

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MONTBLANC-SIMPLO GMBH,

Plaintiff,

v.

montblancpensoutletcheapsale.com,
montblancpensoutletcheap.com,
montblancpensoutletcheaponsale.com, and
MIROSLAV ILNITSKIY,

Defendants.

Civil Action No. 1:17-cv-415-LMB-TCB

FIRST AMENDED VERIFIED COMPLAINT

Plaintiff Montblanc-Simplo GmbH, by counsel, alleges as follows for its First Amended Verified Complaint against the Defendant Internet domain names montblancpensoutletcheapsale.com, montblancpensoutletcheap.com, and montblancpensoutletcheaponsale.com (the “Domain Names”) and Defendant Miroslav Ilnitskiy (“Ilnitskiy”).

NATURE OF THE SUIT

1. This is an action for *in rem* cybersquatting under the Federal Anti-Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), against the Defendant Domain Names, and for trademark counterfeiting and infringement under the Lanham Act, 15 U.S.C. § 1114(1), and copyright infringement under the Copyright Act, 17 U.S.C. § 101, against Defendant Ilnitskiy.

2. Over more than a century, consumers around the world have come to associate the MONTBLANC name with exquisite writing culture. A 2013 Forbes interview described Montblanc as one of “a select group of brands that produce high-end products meant to appeal to

a wide segment of the luxury market.” The marketing firm Marketsmith has declared that “Montblanc’s uncanny talent for brand building has propelled it to the top of the food chain for international luxury brands.” Montblanc has achieved global recognition through its philosophy of manufacturing competence, highest quality, sustainable value and creativity.

3. Plaintiff’s invaluable rights in the famous and distinctive MONTBLANC marks have been deliberately infringed through the bad faith registration and use of the Defendant Domain Names, and through the unauthorized use of the MONTBLANC marks by Defendant Ilnitskiy to promote and sell counterfeit MONTBLANC products via the Internet including to residents of this Court’s district.

4. Plaintiff previously has pursued a number of actions in this Court to address misuse of the MONTBLANC marks via the Internet. *See Montblanc-Simplo GmbH v. montblanc-outlet.co et al.*, 16-cv-00490-LO-MSN; *Montblanc-Simplo GmbH v. Montblancmagasin.com*, No. 1:13-CV-1215 LMB/TCB, 2014 WL 3101923, at *1 (E.D. Va. July 7, 2014) (Brinkema, J.); *Montblanc-Simplo GmbH v. Montblancpensale.org*, 297 F.R.D. 242 (E.D. Va. 2014) (O’Grady, J.); *Montblanc-Simplo GmbH v. Buymontblancpensca.net*, No. 1:13CV1137, 2014 WL 198669, at *1 (E.D. Va. Jan. 14, 2014) (Ellis, J.); *Montblanc-Simplo GmbH v. AChatStyloMontblanc.com*, No. 1:13-CV-1013 AJT/IDD, 2014 WL 107395, at *1 (E.D. Va. Jan. 3, 2014) (Trenga, J.); *Montblanc-Simplo GmbH v. Cheapmontblancpens.com*, No. 1:12CV248, 2012 WL 2681463, at *5 (E.D. Va. June 6, 2012), *report and recommendation adopted*, No. 1:12CV248 JCC/TCB, 2012 WL 2704249 (E.D. Va. July 5, 2012) (Cacheris, J.).

PARTIES

5. Plaintiff Montblanc-Simplo GmbH (“Montblanc”) is a corporation organized and existing under the laws of Germany, with an address at Hellgrundweg 100, Hamburg, Germany

22525.

6. Defendant montblancpensoutletcheapsale.com is an Internet domain name which, according to records in the WHOIS database of domain name registrations, was registered on November 6, 2016 by “WHOISGUARD PROTECTED”. A copy of the domain name registration record for Defendant montblancpensoutletcheapsale.com is attached as Exhibit 1 to Schedule A.

7. Defendant montblancpensoutletcheap.com is an Internet domain name which, according to records in the WHOIS database of domain name registrations, was registered on November 28, 2016 by “WHOISGUARD PROTECTED”. A copy of the domain name registration record for Defendant montblancpensoutletcheap.com is attached as Exhibit 2 to Schedule A.

8. Defendant montblancpensoutletcheaponsale.com is an Internet domain name which, according to records in the WHOIS database of domain name registrations, was registered on December 6, 2016 by “WHOISGUARD PROTECTED”. A copy of the domain name registration record for Defendant montblancpensoutletcheaponsale.com is attached as Exhibit 3 to Schedule A.

9. Defendant Ilnitskiy is a person who, on information and belief, uses the email addresses mbformens@gmail.com, miroslav.ilnitskiy@gmail.com, ilnitskiy.miroslav@gmail.com, and miroshandmade@gmail.com, among others, to sell counterfeit MONTBLANC products and who is, on information and belief, associated with the Defendant Domain Names.

JURISDICTION, VENUE AND JOINDER

10. This is a civil action for federal cybersquatting in violation of the Anti-

Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), for trademark counterfeiting and infringement under the Lanham Act, 15 U.S.C. § 1114(1), and for copyright infringement under the Copyright Act, 17 U.S.C. § 101.

11. This Court has original jurisdiction under 15 U.S.C. § 1121(a) and 28 U.S.C. §§ 1331 and 1338(a).

12. This Court has *in rem* jurisdiction over the Defendant Domain Names pursuant to 15 U.S.C. § 1125(d)(2)(A). *In rem* jurisdiction is appropriate under 15 U.S.C. § 1125(d)(2)(A)(i)(I) because the listed registrant of the Defendant Domain Names is a privacy service and therefore Montblanc cannot find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A).

13. Pursuant to 15 U.S.C. § 1125(d)(2)(A)(i)(II)(aa), Montblanc will give notice of the violations of Montblanc's rights, and Montblanc's intent to proceed *in rem*, to the postal and e-mail addresses set forth in the registration records for the Defendant Domain Names.

14. The Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d)(3) and (4), states that the *in rem* action, jurisdiction, and remedies created by the statute are "in addition to any other civil action or remedy otherwise applicable" and "in addition to any other jurisdiction that otherwise exists, whether in rem or in personam."

15. The Court has *in personam* jurisdiction over Defendant Ilnitskiy because Montblanc's claims against Defendant Ilnitskiy for counterfeiting, trademark infringement, and copyright infringement are based on Defendant Ilnitskiy's misuse of MONTBLANC trademarks and Montblanc's copyright protected works to market and sell counterfeit Montblanc products, Defendant Ilnitskiy's sale and shipment of such counterfeit products to consumers in the District, and, on information and belief, Defendant Ilnitskiy's use of instrumentalities in the district to

promote and sell counterfeit Montblanc products including through use of the Defendant Domain Names.

16. Venue is proper in this District pursuant to 15 U.S.C. § 1125(d)(2)(C) and 28 U.S.C. § 1391(b)(2) in that the .com domain name registry operator, VeriSign Inc., is located in this district and pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claims occurred in this district.

17. Joinder of Defendant Ilnitskiy and the Defendant Domain Names is proper under Fed. R. Civ. P. 20(a)(2) in that the claims set forth herein arise out of the same series of transactions and the same questions of law are common to all of the Defendants.

MONTBLANC'S RIGHTS

18. Since 1906, Plaintiff has manufactured, designed, and sold sophisticated, high quality writing instruments under the MONTBLANC brand. Plaintiff's famous MONTBLANC product line also includes, *inter alia*, writing accessories, watches, luxury leather goods and belts, jewelry, and eyewear.

19. The English translation of "Mont Blanc" is "white mountain," a phrase that is arbitrary and inherently distinctive as applied to Montblanc's products and services. Montblanc operates an Internet website located at www.Montblanc.com, through which it sells and advertises its various merchandise.

20. Montblanc promotes its products and services throughout the United States and the world under its MONTBLANC formative marks including word marks and design marks (collectively the "MONTBLANC Marks"). This includes Montblanc's use of the MONTBLANC word mark in its domain name montblanc.com, as well as Montblanc's use of the MONTBLANC Marks throughout its website to advertise and offer for sale genuine and

authentic MONTBLANC brand products. In addition, Montblanc manufactures and distributes products and/or product packaging bearing the MONTBLANC Marks. Montblanc uses the MONTBLANC Marks to indicate the source of its high-quality products and services.

21. Consumers have come to distinguish Montblanc’s goods as a result of the use and widespread promotion of the MONTBLANC Marks. In 2010 alone, the MONTBLANC brand generated in excess of \$780 million in total sales revenue worldwide.

22. The MONTBLANC Marks are entitled to common law trademark rights.

23. The MONTBLANC Marks are famous and/or distinctive throughout the United States and the world in connection with Plaintiff’s products.

24. The MONTBLANC word marks are registered around the world including on the Principal Trademark Register of the U.S. Patent and Trademark Office. Following is a representative sampling of Montblanc’s U.S. federal trademark registrations for the MONTBLANC word marks.

MARK	REGISTRATION NO.	REGISTRATION DATE	REGISTERED GOODS/SERVICES AND CLASSES
MONTBLANC	776,208	September 1, 1964	For: fountain pens, cases for fountain pens, ball point pens, ball point cartridges, ball point paste, mechanical pencils, and lead for mechanical pencils in class 16.
MONTBLANC	1,825,001	March 8, 1994	For: Spectacles and sunglasses in class 009.
MONTBLANC	1,884,842	March 21, 1995	For: Jewelry, watches and timepieces in class 014. For: Purses, handbags, small leather articles and accessories, namely wallets and billfolds, and luggage in class 018.
MONTBLANC	2,202,465	November 10, 1998	For: toilet soaps, perfume, cologne, eau de toilette, perfumed body cream, hair and body shampoo, deodorant, and after shave lotion in class 003.
MONTBLANC	2,415,189	October 3, 2000	For: clothing accessories, namely, dress belts made of leather with belt buckles of precious and semiprecious metals distributed in channels of commerce where luxury articles are sold and promoted in class 025.
MONTBLANC	2,820,561	March 9, 2004	For: maintenance and repair of writing instruments and accessories for writing instruments in class 37. For: retail store services for luxury items, namely, stationery, desk sets, stationery, desk sets, jewelry, watches, eyewear, leather goods, writing instruments

			and parts and fittings therefor; design services for others for luxury items, namely, stationery, desk sets, jewelry, watches, eyewear, fragrances and cosmetics, leather goods, writing instruments and parts and fittings therefor in class 42
MONTBLANC	4,582,264	August 12, 2014	<p>For: Retail store services in the field of luxury goods in the nature of watches, chronometers, luxury writing instruments and parts and fittings therefor, leather goods, belts, jewelry, eyewear, fragrances, stationery, stationery refills, desk sets, personal care products provided via the Internet and other computer and electronic communication networks in class 035.</p> <p>For: Telecommunication services, namely, routing of Internet queries from end users to website hosting providers; providing access to an online computer database in the field of domain name registration information; connection of Internet domains and e-mail-addresses in computer networks, namely, data communication by electronic mail in class 038.</p> <p>For: Technical IT project management services for managing and tracking computer network domain names in connection with the registration of domain names for identification of users and Internet protocol addresses on the Internet; verification of identities for the purpose of permitting or denying access to information and services in the nature of computer security services, namely, enabling or restricting access to computer networks to authorized users by means of a website featuring technology that verifies user identities; Internet Protocol (IP) address verification in class 042.</p> <p>For: Legal services, namely, registration of domain names for identification of users on a global computer network; registration services enabling entities to manage information related to domain names and e-mail addresses for use on a global computer network, namely, issuing and registration of domain names and e-mail addresses; licensing of domain names; legal services, namely, administration of domain names and e-mail addresses in class 045.</p>

25. A true and correct copy of a representative sample of U.S. trademark registrations owned by Montblanc for the MONTBLANC word marks is attached hereto as Schedule B.

26. Montblanc has also registered several stylized design marks with the United States Patent and Trademark Office for use in connection with its MONTBLANC branded products and services. Following is a representative sampling of Montblanc's U.S. federal

trademark registrations for the MONTBLANC design marks.

MARK	REGISTRATION No.	REGISTRATION DATE	REGISTERED GOODS/SERVICES AND CLASSES
	839,016	November 21, 1967	For: Fountain pen ink in class 002. For: Fountain pens, cases for fountain pens, ball point pens, ball point cartridges, mechanical pencils, lead for mechanical pencils, desk stands for pens in class 016.
	1,878,584	February 14, 1995	For: Jewelry, watches and timepieces in class 018. For: Purses, handbags, small leather articles and accessories, namely wallets and billfolds, and luggage in class 018.
	2,515,092	December 4, 2001	For: stationery, namely, writing paper, writing cards in class 016.
	3,021,081	November 29, 2005	For: education and training services, namely, arranging and conducting conferences, award programs, seminars, colloquiums, exhibitions and lectures in the field of arts education, literacy, musicianships, charitable activities, artisanship, arranging and conducting programs and exhibitions for educational and entertainment purposes featuring artists and their works; providing recognition and incentives by the way of awards to demonstrate excellence in the fields of literacy arts education and artistic accomplishments; arranging and conducting competitive sporting and cultural events in class 042.
	3,059,776	February 21, 2006	For: Money clips, key rings all being made of metal in class 006. For: Pocket-knives, razors in class 008. For: Graduated rulers in class 009. For: Drinking flasks not of precious metal; serving trays, butlers trays, all being not of precious metal; shaving brushes, shaving brush stands in class 021.

			For: Ashtrays not of precious metal, tobacco pouches, cigar
	3,894,136	December 21, 2010	For: Jewelry; cuff links in class 014.
	4,295,116	February 26, 2013	For: Retail store services featuring watches, writing instruments and parts and fittings therefor, writing inks and refills for writing instruments, leather goods, belts, jewelry, eyewear, fragrances, stationery, stationery refills, desk sets, personal care products; online retail store services featuring watches, writing instruments, writing inks and refills for writing instruments, leather goods, belts, jewelry, eyewear, fragrances, stationery, stationery refills in class 035.
	4,669,133	January 13, 2015	For: Soaps; perfumery; essential oils; cosmetic preparations for body and beauty care in class 003. For: Eyeglasses, sunglasses; eyeglass frames and cases; magnifying glasses; computer and tablets carrying cases and bags; holders and cases for telephones, portable telephones and smartphones; accessories for portable telephones, smartphones and tablets, namely, cases, bags; data recording and storage media device and instruments, namely, blank USB flash drive; graduated rulers in class 009. For: Jewelry; precious stones; precious metals and their alloys; cufflinks; tie clips; rings; bracelets; earrings; necklaces; brooches; key rings of precious metal; jewelry cases; boxes of precious metals; horological and chronometric instruments; watches; chronometers; clocks; small clocks; watch cases; watch bands; watch bracelets; key rings, trinkets, or fobs of precious metal in class 014. For: Stationery; articles of paper or cardboard, namely, boxes, bags, envelopes and pouches for packaging; wrapping paper; writing instruments; pouches for writing instruments; cases for writing instruments; inks and ink refills for writing instruments; desk sets; writing books; calendars, note books, card and document files, announcement cards; writing paper, envelopes, index cards; business cards; writing pads; writing instrument holders; paperweights; diaries, cover for diaries, replacement papers for diaries; inkwells; check book holders, passport holders;

			<p>document holders and cases; photo albums; bookends; money clips; writing cases for writing instruments in class 016.</p> <p>For: Handbags, travelling bags, rucksacks, garment bags for travel, traveling sets comprised of luggage, suitcases, bags for sports, wheeled bags, wallets, purses, name cards cases, briefcases, attaché cases, key cases of leather or imitation leather; travelling trunks; unfitted vanity cases; evening purses; leather straps; boxes of leather or leather board, trunks and suitcases; credit card holder in class 018.</p>
	4,686,500	February 17, 2015	<p>For: Soaps, perfumery, essential oils, cosmetic preparations for body and beauty care in class 003.</p> <p>For: Eyeglasses, sunglasses; eyeglass frames and cases; magnifying glasses; computer and tablet computer carrying cases and bags; holders and cases for telephones, portable telephones and smartphones; accessories for portable telephones, smartphones and tablet computers, namely, earphones and headphones; graduated rulers in class 009.</p> <p>For: Jewelry; cuff links; tie clips; rings, bracelets, earrings, necklaces, brooches; key rings of precious metal; watches, chronometers, clocks, watch movements, watch straps, watch bracelets, boxes of precious metal for watches and jewelry in class 014.</p> <p>For: Paper, cardboard; paper boxes; cardboard boxes; printed matter, namely, calendars, paper cards; stationery; articles of paper or cardboard, namely, boxes, bags, envelopes and pouches for packaging; wrapping paper; writing instruments; replacement parts for writing instruments, namely, nibs, caps, and clips; pouches for writing instruments; cases for writing instruments; inks and ink refills for writing instruments; blank writing books; calendars, note books; writing paper, envelopes; business cards; paperweights; diaries, covers for diaries, replacement papers for diaries; inkwells; checkbook holders, passport holders; document holders; document portfolios; photo albums; bookends; money clips; letter trays, writing instrument holders, writing paper pad refills; desk sets, desk stands for writing instruments and office implements in the nature of office stationery, pen and pencil holders in class 016.</p> <p>For: Leather and imitation leather, leather and imitation leather goods, namely, handbags, travelling bags, bags for sports, wheeled bags, wallets, purses, credit card holders, briefcases, attaché-cases, key cases, trays made of leather in the nature of leather grooming organizers for travel, travelling trunks, unfitted vanity cases, handbags, boxes of leather or leather board, trunks and suitcases, and bags for packaging in class 18.</p>

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27. A true and correct copy of a representative sample of U.S. trademark registrations owned by Montblanc for the MONTBLANC design marks is attached hereto as Schedule C.

28. Several of Plaintiff's registered MONTBLANC Marks have obtained incontestable status pursuant to 15 U.S.C. § 1065.

29. Plaintiff's incontestable federal registrations for the MONTBLANC Marks are *conclusive* evidence of the validity of the marks, of Montblanc's ownership of the marks, and of Montblanc's exclusive right to use the marks in U.S. commerce.

**DEFENDANTS' UNLAWFUL COUNTERFEITING AND REGISTRATION AND
USE OF THE DEFENDANT DOMAIN NAMES**

30. The domain name montblancua.com ("Ilnitskiy's Prior Domain Name") was registered on August 17, 2015 through the domain name registrar eNom, Inc. in a name which is, on information and belief, an alias for Defendant Ilnitskiy.

31. After registration, Ilnitskiy's Prior Domain Name was configured to display a website replicating the genuine Montblanc website available at www.Montblanc.com and displaying Montblanc's copyright protected content and the MONTBLANC Marks.

32. The website displayed at Ilnitskiy's Prior Domain Name was used to promote and sell counterfeit Montblanc products.

33. Montblanc's investigator purchased such counterfeit products from Ilnitskiy's Prior Domain Name and, through correspondence with the operator of Ilnitskiy's Prior Domain Name, learned of Instagram accounts, email addresses, and a Paypal account being used by this person or persons to sell counterfeit Montblanc products.

34. In addition to the email address mbformens@gmail.com, the investigator identified three additional email addresses, miroslav.ilnitskiy@gmail.com,

ilnitskiy.miroslav@gmail.com, and miroshandmade@gmail.com, as being associated with the sale of counterfeit Montblanc products through the domain name montblancua.com (collectively the “Subject Email Accounts”). Several of the Subject Email Accounts are associated with the additional email addresses Ilyas@ukr.net.

35. According to data logs provided by Google, the Subject Email Accounts have been accessed primarily from IP addresses located within Ukraine.

36. The investigator made payment for the counterfeit Montblanc products via a PayPal account associated with the email address miroslav.itnitskiy@gmail.com.

37. Approximately one month after Montblanc’s investigator’s purchase of counterfeit products from Ilnitskiy’s Prior Domain Name, the website was disabled on or about August 17, 2016.

38. The Defendant Domain Names were registered with the domain name registrar eNom, Inc. on November 6, 2016, November 28, 2016, and December 6, 2016, respectively, and were registered in the name of a privacy service to conceal the identity of the true owner of the domain names.

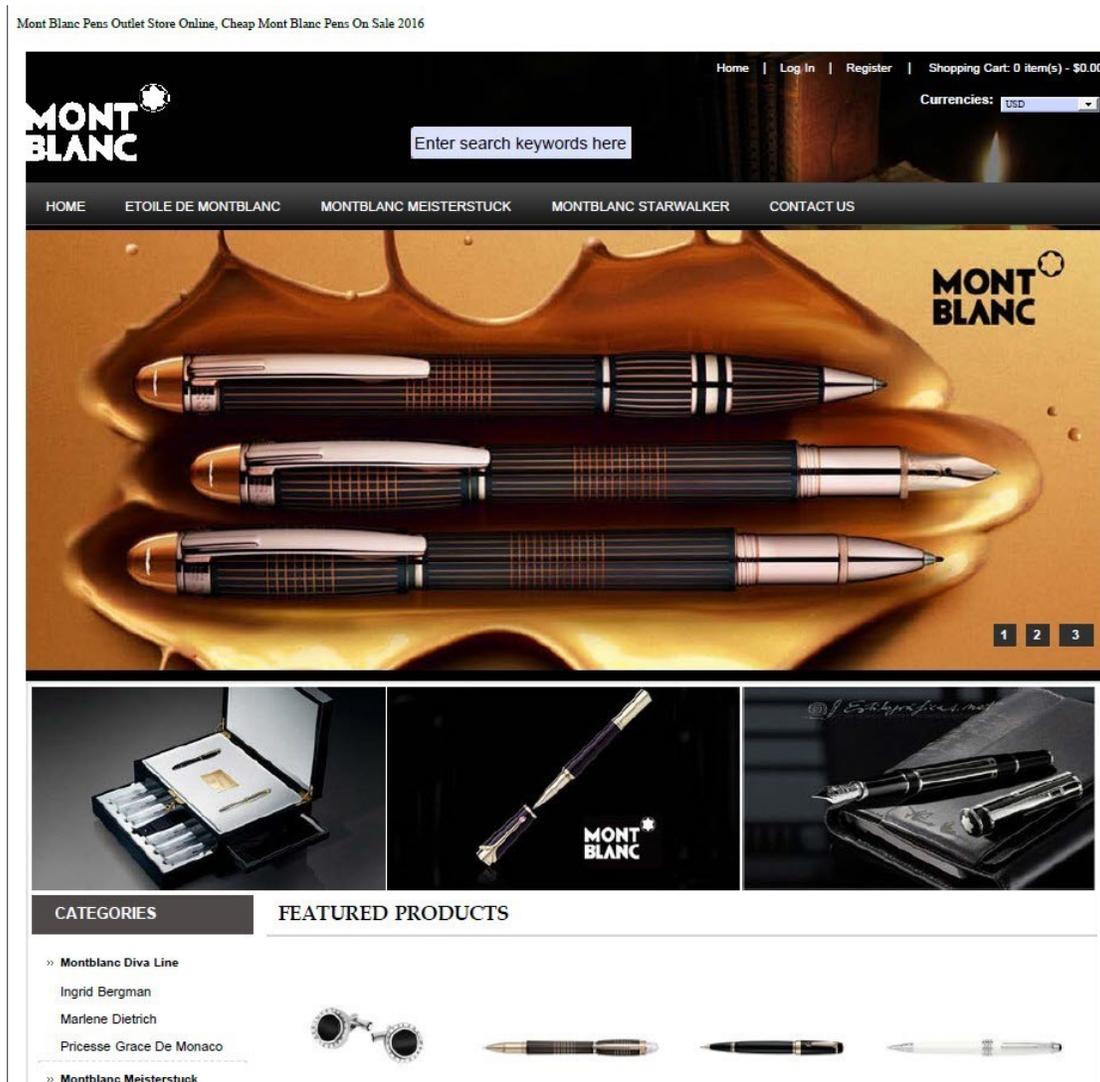
39. After registration, the Defendant Domain Names were configured to display a website replicating the genuine Montblanc website available at www.Montblanc.com and displaying Montblanc’s copyright protected content and the MONTBLANC Marks, and the Defendant Domain Names continue to display such a website.

40. The website displayed at the Defendant Domain Names is being used to promote and sell counterfeit Montblanc products, and is strikingly similar to the website formerly displayed at Ilnitskiy’s Prior Domain Name.

41. On information and belief, the Defendant Domain Names are owned and/or

operated by Defendant Ilnitskiy but Defendant Ilnitskiy has concealed his associated with the Defendant Domain Names through use of a private registration service.

42. Following is a screen capture of the website displayed at the Defendant Domain Names:



43. The screen capture shown above contains the MONTBLANC Marks of at least U.S. Reg. Nos. 776,208; 2,820,561; 4,582,264; 839,016; and 2,515,092.

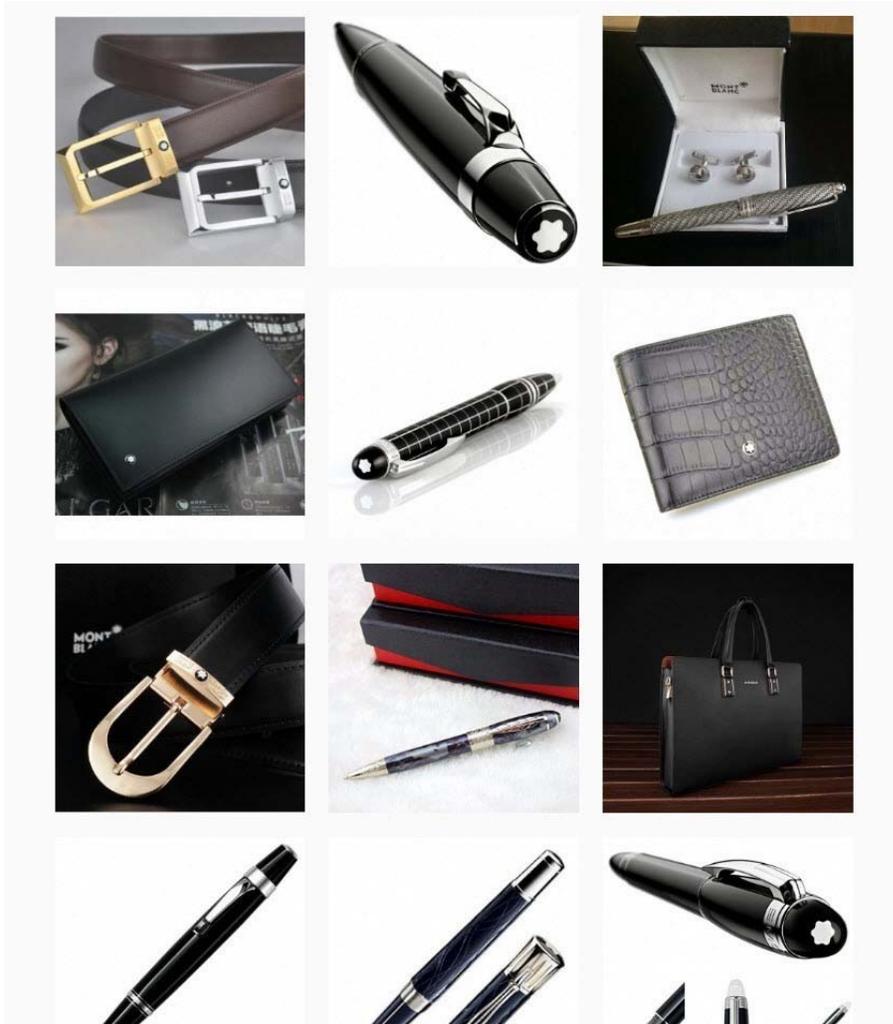
44. In addition to use of the Defendant Domain Names and the Subject Email

Accounts, Defendant Ilnitskiy is also using a number of Instagram accounts to promote and sell counterfeit Montblanc products through unauthorized use of Montblanc's copyright protected images and the MONTBLANC Marks.

45. Defendant Ilnitskiy's Instagram accounts include at least the nine Instagram accounts with the following usernames: m7_montblanc, zekta_montblanc, adaam.fmontblanc, ladon_montblanc, filidam_montblanc, light_montblanc, dimoncheg_montblanc, mjt_montblanc, amira_montblanc (collectively the "Subject Instagram Accounts").

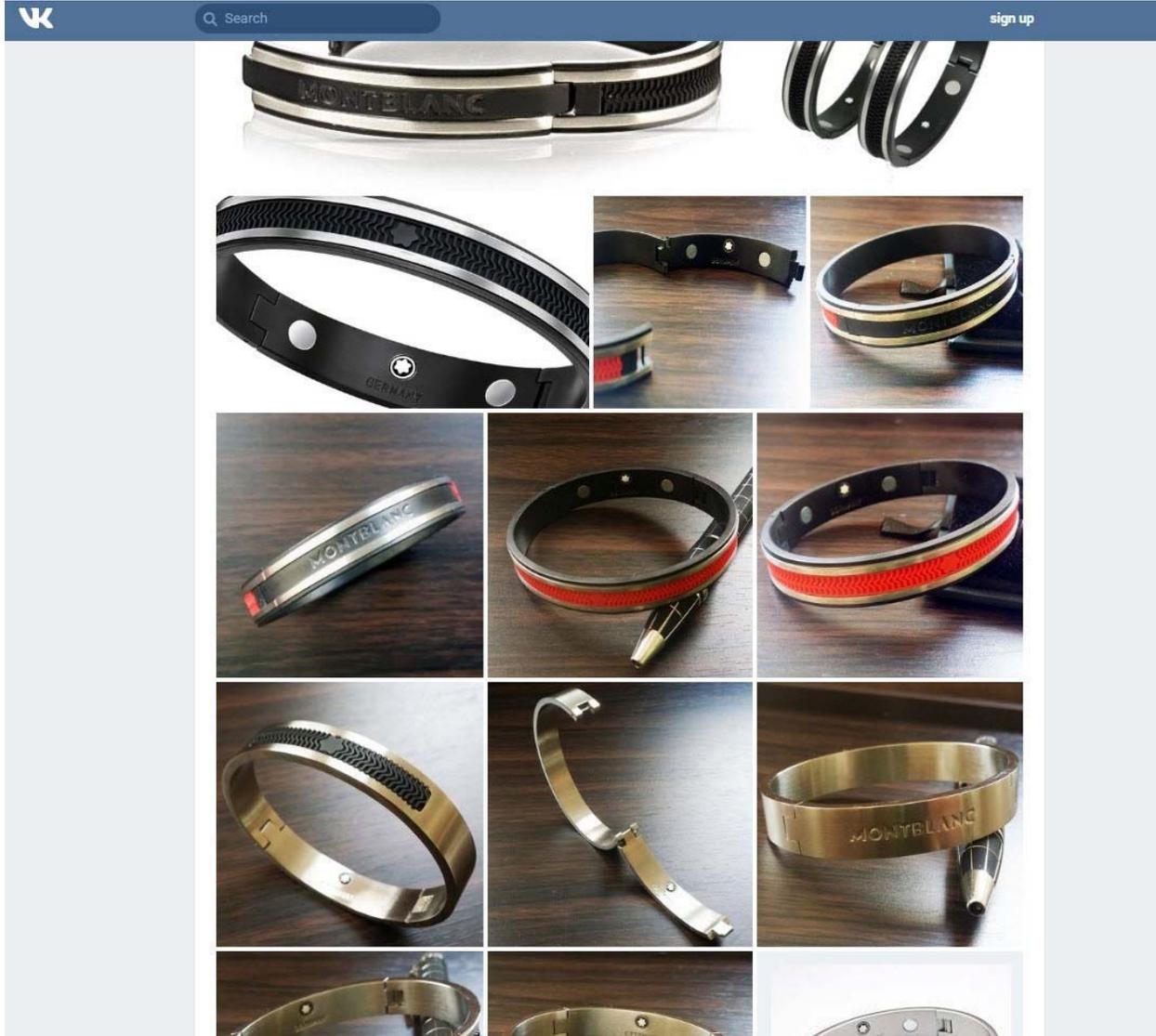
46. The Subject Instagram Accounts are each associated with free email accounts from Internet service providers based in Russia and Ukraine. Moreover, according to data logs provided by Instagram, the Subject Instagram Accounts have been accessed from IP addresses located almost exclusively within Ukraine.

47. Following below is a representative screen capture of one of Defendant Ilnitskiy's Instagram accounts:



48. The screen capture shown above contains the MONTBLANC Marks of at least U.S. Reg. Nos. 776,208; 1,884,842; 2,415,189; 2,820,561; 4,582,264; 839,016; 1,878,584; and 4,295,116.

49. Defendant Ilnitskiy is also using the third-party webhosting platform vk.com to display Montblanc’s copyright protected content and the MONTBLANC Marks in furtherance of the promotion and sale of counterfeit Montblanc products. Following below is a screen capture of Defendant Ilnitskiy’s vk.com webpage (the “VK.com Webpage”):



50. The screen capture shown above contains the MONTBLANC Marks of at least U.S. Reg. Nos. 1,884,842; 4,582,264; and 1,878,584.

51. On information and belief, Defendant Ilnitskiy is using the Defendant Domain Names, the Subject Email Addresses, the Subject Instagram Accounts, the VK.com Webpage, and associated PayPal accounts to promote and sell counterfeit Montblanc products including to residents located in this District.

52. Montblanc's investigator purchased a counterfeit Montblanc product from

Defendant Ilnitskiy that was advertised on the Subject Instagram Accounts.

53. Defendant Ilnitskiy corresponded with Montblanc's investigator regarding the counterfeit sales transaction through use of the email address mbformens@gmail.com, and Defendant Ilnitskiy requested and received payment for the counterfeit product via PayPal at a PayPal account associated with the email address miroslav.ilnitskiy@gmail.com.

54. Defendant Ilnitskiy completed the sale of the counterfeit product by shipping the counterfeit product to this District. Upon receipt of the product, Montblanc confirmed that it was counterfeit. Following are pictures of the counterfeit Montblanc product sold by Defendant Ilnitskiy and shipped to this District.



55. The photos shown above contain the MONTBLANC Marks of at least U.S. Reg. Nos. 776,208; and 839,016.

COUNT ONE:
(Violation of the Federal Anti-Cybersquatting Consumer Protection Act)

56. Montblanc repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

57. Montblanc's federally registered MONTBLANC Marks are famous and/or distinctive and were famous and/or distinctive prior to the registration of the Defendant Domain Names.

58. The Defendant Domain Names fully incorporate the MONTBLANC mark.

59. The use of the MONTBLANC Marks within the Defendant Domain Names and associated websites is without authorization from Montblanc.

60. The Defendant Domain Names do not and cannot reflect the legal name of the registrant of the Domain Names.

61. The registrant of the Defendant Domain Names has not engaged in bona fide noncommercial or fair use of the MONTBLANC Marks in a website accessible under the Domain Names.

62. The websites displayed by the registrant of the Defendant Domain Names are likely to be confused with Montblanc's legitimate online location at www.Montblanc.com.

63. Upon information and belief, the registrant of the Defendant Domain Names registered the Domain Names with intent to divert consumers seeking to purchase genuine MONTBLANC products online away from Montblanc's online location at www.Montblanc.com, for commercial gain, by creating a likelihood of confusion as to the source, sponsorship, affiliation or endorsement of the Defendant Domain Names and the sites displayed through use of the Defendant Domain Names.

64. The images used on the websites associated with the Defendant Domain Names are copied from Montblanc's online location at www.Montblanc.com without Plaintiff's authorization.

65. The goods offered for sale via the Defendant Domain Names are counterfeit and designed to mislead the public.

66. Upon information and belief, the registrant of the Defendant Domain Names provided material and misleading false contact information when applying for and maintaining

the registrations of the Defendant Domain Names in that the person or entity identified as the registrant of the Defendant Domain Names is not the true owner of the Domain Names.

67. Montblanc, despite its due diligence, has been unable to find a person who would have been a defendant in a civil action under 15 U.S.C. § 1125(d)(1)(A) because the registrations are held in the name of a privacy service that conceals the identity of the true owner—which Montblanc believes to be Defendant Ilnitskiy.

68. The aforesaid acts by the registrant of the Defendant Domain Names constitutes registration, maintenance, or use of domain names that are confusingly similar to Plaintiff's MONTBLANC Marks, with bad faith intent to profit therefrom.

69. The aforesaid acts by the registrant of the Domain Names constitutes unlawful cyberpiracy in violation of the Anti-Cybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d)(1).

70. The aforesaid acts have caused, and are causing, great and irreparable harm to Montblanc and the public. The harm to Montblanc includes harm to the value and goodwill associated with the MONTBLANC Marks that money cannot compensate. Unless permanently restrained and enjoined by this Court, said irreparable harm will continue.

71. Pursuant to 15 U.S.C. § 1125(d)(2)(D)(i), Montblanc is entitled to an order transferring the Defendant Domain Names to Montblanc.

COUNT TWO:
(Trademark Counterfeiting)

72. Montblanc repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

73. Defendant Ilnitskiy is intentionally and knowingly using counterfeit versions of the MONTBLANC Marks in connection with the sale, offering for sale and/or distribution of

counterfeit Montblanc products.

74. Defendant Ilnitskiy has used spurious designations that are identical with, or substantially indistinguishable from, the MONTBLANC Marks on goods covered by the federal registrations for such marks.

75. Defendant Ilnitskiy has used these spurious designations knowing they are counterfeit in connection with the advertisement, promotion, sale, offering for sale and distribution of goods.

76. Defendant Ilnitskiy's use of the MONTBLANC Marks to advertise, promote, offer for sale, distribute and sell counterfeit products was, and is, without the consent of Montblanc.

77. Defendant Ilnitskiy's unauthorized use of the MONTBLANC Marks on and in connection with the advertisement, promotion, sale, offering for sale and distribution of counterfeit goods constitutes use of the MONTBLANC Marks in commerce.

78. Defendant Ilnitskiy's unauthorized use of the MONTBLANC Marks as set forth above is likely to: (a) cause confusion, mistake and deception; (b) cause the public to believe that the products sold by Defendant Ilnitskiy are authorized, sponsored or approved by Montblanc or that Defendant Ilnitskiy is affiliated, connected or associated with or in some way related to Montblanc; and (c) result in Defendant Ilnitskiy unfairly benefiting from Montblanc's advertising and promotion and profiting from the reputation of Montblanc and the MONTBLANC Marks all to the substantial and irreparable injury of the public and Montblanc.

79. Defendant Ilnitskiy's aforesaid acts constitute willful trademark counterfeiting in violation of Sections 32 and 34 of the Lanham Act, 15 U.S.C. § 1114 and 1116(d)(1).

COUNT THREE:
(Trademark Infringement)

80. Montblanc repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

81. Defendant Ilnitskiy is using the MONTBLANC Marks in commerce and has no valid rights in the MONTBLANC Marks.

82. Defendant Ilnitskiy has actual and/or constructive notice, pursuant to Section 22 of the Lanham Act, 15 U.S.C. § 1072, of the existence of Montblanc's superior rights in its MONTBLANC Marks by reason of the existence of Montblanc's aforesaid federal trademark rights.

83. Use of the MONTBLANC Marks by Defendant Ilnitskiy is without the permission or authorization of Montblanc.

84. The aforesaid acts by Defendant Ilnitskiy have caused and/or are likely to cause confusion, mistake and/or deception among consumers and the public, leading the public falsely to believe that the products advertised and sold by Defendant Ilnitskiy are those of, are sponsored or approved by, or are in some way connected with Montblanc.

85. The aforesaid acts by Defendant Ilnitskiy constitute direct infringement of Montblanc's trademark rights in violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114.

86. The aforesaid acts have caused, and are causing, great and irreparable harm to Montblanc and the public. The harm to Montblanc includes harm to the value and goodwill associated with the MONTBLANC Marks that money cannot compensate. Unless permanently restrained and enjoined by this Court, said irreparable harm will continue.

COUNT FOUR:
(Copyright Infringement)

87. Montblanc repeats and realleges each and every allegation set forth in the foregoing paragraphs, as though fully set forth herein.

88. Montblanc is the author and owner of certain copyright protected images and websites consisting of creative and original expressions (the “Montblanc Works”).

89. The Montblanc Works include materials published online at Montblanc’s official website www.Montblanc.com as well as in advertisements for legitimate Montblanc products.

90. These materials are covered by U.S. Copyright Registration No. VA0001792186. A true and correct copy of U.S. Copyright Registration No. VA0001792186 is attached hereto as Schedule D.

91. At all times relevant hereto, Montblanc has been and still is the owner and proprietor of all right, title, and interest in and to the Montblanc Works.

92. The Montblanc Works contain creative material wholly original to Montblanc and are copyrightable subject matter under the copyright laws of the United States.

93. Defendant Ilnitskiy has infringed and continues to infringe Montblanc’s copyrights by copying, distributing, altering, and/or displaying the Montblanc Works.

94. Such copying, distributing, altering, and/or displaying of the Montblanc Works was done by Defendant Ilnitskiy without the consent, approval, or license of Montblanc.

95. The foregoing actions of Defendant Ilnitskiy have been knowing, deliberate, willful, and in utter disregard of Montblanc’s rights.

96. The above acts by Defendant Ilnitskiy violate Montblanc’s exclusive rights under § 106 of the Copyright Act, 17 U.S.C. § 106, and constitute willful infringement of Montblanc’s copyrights under § 501 of the Copyright Act, 17 U.S.C. § 501.

PRAYER FOR RELIEF

WHEREFORE, Montblanc respectfully requests of this Court:

1. That judgment be entered in favor of Montblanc on its claims of cybersquatting, trademark counterfeiting and infringement, and copyright infringement.
2. That the Court order the Defendant Domain Names be transferred to Montblanc through transfer by VeriSign, Inc. of the Defendant Domain Names from the current domain name registrar to Montblanc's domain name registrar of choice and by such registrar's change of the registrant to Montblanc.
3. That any other domain names registered by the registrant of the Defendant Domain Names that resemble or include the MONTBLANC Marks be transferred to Montblanc.
4. That Defendant Ilnitskiy be required to pay Montblanc statutory damages pursuant to 15 U.S.C. § 1117(c) and 17 U.S.C. § 504(c);
5. That actual, compensatory and statutory damages, be awarded against Defendant Ilnitskiy;
6. That Defendant Ilnitskiy be required to disgorge all revenues earned from the sale of counterfeit MONTBLANC products;
7. That the Court preliminarily and permanently enjoin Defendant Ilnitskiy, and all those in active concert or participation with him, jointly and severally, from:
 - a. Copying, distributing, altering, displaying, hosting, selling and/or promoting the Montblanc Works;
 - b. Using any copy or colorable imitation of the Montblanc Marks in connection with the promotion, advertisement, display, sale, offering for sale, manufacture, printing, importation, production, circulation, or distribution of any product or service, in such fashion as to relate or

connect such product in any way to Montblanc, or to any goods sold, manufactured, sponsored, approved by, or connected with Montblanc; and

c. Engaging in any other activity constituting unfair competition with Montblanc, or constituting an infringement of the Montblanc Marks or the Montblanc Works, or constituting any damage to Montblanc's name, reputation, or goodwill.

8. That the Court order an award of costs and reasonable attorneys' fees, pursuant to 15 U.S.C. § 1117(a), 17 U.S.C. § 505, or as otherwise permitted by law, incurred by Montblanc in connection with this action;

9. That Montblanc be awarded pre-judgment interest and post-judgment interest on the above damages awards; and

10. That the Court order an award to Montblanc of such other and further relief as the Court may deem just and proper.

Dated: September 7, 2017 By: /s/ Attison L. Barnes, III
Attison L. Barnes, III (VA Bar No. 30458)
David E. Weslow (*for pro hac vice*)
WILEY REIN LLP
1776 K St. NW
Washington, DC 20006
(202) 719-7000 (phone)
(202) 719-7049 (fax)
abarnes@wileyrein.com
dweslow@wileyrein.com

*Counsel for Plaintiff
Montblanc-Simplo GmbH*

VERIFICATION

I, Richard Graham, Head of Digital for Richemont International Ltd., owner of several of the world's leading companies in the field of luxury goods, including Plaintiff Montblanc-Simplo GmbH, declare under penalty of perjury under the laws of the United States of America, pursuant to 28 U.S.C. § 1746, that the facts contained in the foregoing First Amended Verified Complaint are true and correct.



Richard Graham

31/8/17

Date

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MONTBLANC-SIMPLO GMBH,

Plaintiff,

v.

montblancpensoutletcheapsale.com,
montblancpensoutletcheap.com,
montblancpensoutletcheaponsale.com, and
MIROSLAV ILNITSKIY,

Defendants.

Civil Action No. 1:17-cv-415-LMB-TCB

SCHEDULE A

Complaint Reference	Domain Name	Registrar	Registration Date	Registrant
Defendant Domain Name 1	montblancpensoutletcheapsale.com	eNom, Inc.	November 6, 2016	"Whoisguard Protected"
Defendant Domain Name 2	montblancpensoutletcheap.com	eNom, Inc.	November 28, 2016	"Whoisguard Protected"
Defendant Domain Name 3	montblancpensoutletcheaponsale.com	eNom, Inc.	December 6, 2016	"Whoisguard Protected"
Ilnitisky's Prior Domain Name	montblanca.com	eNom, Inc.	August 17, 2015	"Miroslav Ilnitisky"

Exhibit 1

ICANN WHOIS

Showing results for: MONTBLANCPENSOUTLETCHAPSALE.COM

Original Query: montblancpensoutletcheapsale.com

Contact Information

Registrant Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM

Admin Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM

Tech Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM

Registrar

WHOIS Server: whois.enom.com

URL: www.enom.com

Registrar: ENOM, INC.

IANA ID: 48

Abuse Contact Email: abuse@enom.com

Abuse Contact Phone: +1.4252982646

Status

Domain Status: clientTransferProhibited

<https://www.icann.org/epp#clientTransferProhibited>

Important Dates

Updated Date: 2016-11-06

Created Date: 2016-11-06

Registration Expiration Date: 2017-11-06

Name Servers

DNS1.REGISTRAR-SERVERS.COM

DNS2.REGISTRAR-SERVERS.COM

Raw WHOIS Record

Domain Name: MONTBLANCPENSOUTLETCHAPSALE.COM
Registry Domain ID: 2071963322_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.enom.com
Registrar URL: www.enom.com
Updated Date: 2016-11-06T06:57:32.00Z
Creation Date: 2016-11-06T14:57:00.00Z
Registrar Registration Expiration Date: 2017-11-06T14:57:00.00Z
Registrar: ENOM, INC.
Registrar IANA ID: 48
Reseller: NAMECHEAP.COM
Domain Status: clientTransferProhibited
<https://www.icann.org/epp#clientTransferProhibited>
Registry Registrant ID:
Registrant Name: WHOISGUARD PROTECTED
Registrant Organization: WHOISGUARD, INC.
Registrant Street: P.O. BOX 0823-03411
Registrant City: PANAMA
Registrant State/Province: PANAMA
Registrant Postal Code: 0
Registrant Country: PA
Registrant Phone: +507.8365503
Registrant Phone Ext:
Registrant Fax: +51.17057182
Registrant Fax Ext:
Registrant Email:
D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM
Registry Admin ID:
Admin Name: WHOISGUARD PROTECTED
Admin Organization: WHOISGUARD, INC.
Admin Street: P.O. BOX 0823-03411
Admin City: PANAMA
Admin State/Province: PANAMA
Admin Postal Code: 0
Admin Country: PA
Admin Phone: +507.8365503
Admin Phone Ext:
Admin Fax: +51.17057182
Admin Fax Ext:
Admin Email: D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM
Registry Tech ID:
Tech Name: WHOISGUARD PROTECTED
Tech Organization: WHOISGUARD, INC.
Tech Street: P.O. BOX 0823-03411
Tech City: PANAMA
Tech State/Province: PANAMA
Tech Postal Code: 0
Tech Country: PA
Tech Phone: +507.8365503
Tech Phone Ext:
Tech Fax: +51.17057182

Tech Fax Ext:

Tech Email: D3E945ACD31C42A6AE7DF8E473373696.PROTECT@WHOISGUARD.COM

Name Server: DNS1.REGISTRAR-SERVERS.COM

Name Server: DNS2.REGISTRAR-SERVERS.COM

DNSSEC: unSigned

Registrar Abuse Contact Email: abuse@enom.com

Registrar Abuse Contact Phone: +1.4252982646

URL of the ICANN WHOIS Data Problem Reporting System:

<http://wdprs.internic.net/>

>>> Last update of WHOIS database: 2016-11-06T06:57:32.00Z <<<

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Exhibit 2

ICANN WHOIS

Showing results for: MONTBLANCPENSOUTLETCHAP.COM

Original Query: montblancpensoutletcheap.com

Contact Information

Registrant Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: 6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM

Admin Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: 6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM

Tech Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email:6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM

Registrar

WHOIS Server: whois.enom.com

URL: www.enom.com

Registrar: ENOM, INC.

IANA ID: 48

Abuse Contact Email:abuse@enom.com

Abuse Contact Phone: +1.4252982646

Status

Domain Status:clientTransferProhibited

<https://www.icann.org/epp#clientTransferProhibited>

Important Dates

Updated Date: 2016-11-28

Created Date: 2016-11-28

Registration Expiration Date: 2017-11-28

Name Servers

DNS1.REGISTRAR-SERVERS.COM

DNS2.REGISTRAR-SERVERS.COM

Raw WHOIS Record

Domain Name: MONTBLANCPENSOUTLETCHEAP.COM
Registry Domain ID: 2077481211_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.enom.com
Registrar URL: www.enom.com
Updated Date: 2016-11-28T04:27:33.00Z
Creation Date: 2016-11-28T12:27:33.00Z
Registrar Registration Expiration Date: 2017-11-28T12:27:33.00Z
Registrar: ENOM, INC.
Registrar IANA ID: 48
Reseller: NAMECHEAP.COM
Domain Status: clientTransferProhibited
<https://www.icann.org/epp#clientTransferProhibited>
Registry Registrant ID:
Registrant Name: WHOISGUARD PROTECTED
Registrant Organization: WHOISGUARD, INC.
Registrant Street: P.O. BOX 0823-03411
Registrant City: PANAMA
Registrant State/Province: PANAMA
Registrant Postal Code: 0
Registrant Country: PA
Registrant Phone: +507.8365503
Registrant Phone Ext:
Registrant Fax: +51.17057182
Registrant Fax Ext:
Registrant Email:
6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM
Registry Admin ID:
Admin Name: WHOISGUARD PROTECTED
Admin Organization: WHOISGUARD, INC.
Admin Street: P.O. BOX 0823-03411
Admin City: PANAMA
Admin State/Province: PANAMA
Admin Postal Code: 0
Admin Country: PA
Admin Phone: +507.8365503
Admin Phone Ext:
Admin Fax: +51.17057182
Admin Fax Ext:
Admin Email: 6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM
Registry Tech ID:
Tech Name: WHOISGUARD PROTECTED
Tech Organization: WHOISGUARD, INC.
Tech Street: P.O. BOX 0823-03411
Tech City: PANAMA
Tech State/Province: PANAMA
Tech Postal Code: 0
Tech Country: PA
Tech Phone: +507.8365503
Tech Phone Ext:
Tech Fax: +51.17057182

Tech Fax Ext:
Tech Email: 6DFD302ECD1847379064C04D05E367F4.PROTECT@WHOISGUARD.COM
Name Server: DNS1.REGISTRAR-SERVERS.COM
Name Server: DNS2.REGISTRAR-SERVERS.COM
DNSSEC: unSigned
Registrar Abuse Contact Email: abuse@enom.com
Registrar Abuse Contact Phone: +1.4252982646
URL of the ICANN WHOIS Data Problem Reporting System:
<http://wdprs.internic.net/>
>>> Last update of WHOIS database: 2016-11-28T04:27:33.00Z <<<

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Exhibit 3

ICANN WHOIS

Showing results for:

MONTBLANCPENSOUTLETCHAPONSALE.COM

Original Query: montblancpensoutletcheaponsale.com

Contact Information

Registrant Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: 8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM

Admin Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email: 8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM

Tech Contact

Name: WHOISGUARD PROTECTED

Organization: WHOISGUARD, INC.

Mailing Address: P.O. BOX 0823-03411, PANAMA PANAMA 0 PA

Phone: +507.8365503

Ext:

Fax: +51.17057182

Fax Ext:

Email:8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM

Registrar

WHOIS Server: whois.enom.com

URL: www.enom.com

Registrar: ENOM, INC.

IANA ID: 48

Abuse Contact Email:abuse@enom.com

Abuse Contact Phone: +1.4252982646

Status

Domain Status:clientTransferProhibited

<https://www.icann.org/epp#clientTransferProhibited>

Important Dates

Updated Date: 2016-12-06

Created Date: 2016-12-06

Registration Expiration Date: 2017-12-06

Name Servers

DNS1.REGISTRAR-SERVERS.COM

DNS2.REGISTRAR-SERVERS.COM

Raw WHOIS Record

Domain Name: MONTBLANCPENSOUTLETCHAPONSALE.COM
Registry Domain ID: 2079610940_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.enom.com
Registrar URL: www.enom.com
Updated Date: 2016-12-06T07:46:13.00Z
Creation Date: 2016-12-06T15:46:13.00Z
Registrar Registration Expiration Date: 2017-12-06T15:46:13.00Z
Registrar: ENOM, INC.
Registrar IANA ID: 48
Reseller: NAMECHEAP.COM
Domain Status: clientTransferProhibited
<https://www.icann.org/epp#clientTransferProhibited>
Registry Registrant ID:
Registrant Name: WHOISGUARD PROTECTED
Registrant Organization: WHOISGUARD, INC.
Registrant Street: P.O. BOX 0823-03411
Registrant City: PANAMA
Registrant State/Province: PANAMA
Registrant Postal Code: 0
Registrant Country: PA
Registrant Phone: +507.8365503
Registrant Phone Ext:
Registrant Fax: +51.17057182
Registrant Fax Ext:
Registrant Email:
8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM
Registry Admin ID:
Admin Name: WHOISGUARD PROTECTED
Admin Organization: WHOISGUARD, INC.
Admin Street: P.O. BOX 0823-03411
Admin City: PANAMA
Admin State/Province: PANAMA
Admin Postal Code: 0
Admin Country: PA
Admin Phone: +507.8365503
Admin Phone Ext:
Admin Fax: +51.17057182
Admin Fax Ext:
Admin Email: 8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM
Registry Tech ID:
Tech Name: WHOISGUARD PROTECTED
Tech Organization: WHOISGUARD, INC.
Tech Street: P.O. BOX 0823-03411
Tech City: PANAMA
Tech State/Province: PANAMA
Tech Postal Code: 0
Tech Country: PA
Tech Phone: +507.8365503
Tech Phone Ext:
Tech Fax: +51.17057182

Tech Fax Ext:

Tech Email: 8D3666AD1EC94874AB9774C8D586CAD4.PROTECT@WHOISGUARD.COM

Name Server: DNS1.REGISTRAR-SERVERS.COM

Name Server: DNS2.REGISTRAR-SERVERS.COM

DNSSEC: unSigned

Registrar Abuse Contact Email: abuse@enom.com

Registrar Abuse Contact Phone: +1.4252982646

URL of the ICANN WHOIS Data Problem Reporting System:

<http://wdprs.internic.net/>

>>> Last update of WHOIS database: 2016-12-06T07:46:13.00Z <<<

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<https://icann.org/epp>

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We reserve the right to modify these terms at any time. By submitting this query, you agree to abide by these terms.

Version 6.3 4/3/2002

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unsolicited, commercial advertising, or (ii) to enable high volume, automated, electronic processes to collect or compile this data for any purpose, including without limitation mining this data for your own personal or commercial purposes. ICANN reserves the right to restrict or terminate your access to the data if you fail to abide by these terms of use. ICANN reserves the right to modify these terms at any time. By submitting a query, you agree to abide by these terms.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MONTBLANC-SIMPLO GMBH,

Plaintiff,

v.

montblancpensoutletcheapsale.com,
montblancpensoutletcheap.com,
montblancpensoutletcheaponsale.com, and
MIROSLAV ILNITSKIY,

Defendants.

Civil Action No. 1:17-cv-415-LMB-TCB

SCHEDULE B

United States of America

United States Patent and Trademark Office

MONTBLANC

Reg. No. 776,208

Registered Sep. 1, 1964

Amended May 31, 2016

Int. Cl.: 16

TRADEMARK

PRINCIPAL REGISTER

MONTBLANC-SIMPLO G.M.B.H. (FED REP GERMANY LIMITED LIABILITY COMPANY)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY

FOR: FOUNTAIN PENS, CASES FOR FOUNTAIN PENS, BALL POINT PENS, BALL POINT
CARTRIDGES, BALL POINT PASTE, MECHANICAL PENCILS, LEAD FOR MECHANICAL
PENCILS, IN CLASS 16 (INT. CL. 16).

FIRST USE 0-0-1913; IN COMMERCE 0-0-1913.

SER. NO. 72-183,616, FILED 12-24-1963.



Michelle K. Lee

Director of the United States
Patent and Trademark Office

Int. Cl.: 9

Prior U.S. Cl.: 26

United States Patent and Trademark Office **Reg. No. 1,825,001**
Registered Mar. 8, 1994

**TRADEMARK
PRINCIPAL REGISTER**

MONTBLANC

MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY LIMITED LIABILITY COMPANY)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY

FOR: OPTICAL APPARATUS AND INSTRU-
MENTS; NAMELY, SPECTACLES, MAGNIFY-
ING GLASSES, SUNGLASSES, AND PARTS
THEREFOR, IN CLASS 9 (U.S. CL. 26).

OWNER OF FED REP GERMANY REG. NO.
2001774, DATED 6-14-1991, EXPIRES 2-20-2001.
OWNER OF U.S. REG. NO. 1,644,391.
THE ENGLISH TRANSLATION OF "MONTB-
LANC" IS "WHITE MOUNTAIN".

SER. NO. 74-371,878, FILED 3-25-1993.

DANA M. BOSCO, EXAMINING ATTORNEY

Int. Cls.: 14 and 18

Prior U.S. Cls.: 3 and 27

United States Patent and Trademark Office **Reg. No. 1,884,842**
Registered Mar. 21, 1995

TRADEMARK
PRINCIPAL REGISTER

MONTBLANC

MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY GESELLSCHAFT MIT BESCH-
RANKTER HAFTUNG)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY

FOR: JEWELRY; WATCHES AND TIME
PIECES, IN CLASS 14 (U.S. CL. 27).

FOR: PURSES, HANDBAGS, SMALL LEATH-
ER ARTICLES AND ACCESSORIES, NAMELY

WALLETS AND BILLFOLDS, AND LUGGAGE
, IN CLASS 18 (U.S. CL. 3).

OWNER OF FED REP GERMANY REG. NO.
2009407, DATED 2-13-1992, EXPIRES 4-27-2001.
OWNER OF U.S. REG. NO. 776,208.

THE MARK TRANSLATES INTO ENGLISH
AS "WHITE MOUNTAIN".

SER. NO. 74-481,009, FILED 1-21-1994..

JILL C. ALT, EXAMINING ATTORNEY

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

Reg. No. 2,202,465

United States Patent and Trademark Office

Registered Nov. 10, 1998

**TRADEMARK
PRINCIPAL REGISTER**

MONTBLANC

MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY COMPANY WITH LIMITED LIABIL-
ITY)
HELLGRUNDWEG 100
HAMBURG, FED REP GERMANY

FOR: TOILET SOAPS, PERFUME, COLOGNE,
EAU DE TOILETTE, ESSENTIAL OILS FOR
PERSONAL USE, PERFUMED BODY CREAM,
BODY MILK, DUSTING POWDER, HAIR AND
BODY SHAMPOO, DEODORANT, AFTER
SHAVE LOTION, AND HAIR LOTIONS, IN
CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

OWNER OF FED REP GERMANY REG. NO.
39608971, DATED 6-28-1996, EXPIRES 2-28-2006.

OWNER OF U.S. REG. NOS. 776,208, 1,884,842
AND OTHERS.

THE ENGLISH TRANSLATION OF "MONTB-
LANC" IS "WHITE MOUNTAIN".

SER. NO. 75-168,030, FILED 9-18-1996.

DAVID C. REIHNER, EXAMINING ATTOR-
NEY

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,415,189

United States Patent and Trademark Office

Registered Dec. 26, 2000

**TRADEMARK
PRINCIPAL REGISTER**

MONTBLANC

MONTBLANC-SIMPLO GMBH (FED REP GERMANY
CORPORATION)
HELLGRUNDWEG 100
HAMBURG, FED REP GERMANY

FOR: CLOTHING ACCESSORIES, NAMELY,
DRESS BELTS MADE OF LEATHER WITH BELT
BUCKLES OF PRECIOUS AND SEMI-PRECIOUS
METALS DISTRIBUTED IN CHANNELS OF COM-
MERCE WHERE LUXURY ARTICLES ARE SOLD
AND PROMOTED, IN CLASS 25 (U.S. CLS. 22 AND
39).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FED
REP GERMANY APPLICATION NO. 39858979.8,
FILED 10-14-1998, REG. NO. 39858979, DATED
12-22-1998, EXPIRES 10-31-2008.

OWNER OF U.S. REG. NOS. 776,208, 1,884,842
AND OTHERS.

THE ENGLISH TRANSLATION OF
"MONTBLANC" IS "WHITE MOUNTAIN".

SER. NO. 75-665,264, FILED 3-22-1999.

NICHOLAS ALTREE, EXAMINING ATTORNEY

Int. Cls.: 37 and 42

Prior U.S. Cls.: 100, 101, 103 and 106

United States Patent and Trademark Office

Corrected

Reg. No. 2,820,561

Registered Mar. 9, 2004

OG Date June 27, 2006

SERVICE MARK
PRINCIPAL REGISTER

MONTBLANC

MONTBLANC-SIMPLO GMBH (FED REP
GERMANY CORPORATION)
HELLGRUNDWEG 100
D-22525 HAMBURG, FED REP GER-
MANY

OWNER OF FED REP GERMANY
REG. NO. 39602141, DATED 6-25-1996,
EXPIRES 1-31-2006.

OWNER OF FED REP GERMANY
REG. NO. 39535422, DATED 6-25-1996,
EXPIRES 1-31-2006.

OWNER OF U.S. REG. NOS. 776,208,
1,884,842 AND OTHERS.

"MONT BLANC" MEAN "WHITE
MOUNTAIN" IN ENGLISH.

FOR: (BASED ON 44(E) PURSUANT
TO FOREIGN GERMAN REGISTRATION
NUMBER 39535422) MAINTENANCE
AND REPAIR OF WRITING INSTRU-
MENTS AND ACCESSORIES FOR WRIT-
ING INSTRUMENTS, IN CLASS 37 (U.S.
CLS. 100, 103 AND 106).

FOR: (BASED ON USE IN COM-
MERCE) RETAIL STORE SERVICES
FOR LUXURY ITEMS, NAMELY, (STA-
TIONERY, DESK SETS,) * STATIONERY,
DESK SETS, * JEWELRY, WATCHES,
EYEWEAR ** LEATHER GOODS, WRIT-
ING INSTRUMENTS AND PARTS AND
FITTINGS THEREFOR; (BASED ON 44(E)
PURSUANT TO GERMAN REGISTRA-
TION NUMBER 39602141) DESIGN SER-
VICES FOR OTHERS FOR LUXURY
ITEMS, NAMELY, STATIONERY, DESK
SETS, JEWELRY, WATCHES, EYEWEAR,
FRAGRANCES AND COSMETICS,
LEATHER GOODS, WRITING INSTRU-
MENTS AND PARTS AND FITTINGS
THEREFOR, IN CLASS 42 (U.S. CLS. 100
AND 101).

FIRST USE 12-15-1919; IN COMMERCE
7-0-1995.

SER. NO. 75-079,337, FILED 3-27-1996.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on June 27, 2006.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

United States of America
United States Patent and Trademark Office

MONTBLANC

Reg. No. 4,582,264

Registered Aug. 12, 2014

Int. Cls.: 35, 38, 42 and
45

SERVICE MARK

PRINCIPAL REGISTER

MONTBLANC-SIMPLO GMBH (FED REP GERMANY LIMITED PARTNERSHIP)
HELLGRUNDWEG 100
22525 HAMBURG
FED REP GERMANY

FOR: RETAIL STORE SERVICES IN THE FIELD OF LUXURY GOODS IN THE NATURE OF WATCHES, CHRONOMETERS, LUXURY WRITING INSTRUMENTS AND PARTS AND FITTINGS THEREFOR, LEATHER GOODS, BELTS, JEWELRY, EYEWEAR, FRAGRANCES, STATIONERY, STATIONERY REFILLS, DESK SETS, PERSONAL CARE PRODUCTS PROVIDED VIA THE INTERNET AND OTHER COMPUTER AND ELECTRONIC COMMUNICATION NETWORKS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: TELECOMMUNICATION SERVICES, NAMELY, ROUTING OF INTERNET QUERIES FROM END USERS TO WEBSITE HOSTING PROVIDERS; PROVIDING ACCESS TO AN ONLINE COMPUTER DATABASE IN THE FIELD OF DOMAIN NAME REGISTRATION INFORMATION; CONNECTION OF INTERNET DOMAINS AND E-MAIL-ADDRESSES IN COMPUTER NETWORKS, NAMELY, DATA COMMUNICATION BY ELECTRONIC MAIL, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FOR: TECHNICAL IT PROJECT MANAGEMENT SERVICES FOR MANAGING AND TRACKING COMPUTER NETWORK DOMAIN NAMES IN CONNECTION WITH THE REGISTRATION OF DOMAIN NAMES FOR IDENTIFICATION OF USERS AND INTERNET PROTOCOL ADDRESSES ON THE INTERNET; VERIFICATION OF IDENTITIES FOR THE PURPOSE OF PERMITTING OR DENYING ACCESS TO INFORMATION AND SERVICES IN THE NATURE OF COMPUTER SECURITY SERVICES, NAMELY, ENABLING OR RESTRICTING ACCESS TO COMPUTER NETWORKS TO AUTHORIZED USERS BY MEANS OF A WEBSITE FEATURING TECHNOLOGY THAT VERIFIES USER IDENTITIES; INTERNET PROTOCOL (IP) ADDRESS VERIFICATION, IN CLASS 42 (U.S. CLS. 100 AND 101).

FOR: LEGAL SERVICES, NAMELY, REGISTRATION OF DOMAIN NAMES FOR IDENTIFICATION OF USERS ON A GLOBAL COMPUTER NETWORK; REGISTRATION SERVICES ENABLING ENTITIES TO MANAGE INFORMATION RELATED TO DOMAIN NAMES AND E-MAIL ADDRESSES FOR USE ON A GLOBAL COMPUTER NETWORK, NAMELY, ISSUING AND REGISTRATION OF DOMAIN NAMES AND E-MAIL ADDRESSES; LICENSING OF DOMAIN NAMES; LEGAL SERVICES, NAMELY, ADMINISTRATION OF DOMAIN NAMES AND E-MAIL ADDRESSES, IN CLASS 45 (U.S. CLS. 100 AND 101).



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,582,264 THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 7-3-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1171881 DATED 1-3-2013, EXPIRES 1-3-2023.

OWNER OF U.S. REG. NOS. 776,208, 4,336,811 AND OTHERS.

THE ENGLISH TRANSLATION OF THE WORD "MONTBLANC" IN THE MARK IS "WHITE MOUNTAIN".

SER. NO. 79-134,647, FILED 1-3-2013.

SETH A. RAPPAPORT, EXAMINING ATTORNEY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MONTBLANC-SIMPLO GMBH,

Plaintiff,

v.

montblancpensoutletcheapsale.com,
montblancpensoutletcheap.com,
montblancpensoutletcheaponsale.com, and
MIROSLAV ILNITSKIY,

Defendants.

Civil Action No. 1:17-cv-415-LMB-TCB

SCHEDULE C

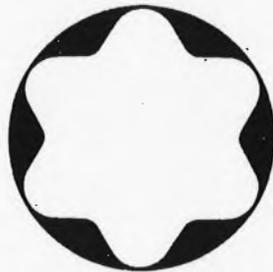
United States Patent Office

839,016

Registered Nov. 21, 1967

PRINCIPAL REGISTER Trademark

Ser. No. 268,268, filed Apr. 4, 1967



Montblanc-Simplo GmbH (German corporation)
Schanzenstrasse 75/77
Hamburg, Germany

For: FOUNTAIN PEN INK AND BALL POINT
PASTE, in CLASS 11.

First use 1955; in commerce 1963.

For: FOUNTAIN PENS, CASES FOR FOUNTAIN
PENS, BALL POINT PENS, BALL POINT CART-
RIDGES, MECHANICAL PENCILS, LEAD FOR
MECHANICAL PENCILS, DESK STANDS FOR
PENS, in CLASS 37.

First use 1913; in commerce 1913.

Int. Cls.: 14 and 18

Prior U.S. Cls.: 3, 27 and 28

United States Patent and Trademark Office

Reg. No. 1,878,584

Registered Feb. 14, 1995

**TRADEMARK
PRINCIPAL REGISTER**



**MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY LIMITED LIABILITY COMPANY)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY**

**FOR: JEWELRY; WATCHES AND TIME-
PIECES, IN CLASS 14 (U.S. CLS. 27 AND 28).**

**FOR: PURSES, HANDBAGS, SMALL LEATH-
ER ARTICLES AND ACCESSORIES, NAMELY**

**WALLETS AND BILLFOLDS, AND LUGGAGE
, IN CLASS 18 (U.S. CL. 3).**

**OWNER OF FED REP GERMANY REG. NO.
1166995, DATED 10-31-1990, EXPIRES 7-24-2000.
OWNER OF U.S. REG. NO. 839,016.**

SER. NO. 74-482,307, FILED 1-24-1994.

**ANGELA M. MICHELI, EXAMINING ATTOR-
NEY**

Int. Cl.: 16

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38 and 50

Reg. No. 2,515,092

United States Patent and Trademark Office

Registered Dec. 4, 2001

**TRADEMARK
PRINCIPAL REGISTER**

**MONT
BLANC** 

**MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY CORPORATION)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY**

**OWNER OF U.S. REG. NOS. 1,644,391, 2,415,189
AND OTHERS.**

**FOR: STATIONERY, NAMELY, ENVELOPES,
WRITING PAPER, WRITING CARDS, IN CLASS 16
(U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).**

**THE ENGLISH TRANSLATION OF "MONT
BLANC" IS "WHITE MOUNTAIN".**

SER. NO. 76-201,017, FILED 1-29-2001.

**OWNER OF FED REP GERMANY REG. NO.
39607516, DATED 9-17-1996, EXPIRES 2-28-2006.**

JEFFREY S. MOLINOFF, EXAMINING ATTORNEY

Int. Cls.: 35 and 41

Prior U.S. Cls.: 100, 101, 102 and 107

United States Patent and Trademark Office

Reg. No. 3,021,081

Registered Nov. 29, 2005

SERVICE MARK
PRINCIPAL REGISTER



MONTBLANC INTERNATIONAL B.V. (NETHERLANDS BESLOTEN VENNOOTSCHAP (LIMITED LIABILITY COMPANY))
HERENGRACHT 436
NL-1017 BZ AMSTERDAM
NETHERLANDS

FOR: BUSINESS CONSULTING, BUSINESS MANAGEMENT ASSISTANCE; DATA AND INFORMATION SERVICES, NAMELY, PROVIDING BUSINESS INFORMATION AND MANAGEMENT SERVICES FOR BUSINESSES INVOLVED IN THE AREA OF COMPUTER SERVERS, DATA TRANSMISSION NETWORKS AND TELECOMMUNICATIONS NETWORKS; ORGANIZATION AND RUNNING OF TRADE EXHIBITIONS, IN THE FIELD OF ARTS EDUCATION, LITERACY, MUSICIANSHIP, CHARITABLE ACTIVITIES, ARTISANSHIP, FASHION; ADVERTISING SERVICES, NAMELY, PROMOTING THE GOODS AND SERVICES OF OTHERS BY ARRANGING FOR SPONSORS TO AFFILIATE THEIR GOODS AND SERVICES WITH ORGANIZED CULTURAL, EDUCATIONAL, CHARITABLE AND BUSINESS EVENTS AND EXHIBITIONS; DISSEMINATION OF ADVERTISING AND ADVERTISING MATERIAL, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FOR: EDUCATION AND TRAINING SERVICES, NAMELY, ARRANGING AND CONDUCTING CONFERENCES, AWARD PROGRAMS, SEMINARS, COLLOQUIUMS, EXHIBITIONS AND LECTURES

IN THE FIELD OF ARTS EDUCATION, LITERACY, MUSICIANSHIP, CHARITABLE ACTIVITIES, ARTISANSHIP, PEACE, FASHION, AND ARTISTIC ACCOMPLISHMENT; ARRANGING AND CONDUCTING PROGRAMS AND EXHIBITIONS FOR EDUCATIONAL AND ENTERTAINMENT PURPOSES FEATURING ARTISTS AND THEIR WORKS; PROVIDING RECOGNITION AND INCENTIVES BY THE WAY OF AWARDS TO DEMONSTRATE EXCELLENCE IN THE FIELDS OF LITERACY ARTS EDUCATION AND ARTISTIC ACCOMPLISHMENTS; ARRANGING AND CONDUCTING OF COMPETITIVE AND NON-COMPETITIVE SPORTING AND CULTURAL EVENTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

PRIORITY DATE OF 8-18-2003 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 0820554 DATED 1-21-2004, EXPIRES 1-21-2014.

THE ENGLISH TRANSLATION OF THE WORD MONT BLANC IN THE MARK IS WHITE MOUNTAIN.

SER. NO. 79-001,383, FILED 1-21-2004.

CURTIS FRENCH, EXAMINING ATTORNEY

Int. Cls.: 6, 8, 9, 21, 25 and 34

Prior U.S. Cls.: 2, 8, 9, 12, 13, 14, 17, 21, 22, 23, 25, 26,
28, 29, 30, 33, 36, 38, 39, 40, 44 and 50

Reg. No. 3,059,776

Registered Feb. 21, 2006

United States Patent and Trademark Office

**TRADEMARK
PRINCIPAL REGISTER**

**MONT
BLANC** 

MONTBLANC-SIMPLO GMBH (FED REP GER-
MANY CORPORATION)
HELLGRUNDWEG 100
D2000 HAMBURG 54, FED REP GERMANY

FOR: MONEY CLIPS, KEY RINGS, KNIFE HAN-
DLES, ALL BEING MADE OF METAL, IN CLASS 6
(U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: POCKET-KNIVES, RAZORS; CASES FOR
POCKET KNIVES, CASES FOR RAZORS, IN CLASS
8 (U.S. CLS. 23, 28 AND 44).

FOR: GRADUATED RULERS, BAROMETERS, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: DRINKING FLASKS NOT OF PRECIOUS
METAL; SERVING TRAYS, BUTLERS TRAYS,
CUPS, ALL BEING NOT OF PRECIOUS METAL;
SHAVING BRUSHES, SHAVING BRUSH STANDS,
IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FOR: CLOTHING ACCESSORIES, NAMELY,
NECKTIES, SCARVES AND SHAWLS DISTRIBU-

TED IN CHANNELS OF COMMERCE WHERE
LUXURY ARTICLES ARE SOLD AND PROMOTED,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: ASHTRAYS NOT OF PRECIOUS METAL,
TOBACCO POUCHES, CIGAR CUTTERS, CIGAR
AND CIGARETTE CASES NOT OF PRECIOUS ME-
TAL, CIGARETTE AND CIGAR LIGHTERS FOR
SMOKERS NOT OF PRECIOUS METAL, IN CLASS
34 (U.S. CLS. 2, 8, 9 AND 17).

OWNER OF ERPN CMNTY TM OFC REG. NO.
002508380, DATED 6-6-2003, EXPIRES 6-6-2013.

OWNER OF U.S. REG. NOS. 776,208, 1,853,526 AND
OTHERS.

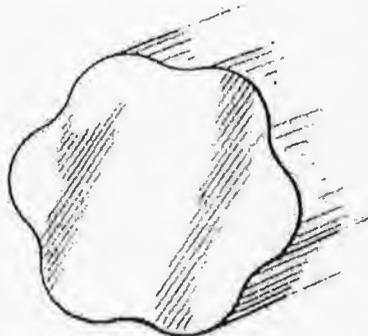
THE ENGLISH TRANSLATION OF "MON-
TBLANC" IS "WHITE MOUNTAIN".

SER. NO. 76-354,244, FILED 1-2-2002.

DANIEL CAPSHAW, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,894,136
Registered Dec. 21, 2010
Int. Cl.: 14

TRADEMARK
PRINCIPAL REGISTER

MONTBLANC-SIMPLO GMBH (FED REP GERMANY CORPORATION)
HELLGRÜNDWEG 100
D22525 HAMBURG 54, FED REP GERMANY

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

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

OWNER OF U.S. REG. NOS. 839,016 AND 1,878,584.

THE MARK CONSISTS OF A THREE DIMENSIONAL CONFIGURATION OF A SIX LOBED STAR SHAPED ELONGATED DESIGN. THE LINING SHOWN ON THE DRAWING IS FOR SHADING PURPOSES ONLY AND DOES NOT INDICATE COLOR.

SN 77-051,330, FILED 11-27-2006.

GIANCARLO CASTRO, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

MONT 
BLANC

Reg. No. 4,295,116
Registered Feb. 26, 2013
Int. Cl.: 35

SERVICE MARK
PRINCIPAL REGISTER

MONTBLANC-SIMPLO GMBH (FED REP GERMANY GESELLSCHAFT MIT
BESCHRÄNKTER HAFTUNG (GMBH))
HELLGRUNDWEG 100
22525 HAMBURG, FED REP GERMANY

FOR: RETAIL STORE SERVICES FEATURING WATCHES, WRITING INSTRUMENTS AND
PARTS AND FITTINGS THEREFOR, WRITING INKS AND REFILLS FOR WRITING INSTRU-
MENTS, LEATHER GOODS, BELTS, JEWELRY, EYEWEAR, FRAGRANCES, STATIONERY,
STATIONERY REFILLS, DESK SETS, PERSONAL CARE PRODUCTS; ONLINE RETAIL
STORE SERVICES FEATURING WATCHES, WRITING INSTRUMENTS, WRITING INKS
AND REFILLS FOR WRITING INSTRUMENTS, LEATHER GOODS, BELTS, JEWELRY,
EYEWEAR, FRAGRANCES, STATIONERY, STATIONERY REFILLS, IN CLASS 35 (U.S.
CLS. 100, 101 AND 102).

FIRST USE 12-0-1992; IN COMMERCE 11-0-1995.

OWNER OF U.S. REG. NOS. 1,878,584, 2,820,561 AND OTHERS.

THE MARK CONSISTS OF THE STYLIZED WORD "MONT" APPEARING ABOVE THE
STYLIZED WORD "BLANC". A SIX-LOBED STAR DESIGN WITHIN A CIRCLE APPEARS
TO THE UPPER RIGHT OF THE WORDING "MONT".

THE ENGLISH TRANSLATION OF "MONT BLANC" IN THE MARK IS "WHITE MOUNTAIN".

SER. NO. 85-646,858, FILED 6-8-2012.

KATHERINE M. DUBRAY, EXAMINING ATTORNEY



Lisa Street Lee
Acting Director of the United States Patent and Trademark Office

United States of America
United States Patent and Trademark Office

MONT
BLANC



Reg. No. 4,669,133

Registered Jan. 13, 2015

Int. Cls.: 3, 9, 14, 16 and
18

TRADEMARK

PRINCIPAL REGISTER

MONTBLANC-SIMPLO GMBH (FED REP GERMANY LIMITED PARTNERSHIP)
HELLGRUNDWEG 100
22525 HAMBURG
FED REP GERMANY

FOR: SOAPS; PERFUMERY; ESSENTIAL OILS; COSMETIC PREPARATIONS FOR BODY AND BEAUTY CARE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: EYEGLASSES, SUNGLASSES; EYEGGLASS FRAMES AND CASES; MAGNIFYING GLASSES; COMPUTER AND TABLETS CARRYING CASES AND BAGS; HOLDERS AND CASES FOR TELEPHONES, PORTABLE TELEPHONES AND SMARTPHONES; ACCESSORIES FOR PORTABLE TELEPHONES, SMARTPHONES AND TABLETS, NAMELY, CASES, BAGS; DATA RECORDING AND STORAGE MEDIA DEVICE AND INSTRUMENTS, NAMELY, BLANK USB FLASH DRIVE; GRADUATED RULERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: JEWELRY; PRECIOUS STONES; PRECIOUS METALS AND THEIR ALLOYS; CUFF-LINKS; TIE CLIPS; RINGS; BRACELETS; EARRINGS; NECKLACES; BROOCHES; KEY RINGS OF PRECIOUS METAL; JEWELRY CASES; BOXES OF PRECIOUS METALS; HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS; WATCHES; CHRONOMETERS; CLOCKS; SMALL CLOCKS; WATCH CASES; WATCH BANDS; WATCH BRACELETS; KEY RINGS, TRINKETS, OR FOBS OF PRECIOUS METAL, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: STATIONERY; ARTICLES OF PAPER OR CARDBOARD, NAMELY, BOXES, BAGS, ENVELOPES AND POUCHES FOR PACKAGING; WRAPPING PAPER; WRITING INSTRUMENTS; POUCHES FOR WRITING INSTRUMENTS; CASES FOR WRITING INSTRUMENTS; INKS AND INK REFILLS FOR WRITING INSTRUMENTS; DESK SETS; WRITING BOOKS; CALENDARS, NOTE BOOKS, CARD AND DOCUMENT FILES, ANNOUNCEMENT CARDS; WRITING PAPER, ENVELOPES, INDEX CARDS; BUSINESS CARDS; WRITING PADS; WRITING INSTRUMENT HOLDERS; PAPERWEIGHTS; DIARIES, COVER FOR DIARIES, REPLACEMENT PAPERS FOR DIARIES; INKWELLS; CHECK BOOK HOLDERS, PASSPORT HOLDERS; DOCUMENT HOLDERS AND CASES; PHOTO ALBUMS; BOOKENDS; MONEY CLIPS; WRITING CASES FOR WRITING INSTRUMENTS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: HANDBAGS, TRAVELLING BAGS, RUCKSACKS, GARMENT BAGS FOR TRAVEL, TRAVELING SETS COMPRISED OF LUGGAGE, SUITCASES, BAGS FOR SPORTS,



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,669,133 WHEELED BAGS, WALLET, PURSES, NAME CARDS CASES, BRIEFCASES, ATTACHÉ CASES, KEY CASES OF LEATHER OR IMITATION LEATHER; TRAVELLING TRUNKS; UNFITTED VANITY CASES; EVENING PURSES; LEATHER STRAPS; BOXES OF LEATHER OR LEATHER BOARD, TRUNKS AND SUITCASES; CREDIT CARD HOLDER, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

OWNER OF U.S. REG. NOS. 3,059,776, 4,405,176 AND OTHERS.

PRIORITY DATE OF 11-23-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1182079 DATED 5-22-2013, EXPIRES 5-22-2023.

THE MARK CONSISTS OF THE STYLIZED WORD "MONT" APPEARING ABOVE THE STYLIZED WORD "BLANC". A SIX-LOBED STAR DESIGN WITHIN A CIRCLE APPEARS TO THE UPPER RIGHT OF THE WORDING "MONT".

THE ENGLISH TRANSLATION OF "MONT BLANC" IS "WHITE MOUNTAIN".

SER. NO. 79-138,632, FILED 5-22-2013.

TOBY BULLOFF, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 4,686,500

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Int. Cls.: 3, 9, 14, 16 and 18

TRADEMARK

PRINCIPAL REGISTER

MONTBLANC-SIMPLO GMBH (FED REP GERMANY LIMITED LIABILITY COMPANY)
HELLGRUNDWEG 100
22525 HAMBURG, FED REP GERMANY

FOR: SOAPS, PERFUMERY, ESSENTIAL OILS, COSMETIC PREPARATIONS FOR BODY AND BEAUTY CARE, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: EYEGLASSES, SUNGLASSES; EYEGLASS FRAMES AND CASES; MAGNIFYING GLASSES; COMPUTER AND TABLET COMPUTER CARRYING CASES AND BAGS; HOLDERS AND CASES FOR TELEPHONES, PORTABLE TELEPHONES AND SMARTPHONES; ACCESSORIES FOR PORTABLE TELEPHONES, SMARTPHONES AND TABLET COMPUTERS, NAMELY, EARPHONES AND HEADPHONES; GRADUATED RULERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: JEWELRY, CUFF LINKS; TIE CLIPS; RINGS, BRACELETS, EARRINGS, NECKLACES, BROOCHES; KEY RINGS OF PRECIOUS METAL; WATCHES, CHRONOMETERS, CLOCKS, WATCH MOVEMENTS, WATCH STRAPS, WATCH BRACELETS, BOXES OF PRECIOUS METAL FOR WATCHES AND JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: PAPER, CARDBOARD, PAPER BOXES; CARDBOARD BOXES; PRINTED MATTER, NAMELY, CALENDARS, PAPER CARDS; STATIONERY; ARTICLES OF PAPER OR CARDBOARD, NAMELY, BOXES, BAGS, ENVELOPES AND POUCHES FOR PACKAGING; WRAPPING PAPER; WRITING INSTRUMENTS; REPLACEMENT PARTS FOR WRITING INSTRUMENTS, NAMELY, NIBS, CAPS, AND CLIPS; POUCHES FOR WRITING INSTRUMENTS; CASES FOR WRITING INSTRUMENTS; INKS AND INK REFILLS FOR WRITING INSTRUMENTS; BLANK WRITING BOOKS; CALENDARS, NOTE BOOKS; WRITING PAPER, ENVELOPES; BUSINESS CARDS; PAPERWEIGHTS; DIARIES, COVERS FOR DIARIES, REPLACEMENT PAPERS FOR DIARIES; INKWELLS; CHECKBOOK HOLDERS, PASSPORT HOLDERS; DOCUMENT HOLDERS; DOCUMENT PORTFOLIOS; PHOTO ALBUMS; BOOKENDS; MONEY CLIPS; LETTER TRAYS, WRITING INSTRUMENT HOLDERS, WRITING PAPER PAD REFILLS; DESK SETS, DESK STANDS FOR WRITING INSTRUMENTS AND OFFICE IMPLEMENTS IN THE NATURE OF OFFICE STATIONERY, PEN AND PENCIL HOLDERS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: LEATHER AND IMITATION LEATHER, LEATHER AND IMITATION LEATHER GOODS, NAMELY, HANDBAGS, TRAVELLING BAGS, BAGS FOR SPORTS, WHEELED BAGS, WALLETS, PURSES, CREDIT CARD HOLDERS, BRIEFCASES, ATTACHÉ-CASES,



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

Reg. No. 4,686,500 KEY CASES, TRAYS MADE OF LEATHER IN THE NATURE OF LEATHER GROOMING ORGANIZERS FOR TRAVEL, TRAVELLING TRUNKS, UNFITTED VANITY CASES, HANDBAGS, BOXES OF LEATHER OR LEATHER BOARD, TRUNKS AND SUITCASES, AND BAGS FOR PACKAGING, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

OWNER OF U.S. REG. NOS. 3,059,776, 4,405,176 AND OTHERS.

PRIORITY DATE OF 10-1-2013 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1209153 DATED 3-4-2014, EXPIRES 3-4-2024.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SCHUTZMARKE" AND "HAMBURG", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE STYLIZED WORDS "MONT BLANC" IN A STACKED FORMATION INSIDE A SIX-LOBED STAR DESIGN. THE SIX-LOBED STAR IS INSIDE A CIRCULAR BORDER. QUOTATION MARKS IN THE NATURE OF UPSIDE DOWN TRIANGLES APPEAR IN FRONT OF "MONT" AND AT THE END OF "BLANC". AROUND THE OUTSIDE OF THE CIRCULAR BORDER ARE THE STYLIZED WORDS "SCHUTZMARKE HAMBURG SIMPLO". IN EACH OF THE THREE SPACES SEPARATING THESE THREE WORDS IS A SMALL DIAMOND.

THE ENGLISH TRANSLATION OF THE WORDS "SCHUTZMARKE" AND "MONT BLANC" IN THE MARK IS "TRADEMARK" AND "WHITE MOUNTAIN", RESPECTIVELY.

SER. NO. 79-149,280, FILED 3-4-2014.

SIMON TENG, EXAMINING ATTORNEY

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MONTBLANC-SIMPLO GMBH,

Plaintiff,

v.

montblancpensoutletcheapsale.com,
montblancpensoutletcheap.com,
montblancpensoutletcheaponsale.com, and
MIROSLAV ILNITSKIY,

Defendants.

Civil Action No. 1:17-cv-415-LMB-TCB

SCHEDULE D

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-792-186

Effective date of
registration:

October 25, 2011

Title

Title of Work: Montblanc U.S. E-Commerce Website October 2011

Completion/Publication

Year of Completion: 2011

Date of 1st Publication: September 28, 2011

Nation of 1st Publication: United States

Author

■ Author: Scholz & Volkmer GmbH

Author Created: Text

Work made for hire: Yes

Citizen of: Germany

Domiciled in: Germany

■ Author: ABC Digital

Author Created: Photograph(s), artwork added to photographs

Work made for hire: Yes

Citizen of: Germany

Domiciled in: Germany

■ Author: Montblanc-Simplo GmbH

Author Created: Text

Copyright claimant

Copyright Claimant: Montblanc-Simplo GmbH

Hellgrundweg 100, Hamburg, 22525, Germany

Transfer Statement: By written agreement

Rights and Permissions

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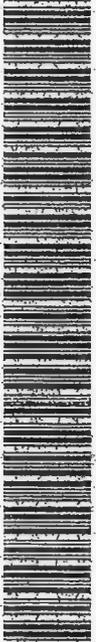
Date: October 25, 2011

Correspondence: Yes



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