

Attachment 1

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a
Washington corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a
LEATHERUP.COM; Albert Bootesaz and Jande
Doe Bootesaz, individually and as part of the
marital community composed thereof;

Defendants.

Cause No. C09-0789 JLR

PLAINTIFF'S THIRD AMENDED
COMPLAINT FOR:

(1) FEDERAL TRADEMARK
INFRINGEMENT, 15 U.S.C.
§1114;

(2) FALSE DESIGNATION OF
ORIGIN, FALSE ADVERTISING,
AND UNFAIR COMPETITION, 15
U.S.C. §1125(a);

(3) UNFAIR COMPETITION,
RCW 19.86.

(5) TORTIOUS INTERFERENCE
WITH PROSPECTIVE
ECONOMIC ADVANTAGE

1 Plaintiff Soaring Helmet Corporation (“Soaring Helmet” or “Plaintiff”),
2 complains and alleges as follows:

3 **I. INTRODUCTION**

4 1.1 This matter concerns the trademark infringement, unfair competition, and
5 tortious interference with prospective economic advantage by Defendant, NANAL, INC.,
6 d/b/a LEATHERUP.COM (“Defendant”) against the owner of the following registered
7 trademark: “VEGA” U.S. Trademark Registration No. 2087637 (the “Mark”).

8 1.2 Soaring Helmet brings this action to secure relief under Federal and
9 Washington State law. Soaring Helmet seeks: (a) a temporary, preliminary and
10 permanent injunction prohibiting Defendant from further infringement of Soaring
11 Helmet’s Mark; (b) money damages for Defendant’s past infringement of the Mark,
12 unfair competition, and tortious interference with prospective economic advantage.
13

14 **II. THE PARTIES**

15 2.1 Plaintiff. Plaintiff Soaring Helmet is a corporation duly organized and
16 existing under the laws of the State of Washington with its principal place of business in
17 Tukwila, Washington. Soaring Helmet is in good standing with the Washington
18 Secretary of State’s Office and has done all things necessary and proper to bring this
19 lawsuit.

20 2.2 Defendant Nanal Inc. Based on information and belief, Defendant Nanal,
21 Inc. is a Nevada corporation d/b/a Leatherup.com. On information and belief, Defendant
22 offers motorcycle accessories for sale on a nationwide basis, including Washington State,
23 via its website and a toll-free telephone number.

1 **IV. FACTUAL BACKGROUND**

2 **Soaring Helmet's Trademark Rights.**

3 4.1 Since March 18, 1994, and continuously to the present, Soaring Helmet has
4 owned and used the trademark VEGA in interstate commerce in connection with the sale
5 of motorcycle helmets.

6 4.2 On August 23, 1996, Soaring Helmet filed an application to register the
7 Mark with the United States Patent and Trademark Office (PTO). The Mark was
8 registered on the Principal Register of the PTO on August 12, 1997 and was assigned
9 Registration Number 2087637. A true and correct copy of the Certificate of Registration
10 issued by the PTO is attached hereto as **Exhibit A.**

11 4.3 Soaring Helmet has sold a wide variety of VEGA helmets to customers
12 throughout the United States. Soaring Helmet has invested substantial sums of time,
13 money and effort to develop, use, advertise and promote the Mark. As a result, the Mark
14 has become an integral and indispensable part of Soaring Helmet's business. To this end,
15 Soaring Helmet carefully guards its intellectual property rights.
16

17 **Defendants' Wrongful Acts.**

18 4.4 In approximately April 2009, Plaintiff learned that when the query "VEGA
19 helmets" is searched via the Google internet search engine, an advertisement appeared
20 under the Google's sponsored listings that stated that Leatherup.com offered "50% off
21 Vega Helmets." A copy of the search results is attached hereto as **Exhibit B.**

22 4.7 Defendant's advertisement was false and misleading because Defendant
23 does not in fact sell any of Soaring Helmet's VEGA products.

1 4.8 Soaring Helmet has lost business due to actual confusion caused by
2 Defendant's false and misleading advertisement when at least one retailer refused to do
3 business with Soaring Helmet due to the fact that the advertisement falsely stated that
4 Defendant sells Soaring Helmet's products at a deep discount.

5 4.9 On or about April 28, 2009, Soaring Helmet sent a letter to Defendant
6 Nanal, demanding it cease and desist all use of the Mark in connection with false and
7 misleading advertisements. A copy of this letter is attached hereto as **Exhibit C.**

8 4.10 On or about December 2009, Soaring Helmet discovered that Defendants
9 were selling motorcycle jackets under the designation, "XElement Extreme Vega."
10 Soaring Helmet discovered the infringement when one of Soaring Helmet's clients
11 inquired as to whether Soaring Helmet was the manufacturer of the "XElement Extreme
12 Vega" jacket.

13 4.11 Soaring Helmet was not able to immediately confirm that Defendants were
14 the manufacturer of the "XElement Extreme Vega" jacket. However, Soaring Helmet
15 suspected that the XElement Leather Brand and Defendant were likely affiliated if not
16 one and the same. On or about January 27, 2010, Soaring Helmet sent a cease and desist
17 letter to both the address for XElement Leather Brand and to counsel for Defendant. A
18 copy of this letter is attached hereto as **Exhibit D.**

19 4.12 On or about March 2010, counsel for Defendants confirmed that Defendant
20 Nanal was the manufacturer of the "XElement Extreme Vega" motorcycle jacket.
21 Counsel for Defendant also stated that Defendant had removed the "Vega" designation
22 from its motorcycle jackets. However, Soaring Helmet has been damaged by
23

1 Defendant's past infringing sales, and the actual confusion that occurred with at least one
2 of Soaring Helmet's clients.

3 4.13 Defendant Bootesaz operated the corporation, Nanal, with disregard for the
4 corporate form. There is a complete unity of interest and ownership between Nanal and
5 Bootesaz that there is virtually no distinction between the corporation and the individual.

6 4.14 Defendant Bootesaz is the sole decision maker for Nanal, Inc. and thus
7 bears individual liability for each of the claims alleged herein.

8
9 **V. FIRST CAUSE OF ACTION**
FEDERAL TRADEMARK INFRINGEMENT
10 (15 U.S.C. §1114)

11 5.1 Soaring Helmet realleges and incorporates herein by reference the
12 allegations contained in all preceding paragraphs of this Complaint as part of this cause
13 of action.

14 5.2 Soaring Helmet holds a valid and existing federal registration for the Mark.
15 Soaring Helmet has continuously used the Mark since as early as 1994.

16 5.3 Defendants' use of the Mark as a keyword to place its sponsored listing
17 advertisements for Leatherup.com, has and is likely to cause initial interest confusion of
18 consumers that are in fact searching solely for Soaring Helmet's Mark.

19 5.4 Defendants' use of the Mark in connection with the marketing, advertising,
20 and sale of motorcycle jackets has and is likely to deceive customers and prospective
21 customers into believing that Defendants' products are that of Soaring Helmet, and, as a
22 consequence, are likely to divert customers away from Soaring Helmet.
23

1 5.4 The aforementioned trademark infringement has caused, and is likely to
2 cause confusion, mistake, or deception of consumers, to the detriment of Soaring Helmet.

3 5.5 As a result of the confusion engendered by foregoing infringement,
4 Soaring Helmet's valuable goodwill in respect to its VEGA Mark is at the mercy of
5 Defendants.

6 5.6 The goodwill of Soaring Helmet's business is of enormous value, and
7 Soaring Helmet will suffer irreparable harm should infringement be allowed to continue
8 to the detriment of its trade reputation and goodwill.

9 5.7 Defendants' use of the Mark as alleged herein was done without the
10 knowledge, consent or permission of Soaring Helmet.

11 5.8 Defendants have violated the trademark rights of Soaring Helmet under the
12 Trademark Act, thereby giving rise to a cause of action under 15 U.S.C. § 1114.

13 5.9 Soaring Helmet will be irreparably harmed unless Defendants are
14 temporarily, immediately and permanently enjoined from any further use of the Mark and
15 any further false and misleading advertising using the Mark.

16 5.10 Soaring Helmet has no adequate remedy at law and serious damage to its
17 trademark rights will result unless Defendants' wrongful use of the Mark is enjoined by
18 the court.

19 5.11 Defendants have continued to use the Mark notwithstanding that they have
20 actual knowledge of Soaring Helmet's superior trademark rights as alleged herein, as
21 well as knowledge of the actual confusion suffered by Soaring Helmet's customers.
22 Defendants' infringement of the Soaring Helmet VEGA Mark accordingly constitutes
23

1 intentional, willful, knowing and deliberate trademark infringement throughout the United
2 States, including Washington State. Plaintiff therefore seeks judgment in the amount of
3 three (3) times its damages, together with reasonable attorney's fees pursuant to 15
4 U.S.C. § 1117(a).

5 5.12 Defendants' infringement of the Mark as alleged herein has caused, and
6 will continue to cause, Soaring Helmet to suffer damages in an amount unknown at this
7 time and has caused, and will continue to cause, Defendant to gain revenues and profit in
8 an amount unknown at this time. Pursuant to 15 U.S.C. § 1117(a), Soaring Helmet is
9 entitled to an award of monetary damages in an amount equal to the losses suffered by
10 Soaring Helmet or the revenues and/or profits gained by Defendants, which damages
11 should be augmented as provided by 15 U.S.C. §1117(a).

12 5.13 Pursuant to 15 U.S.C. § 1117(a), any monetary damages awarded to Soaring
13 Helmet should be trebled.

14 5.14 Pursuant to 15 U.S.C. § 1117(a), Soaring Helmet is entitled to an award of
15 attorneys fees and costs of suit.

16
17 **VI. SECOND CAUSE OF ACTION**
18 **FALSE DESIGNATION OF ORIGIN, FALSE ADVERTISING AND UNFAIR**
19 **COMPETITION UNDER LANHAM ACT SECTION 43(a)**
20 (15 U.S.C. §1125(a))

21 6.1 Soaring Helmet realleges and incorporates herein by reference the
22 allegations contained in all preceding paragraphs of this Complaint as part of this cause
23 of action.

1 6.2 The actions of Defendants as alleged herein constitute false designation of
2 origin, false advertising and unfair competition pursuant to Section 43(a) of the Lanham
3 Act, 15 U.S.C. § 1125(a).

4 6.3 The actions of Defendants have and are likely to continue to deceive
5 customers and prospective customers into believing that Defendants sell the products of
6 Soaring Helmet, and, as a consequence, are likely to divert customers away from Soaring
7 Helmet throughout the United States, including in Washington State.

8 6.4 Soaring Helmet has and will continue to be irreparably harmed unless
9 Defendants are temporarily, immediately and permanently enjoined from any further use
10 of the Mark and any further false and misleading advertising of products using the Mark.

11 6.5 Soaring Helmet has no adequate remedy at law and serious damage to its
12 trademark rights will result unless Defendants' wrongful use of the Mark is enjoined by
13 the court.

14 6.6 The actions of Defendants as alleged herein constitute intentional, willful,
15 knowing and deliberate unfair competition and false advertising pursuant to Lanham Act
16 Section 43(a).

17 6.7 Defendants' acts of unfair competition and false advertising in violation of
18 the Lanham Act Section 43(a) as alleged herein have caused, and will continue to cause,
19 Soaring Helmet to suffer damages in an amount unknown at this time and have caused,
20 and will continue to cause Defendants to gain revenues and profit in an amount unknown
21 at this time. Pursuant to 15 U.S.C. §1117(a), Soaring Helmet is entitled to an award of
22 monetary damages in an amount equal to the losses suffered by Soaring Helmet and the
23

1 revenues and/or profits gained by Defendants, which damages should be augmented as
2 provided by 15 U.S.C. §1117(a).

3 6.8 Pursuant to 15 U.S.C. §1117(a), any monetary damages awarded to Soaring
4 Helmet should be trebled.

5 6.9 Pursuant to 15 U.S.C. §1117(a), Soaring Helmet is entitled to an award of
6 attorneys fees and costs of suit.

7 **VII. THIRD CAUSE OF ACTION**
8 **WASHINGTON STATE UNFAIR COMPETITION AND**
9 **CONSUMER PROTECTION ACT**
(RCW 19.86)

10 7.1 Soaring Helmet re-alleges and incorporates herein by reference the
11 allegations contained in all preceding paragraphs as part of this cause of action.

12 7.2 Defendants have engaged in unfair and deceptive acts or practices by using
13 the Mark in connection with both the sale of products and in false and misleading
14 advertising in Washington thereby creating a likelihood of public confusion as to the
15 source of the goods and services.

16 7.3 Defendants' deceptive acts or practices injured Soaring Helmet.

17 7.4 Defendants' actions offend the public, are unethical, oppressive and
18 unscrupulous, affecting trade and commerce now and in the future both within
19 Washington State and elsewhere.

20 7.5 A causal link exists between the deceptive act and the resulting injury.
21
22
23

1 7.6 Soaring Helmet has suffered damages relating to violation of the Consumer
2 Protection Act RCW 19.86 by Defendants. The quantum of these damages will be
3 proven at trial.

4 7.7 Soaring Helmet seeks, and is entitled to recover, its actual damages,
5 together with the costs of suit, including reasonable attorneys' fees.

6 7.8 Soaring Helmet seeks and is entitled to recover an award of damages of up
7 to three times the amount of the actual damages sustained up to the amount permitted by
8 law.

9
10 **VIII. FOURTH CAUSE OF ACTION**
11 **TORTIOUS INTERFERENCE WITH PROSPECTIVE**
12 **ECONOMIC ADVANTAGE**

13 8.1 Soaring Helmet re-alleges and incorporates herein by reference the
14 allegations contained in all preceding paragraphs as part of this cause of action.

15 8.2 Soaring Helmet's right to obtain prospective customers constitutes a valid
16 business expectancy.

17 8.3 Defendants had knowledge of Soaring Helmet's business expectancy.

18 8.4 Defendants intentionally interfered with Soaring Helmet's business
19 expectancy and destroyed Soaring Helmet's opportunity to obtain prospective business
20 customers. Defendants knew that the interference was certain or substantially certain to
21 occur as a result of their actions.

22 8.5 Defendants' interference with Soaring Helmet's business expectancy was
23 improper and the means used was innately wrongful and predatory in character.

1 CERTIFICATE OF SERVICE

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court
3 using the CM/ECF system which will send notification of such filing to the following
4 persons/attorneys of record:
5

6 Ms. Katherine Hendricks
7 Hendricks & Lewis, PLLC
8 901 Fifth Avenue, Suite 4100
9 Seattle, WA 98164
10 kh@hllaw.com

11 Dated this 10th day of December, 2010, at Seattle, Washington.

12 
13 _____
14 Katy M. Albritton
15 Legal Assistant
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Exhibit A

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,087,637

United States Patent and Trademark Office

Registered Aug. 12, 1997

**TRADEMARK
PRINCIPAL REGISTER**

VEGA

SOARING HELMET CORPORATION (WASH-
INGTON CORPORATION)
770 INDUSTRY DRIVE, BUILDING 16
TUKWILA, WA 98118

FIRST USE 3-18-1994; IN COMMERCE
3-18-1994.

SER. NO. 75-155,017, FILED 8-23-1996.

FOR: MOTORCYCLE HELMETS, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

DAVID M. MERMELSTEIN, EXAMINING AT-
TORNEY

Exhibit B

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Web Shopping

Results 1 - 10 of about 102,000 for **vega helmets**. (0.11 seconds)

Vega Motorcycle Helmets

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50% Off Vega Helmets

www.LeanerUp.com Half face, full face helmets from \$29.95, Top Brands HJC, Shoei, Bell

Vega Motorcycle Helmets

www.Jafrum.com/VEGA_Helmets Amazing Prices, 115% Price Match, Free Size Exchanges, Free Shipping!

Welcome to Vega Helmet Corporation

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Off Road	NT 200
Find a Dealer	Company
Summit II	Altura

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Vega Motorcycle Helmets

Vega Motorcycle Helmets from The Helmet Shop. ...

Subcategories: Vega Full Face Helmets · Vega Open Face Helmets · Vega Half Helmets ...

www.helmetshop.com/Category/ProductList.jsp?cat=Shop+By+Brand:Vega+Helmets - 21k -

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Shopping results for vega helmets

[Vega Summit II ColorMatch Motorcycle Helmet](#) \$139.95 - Motorcycle Superstore

[Vega Summit XPV 2 Solid Helmets L Large White](#) \$124.99 - compacc.com

[Vega Altura Helmet DOT 520 Silver](#) \$69.99 - Jafrum.com

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Exhibit C

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April 28, 2009

Mark V. Jordan
Email: mjordan@inyictalaw.com**VIA CERTIFIED MAIL:70072680000056348336**
AND FIRST CLASS MAILLEATHERUP.COM
2620 S. Maryland
Suite 846
Las Vegas, NV 89109**Re: Cease and Desist Trademark Infringement**

To Whom It May Concern:

We are counsel for Soaring Helmet Corporation, the exclusive owner of the trademark rights to VEGA (the "Mark"). A copy of Soaring Helmet Corporation's federal trademark registration is attached hereto as Exhibit A. Soaring Helmet Corporation views its Mark as a valuable asset that will be protected to the fullest extent allowable by law.

Soaring Helmet Corporation recently learned that when the query "Vega helmets" is searched via the Google website, an advertisement appears under Google's sponsored listings that misleadingly states that the website Leatherup.com offers "50% off Vega Helmets." A copy of the Google search results for "Vega helmets" is attached hereto as Exhibit B. However, Leatherup.com does not in fact sell any of our client's products.

Since Leatherup.com does not sell Vega helmets, we believe that Leatherup.com has wrongfully purchased the Mark from Google, Inc. as a false and misleading advertising keyword. Our client has lost business because the Leatherup.com sponsored link is falsely advertising that it sells our client's products at a deep discount, when in fact, Leatherup.com does not. As a result of the false advertisement, a retailer who does not wish to be associated with products sold at a deep discount has refused to do business with Soaring Helmet Corporation. Further, consumers searching for our client's products will continue to be misled to the Leatherup.com website, causing initial interest confusion. This unauthorized use of the Mark is a violation of federal and state trademark and unfair competition laws.

As I hope you can appreciate, Soaring Helmet Corporation cannot permit others to trade on the goodwill and damage the value and integrity of its Mark through false and misleading advertisements. Because the public closely associates the Mark with our client's

Leatherup.com
April 28, 2009
Page 2

products, we are concerned that this unauthorized use of the Mark will cause consumers to mistakenly assume that Soaring Helmet Corporation sells its products to deep-discount online retailers or is otherwise affiliated with the Leatherup.com website.

Because Soaring Helmet Corporation has been and will continue to be substantially and irreparably damaged should this infringement continue, it must enforce its exclusive rights to the Mark. Soaring Helmet Corporation demands that Leatherup.com immediately remove any reference to the Mark from any false and misleading sponsored listing advertisements.

Unless these demands are complied with by May 8, 2009, Soaring Helmet Corporation will assume Leatherup.com intends to willfully disregard its rights, and Soaring Helmet Corporation will pursue whatever action or remedies it deems appropriate to protect its rights to the fullest extent of the law.

Very truly yours,

INVICTA LAW GROUP, PLLC



Mark V. Jordan

MVJ:hmm
Enclosure
cc: Soaring Helmet Corporation (w/o encl.)

Exhibit A

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,087,637

United States Patent and Trademark Office

Registered Aug. 12, 1997

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PRINCIPAL REGISTER**

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(U.S. CLS. 21, 23, 26, 36 AND 38).

DAVID M. MERMELSTEIN, EXAMINING AT-
TORNEY

Exhibit B

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Vega Motorcycle Helmets

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www.LeanerUp.com Half face, full face helmets from \$29.95, Top Brands HJC, Shoei, Bell

Vega Motorcycle Helmets

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Welcome to Vega Helmet Corporation

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Vega Motorcycle Helmets

Vega Motorcycle Helmets from The Helmet Shop. ... Subcategories: Vega Full Face Helmets · Vega Open Face Helmets · Vega Half Helmets ...

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Shopping results for vega helmets

Vega Summit II ColorMatch Motorcycle Helmet	\$139.95 - Motorcycle Superstore
Vega Summit XPV 2 Solid Helmets L Large White	\$124.99 - compacc.com
Vega Altura Helmet DOT 520 Silver	\$69.99 - Jafrum.com

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Vega Helmets

Motorcycle gear, apparel & parts. Low Price Guarantee. Free Shipping! www.Motorcycle-Superstore.com

Online Motocross Store

We carry all the major brands. Great Deals at Motocrossgiant.

www.motocrossgiant.com

Vega Helmets

Bargain Prices. Smart Deals.

Save on Vega Helmets!

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60% OFF Motorcycle Helmet

Fast & Free Shipping + Free Returns
125% Price Guarantee + MB Guarantee
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Vega Helmets

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Bid on Vega Helmets.

www.eBay.com

Vega Helmets

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Find Car Parts, Accessories, Tools
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Exhibit D

January 27, 2010

Heather M. Morado
Email: hmorado@inyictalaw.com

VIA E-MAIL: aaron@leatherup.com; kh@hlaw.com
AND FIRST CLASS MAIL

XELEMANT LEATHER BRAND
1200 Santee Street Suite 907
Los Angeles, CA 90015

NANAL, INC., d/b/a LEATHERUP.COM
c/o Ms. Katherine Hendricks
HENDRICKS AND LEWIS, PLLC
901 5th Avenue
Suite 4100
Seattle, WA 98164

Re: Cease and Desist

To Whom It May Concern:

We are counsel for Soaring Helmet Corporation, the exclusive owner of the trademark rights to VEGA (the "Mark"). A copy of Soaring Helmet Corporation's United States federal trademark registration is attached hereto as Exhibit A.

We recently learned that you are advertising and selling motorcycle jackets utilizing our client's Mark. Printouts of the XELEMANT EXTREME VEGA motorcycle jacket advertised on the XELEMANT website and offered for sale on the LEATHERUP.COM website are attached as Exhibits B and C. No license or other form of agreement or permission has been granted by Soaring Helmet to you for use of the Mark. Such unauthorized use of the Mark is a violation of federal and state law.

As I hope you can appreciate, our client cannot permit others to trade on the goodwill or to damage the value and integrity of its Mark. Because the public closely associates the Mark with our client's products, we are concerned that your unauthorized use of the Mark will cause consumers to mistakenly assume that you are endorsed by, affiliated with, or otherwise connected with Soaring Helmet Corporation. In fact, Soaring Helmet has already encountered actual confusion of its customers arising out of your use of the Mark.

Ms. Katherine Hendricks

January 27, 2010

Page 2

Because Soaring Helmet will be substantially and irreparably damaged should this infringement continue, it is prepared to enforce its exclusive rights to the Mark to the fullest extent of the law. If you wish to resolve this matter amicably, you must immediately cease and desist from any further use of the Mark. Soaring Helmet further requires that you immediately comply in writing with the following demands:

1. Immediately terminate all infringing or unauthorized use of the Mark together with all similar marks, including an acknowledgment that all items constituting infringement or use of the Mark have been removed from all products, catalogs, brochures, marketing materials (including all websites), advertising or similar notices and/or publications;
2. Immediately account for and forfeit all copies of any materials displaying the Mark in your possession to counsel for Soaring Helmet;
3. Provide a declaration or affidavit, signed under penalty of perjury stating that you will immediately, and for all time, cease using the Mark in any advertisement, promotion, sale or other commercial exploitation of your services.

Unless these demands are complied with immediately and unless we receive the written documentation demanded above by February 5, 2010, Soaring Helmet Corporation will assume you intend to willfully disregard its rights, and will pursue whatever action or remedies it deems appropriate to protect its rights to the fullest extent of the law.

I look forward to your anticipated cooperation in this matter.

Very truly yours,

INVICTA LAW GROUP, PLLC



Heather M. Morado

HMM:kma

Enclosures

cc: Soaring Helmet Corporation (w/o encl.)

Exhibit A

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 2,087,637

United States Patent and Trademark Office

Registered Aug. 12, 1997

**TRADEMARK
PRINCIPAL REGISTER**

VEGA

SOARING HELMET CORPORATION (WASH-
INGTON CORPORATION)
770 INDUSTRY DRIVE, BUILDING 16
TUKWILA, WA 98118

FIRST USE 3-18-1994; IN COMMERCE
3-18-1994.

SER. NO. 75-155,017, FILED 8-23-1996.

FOR: MOTORCYCLE HELMETS, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

DAVID M. MERMELSTEIN, EXAMINING AT-
TORNEY

Exhibit B



- Jackets
- Pants
- Vests
- Chaps
- Boots
- Saddlebags
- Contact Us

Contact Us

For retail sales contact Leatherup.com



For wholesale sales contact Myleather.com



LeatherUp.com	MyLeather.com	NoxSolutions.com
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Exhibit C



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SALE! UP TO 50% OFF ORIGINAL PRICES!

Low Price Guarantee

Search LeatherUp.com



My Account (Sign In)

- Motorcycle Jackets
- Mens Jackets
- Womens Jackets
- Motorcycle Boots
- Motorcycle Helmets
- Leather Chaps & Pants
- Leather Vests
- Motorcycle Center
- New Arrivals

Home > Store > Leather Jackets > Mens Motorcycle Jackets > Xelement Mens Motorcycle Jackets

Xelement Extreme Vega Black and Gray Tri-Tex™ Fabric Jacket with Breathable 3 Way Lining with Level-3 Advanced Armor by Xelement



Zoom in



(Item: #CF-5075-Cordura)

List Price: \$219.95

Our Price: \$89.95

Quantity: 1

Size: Select a size

Lowest Price Guarantee

Shipping Rates & Info

ADD TO CART

Availability: Order usually processes in 1 business day.

See size chart

★★★★ (8 Customer Reviews)

Description	Size Chart	Rate & Review
<p>Stay protected and dry with the Xelement Extreme Vega Black and Gray Tri-Tex™ Fabric Jacket with Breathable 3 Way Lining with Level-3 Advanced Armor. This jacket is fully loaded with features, made of 100% Tri-Tex™ Fabric 600 Denier High Performance Breathable Waterproof Laminated Fabric, featuring removable CE Approved Level-3 Armor on the back, shoulders and elbows (New Level Of Protection by Level-3 Armor, Lighter Weight, Less Bulky, Level-3 Armor provides Highest CE Approved Protection, Ergonomic Design, Higher Impact Absorption, Free Movement), collarless design with snap button closure, 3 Way Lining; the first one is a zip out vest inner liner, the second one is a full sleeve zip out 100% waterproof liner (middle liner) and the third one is a breathable mesh lining that is attached to the jacket. Buy yours today from the Web's #1 online leather store and save big! Satisfaction Guaranteed!</p>		

Place mouse over the pictures below to change the view above.



Item Details

- Collarless design with Velcro button closure
- 3 Way Lining
- First: Zip out polyester quilted vest inner liner
- Second: Zip out full sleeve 100% waterproof liner (middle liner)
- Third: breathable mesh lining (attached to the jacket)
- Zippered wrist cuffs with inner webbing and snap buttons
- Front zipper closure with air flap
- Adjustable Velcro side waist straps
- Leather trim on upper arms
- Two top front chest pockets
- Two front side zippered vents
- Zippered front hand pockets
- Two back zippered vents
- Elastic leather bands on shoulders and elbows for flexibility
- Extra built in pant on front and back of jacket
- Interior pockets on left and right hand side. (Perfect for a cell phone, keys and wallets)
- Has a Lower Back Kidney belt (to attach to motorcycle pants)
- CE Approved Armor passing the highest level EN1621-1 & EN1621-2 impact tests Level-3 Advanced Technology Armor; Ergonomic Design, Higher Impact Absorption, Free Movement.
- Level-3 Armor is the Next Generation In Armor Technology
- Only available here at the web's # 1 online leather store!
- Made of 100% Tri-Tex™ Fabric with Leather Trim
- 100% Tri-Tex™ Fabric 600 Denier High Performance Breathable Waterproof Laminated Fabric
- Made of 100% Tri-Tex™ Fabric with Leather Trim
- Removable CE Approved Level-3 Armor on the back, shoulders and elbows

Customer Reviews:

16 out of 19 people found the following review helpful:

Suggestions



Xelement Men's Tri-Tex™ Fabric and Leather Motorcycle Riding Pants with Level-3 Advanced Armor

(#CF2131-Cordura-Le...) \$69.95

View Item



Men's Protective Padded Leather Riding Gloves

(#XG-298) \$29.95

View Item



Xelement Men's Black and Gray Level-3 Armored Jacket with Removable Arm Sleeves and Tri-Tex Fabric

(#CF5050-Black-Gray) \$79.95

View Item

Lowest Price Guarantee Details

NO RISK Returns & Exchanges For 30 Days. (No Restocking Fees) Details

PayPal NO PAYMENTS FOR 90 DAYS

BillMe Later NO WALLET NO WAIT NO WORRIES

Shipping Rates & Info:

Select 2nd Day Air On Monday 21st. of Dec. To Guarantee For December 24th Delivery. [Click Here For Details](#)

Shipping via FED-EX Ground is \$7.95 for unlimited items.

Most items usually ships in 1 business day.