLOR: BROWN



EXHIBIT M



Dell'Acqua
Dell'Acqua®

dell'acqua®



dollhouse

Dollhouse
S
Dollhouse
Dollhouse
Dollhouse
Dollhouse
Dollhouse

EXHIBIT N

Jersey Jeans In Denim
DOLNB1002ADE-3S4
nb-1002a

Size: 34 Color: denim
Brand: DOLNBUSE
Made in: China



DOLNB1002ADE-3S4

dolnbuse®

STYLE NO: NB-1002A

SIZE: 34



Jeans

3/4



You are beautiful

dollhouse





dollhouse

D

blue jeans & rock & roll

EXHIBIT O

Packing Slip

Ship to
 Elaine Perlov
 1407 Broadway
 Suite 506
 NEW YORK NY 10018
 US

Order date 11/30/2011
Order no. 1554973
Shipment no. IF1914220
Date 12/10/2011
Ship via Fedex SmartPost
Terms

Bin	Code	Item	Event	Size	Color	QTY	RRC
T1057	DOLDH4493LI-S	Stacey Sweater In Lilac	21359	S	Lilac	1	
T1046	DOLDH4807FU-S	Midge Blouse In Fuchsia	21359	S	fuchsia	1	
T1060	DOLNB1002ADE-3S4	Jenny Jeans In Denim	21359	3/4	denim	1	
T1051	DOLDH1365008BK-S	Brittany Dress In Black	21359	S	Black	1	

Thank you for shopping at Beyond the Rack! We hope you enjoy your purchase.

If you ordered more than one item and did not receive them all in this package, it's most likely because we had yet to receive that item(s) from our supplier and felt it important to send you what was available without further delay. The remaining item(s) will be shipped to you as soon as we receive them. Beyond the Rack will absorb the additional cost to get them to you as quickly as possible. Thank you for your patience and your understanding. If you'd like to contact us about any aspect of your shopping experience, the best way is to use the "Contact us" form on our Web site. You can also send an email to service@beyondtherack.com

Should you need to return or exchange an item you've received, please refer to the instructions on the reverse side of this sheet.

Your order includes four "invite a friend to join" cards. Use invitation code B8211672 and get credits when they buy.

If you're not using the enclosed FedEx label for your return, please affix the label below to your package: we need it to identify your return.

Ref no. 1554973-IF1914220



IF1914220

Packing Slip

Ship to

Elaine Perlov
 1407 Broadway
 Suite 506
 NEW YORK NY 10018
 US

Order date 11/30/2011
Order no. 1554973
Shipment no. IF1849261
Date 12/2/2011
Ship via FedEx SmartPost
Terms

Bin	Code	Item	Event	Size	Color	QTY	RFC
A11D	DOLDH4495BR-S	Cynthia Sweater In Brown	21359	S	Brown	1	

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Ref no. 1554973-IF1849261



IF1849261