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 15 LEVI STRAUSS & CO.

16 **UNITED STATES DISTRICT COURT**

17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18 LEVI STRAUSS & CO.,

Case No. 23-cv-04590

19 Plaintiff,

**COMPLAINT FOR TRADEMARK
 INFRINGEMENT, DILUTION, AND
 UNFAIR COMPETITION
 (INJUNCTIVE RELIEF SOUGHT)**

20 v.

21 COPERNI UK LIMITED,

JURY TRIAL DEMAND

22 Defendant.

23 Plaintiff Levi Strauss & Co. (“LS&Co.”) has been manufacturing and selling apparel for over
 24 150 years. The company’s apparel production was protected as an “essential industry” during World
 25 War II, and exhibits at institutions such as the Smithsonian and Museum of Modern Art display
 26 photographs underscoring that Levi’s® products are a “staple of American culture, symbolizing youth,
 27 freedom, and effortless cool.”

28 LS&Co. brands its apparel products using some of the oldest and most well-respected apparel
 trademarks in the world, including the Arcuate and Tab trademarks shown below. The tab is often
 displayed in red, but appears in all colors including prominently in white, blue, black, silver, and
 orange as in the examples shown below.



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 16 Every year, millions of jeans, shirts, jackets, skirts, and other products are sold bearing one or
 17 more of these marks. The “Arcuate” trademark (top left and top center images) was adopted in 1873
 18 and registered in 1943. The mark appears on almost every pair of Levi’s[®] brand jeans, as well as
 19 jackets and accessories. The “Tab” trademark (top right, and all bottom row images) appears on
 20 almost all jeans sold under the Levi’s brand, and is used on shirts, jackets, and accessories. LS&Co.
 21 adopted the Tab trademark in 1936, registered in 1938, and it has at various times been used as part of
 22 the corporate logo, in retail signage and on the levi.com website as a signal for all the company’s
 23 products and services. As shown above, the Tab trademark sometimes bears the famous Levi’s[®]
 24 trademark, and sometimes bears only the ® symbol.

25 This lawsuit is necessary because Defendant Coperni UK Limited has misappropriated
 26 LS&Co.’s famous trademarks as symbols for its own apparel products. To stop Defendant from
 27 continuing to misuse and trade on LS&Co.’s famous trademarks, and LS&Co.’s reputation and
 28 goodwill, LS&Co. seeks preliminary and permanent injunctive relief as well as all appropriate

1 compensatory remedies and fees and costs necessitated by Defendant’s conduct. LS&Co. complains
2 as follows:

3 **JURISDICTION, VENUE, AND INTRA-DISTRICT ASSIGNMENT**

4 1. Plaintiff LS&Co.’s claims arise under the Trademark Act of 1946 (the Lanham Act),
5 as amended by the Trademark Dilution Revision Act of 2006 (15 U.S.C. §§ 1051, *et seq.*). This
6 Court has jurisdiction over such claims pursuant to 28 U.S.C. §§ 1338(a) and 1338(b) (trademark
7 and unfair competition), 28 U.S.C. § 1331 (federal question) and 15 U.S.C. § 1121 (Lanham Act).
8 This Court has supplemental jurisdiction over the remaining state law claims under 28 U.S.C.
9 § 1367.

10 2. LS&Co. is informed and believes that venue is proper in this Court under 28 U.S.C.
11 § 1391(b) because Defendant transacts affairs in this district and sells or distributes its infringing
12 products and services in this district, and because a substantial part of the events giving rise to the
13 claims asserted arose in this district.

14 3. Intra-district assignment to any division of the Northern District is proper under Local
15 Rule 3-2(c) and the Assignment Plan of this Court as an “Intellectual Property Action.”

16 **PARTIES**

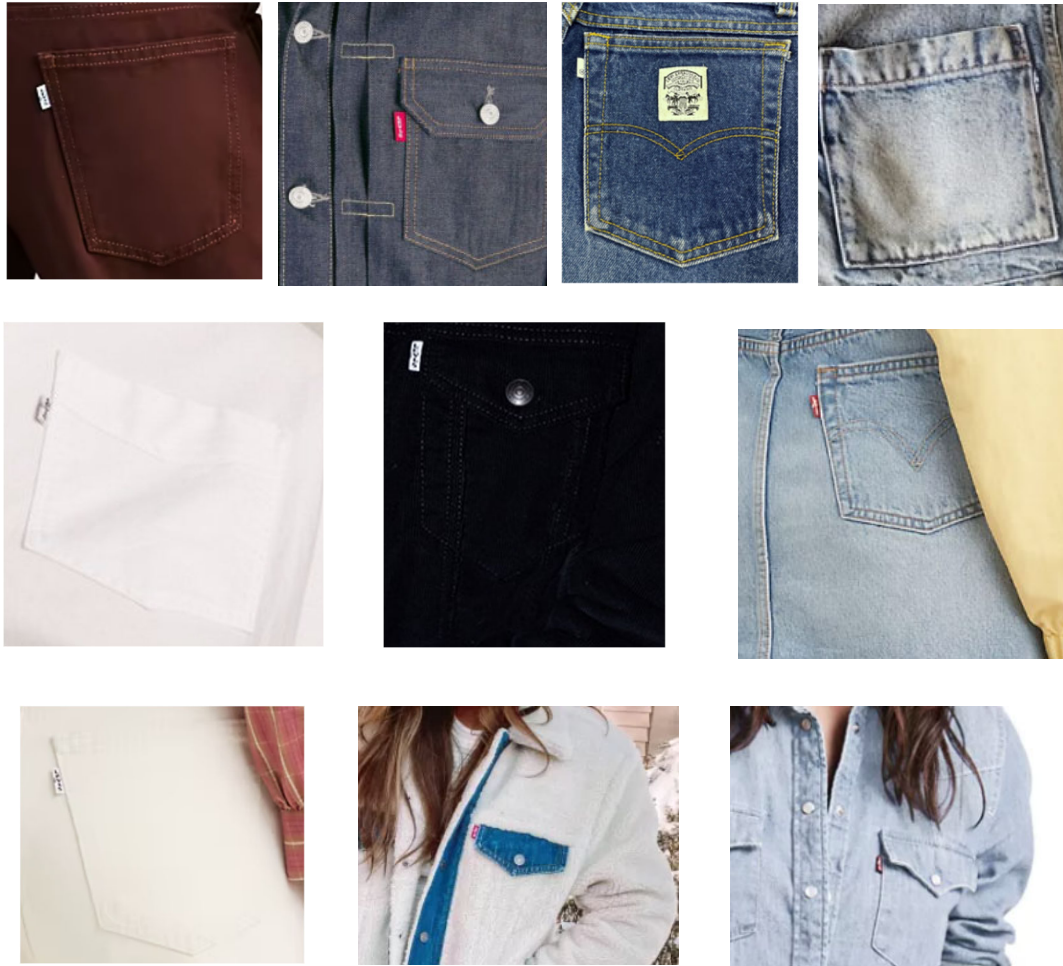
17 4. LS&Co. is a Delaware corporation with its principal place of business at Levi’s Plaza,
18 1155 Battery Street, San Francisco, California 94111. Operating since approximately the 1850s,
19 LS&Co. is one of the oldest and best-known apparel companies in the world. It manufactures,
20 markets, and sells a variety of apparel, including its traditional Levi’s® brand products.

21 5. LS&Co. is informed and believes that defendant Coperni UK Limited (“Defendant”
22 or “Coperni”) is a United Kingdom private limited company, with its principal place of business at
23 10 Redchurch Street, The Biscuit Building, London E2 7DD, United Kingdom.

24 6. LS&Co. is informed and believes that Coperni manufactures, distributes, advertises,
25 and/or sells, or has manufactured, distributed, advertised, and/or sold garments, including jackets,
26 shirts, pants, skirts, vests, and jeans, bearing marks and designs that infringe LS&Co.’s Arcuate and
27 Tab trademarks. Defendant’s infringing products and services are offered for sale and sold
28 throughout the United States, including in this judicial district.

1 11. The Tab trademark is valid and exclusively owned by LS&Co. The Tab trademark is
2 famous and recognized around the world and throughout the United States by consumers as
3 signifying authentic, high-quality Levi's® garments. The Tab trademark became famous prior to
4 Defendant's conduct that is the subject of this Complaint.

5 12. Examples of LS&Co.'s use of its Tab trademark on Levi's® garments are shown here:



23 13. LS&Co. owns, among others, the following United States and California
24 Registrations for its Tab trademark, attached as **Exhibit A**. The federal registrations have become
25 incontestable under the provisions of 15 U.S.C. § 1065.

- 26 a. U.S. Registration No. 516,561 (first used as early as September 1, 1936;
27 registered October 18, 1949);

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- 1 b. U.S. Registration No. 1,157,769 (first used as early as September 1,
2 1936; registered June 16, 1981);
- 3 c. U.S. Registration No. 2,791,156 (first used as early as September 1,
4 1936; registered December 9, 2003);
- 5 d. U.S. Registration No. 356,701 (first used as early as September 1, 1936;
6 registered May 10, 1938);
- 7 e. U.S. Registration No. 577,490 (first used as early as September 1, 1936;
8 registered July 21, 1953);
- 9 f. U.S. Registration No. 774,625 (first used as early as May 22, 1963;
10 registered August 4, 1964);
- 11 g. U.S. Registration No. 775,412 (first used as early as October 9, 1957;
12 registered August 18, 1964);
- 13 h. U.S. Registration No. 2,726,253 (first used as early as March 7, 1969;
14 registered June 17, 2003);
- 15 i. U.S. Registration No. 2,620,144 (first used as early as February, 1999,
16 registered September 17, 2002); and
- 17 j. California Registration No. 052312 (first used as early as March 7,
18 1969; registered June 12, 1974).

19 **LS&Co.’s Arcuate Trademark**

20 15. LS&Co. also owns the famous Arcuate Stitching Design Trademark (the
21 “Arcuate trademark”), which consists of a distinctive pocket stitching design that is the oldest
22 known apparel trademark in the United States still in continuous use. LS&Co. has used the
23 Arcuate trademark continuously since 1873 in interstate commerce on clothing products.

24 LS&Co. first used the Arcuate trademark on jeans and later used it on other products as well.

25 16. LS&Co. owns, among others, the following United States and California
26 Registrations for its Arcuate trademark, attached as **Exhibit B**. The federal registrations have
27 become incontestable under the provisions of 15 U.S.C. § 1065.

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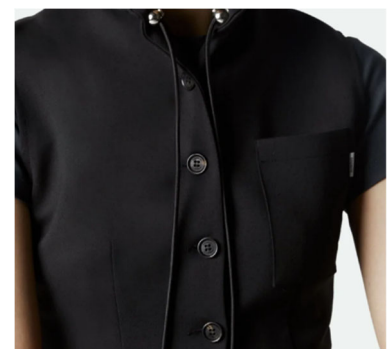
- 1 a. U.S. Registration No. 404,248 (first used as early as 1873; registered
- 2 November 16, 1943);
- 3 b. U.S. Registration No. 1,139,254 (first used as early as 1873; registered
- 4 September 2, 1980); and
- 5 c. U.S. Registration No. 2,794,649 (first used as early as 1873; registered
- 6 December 16, 2003).

7 17. The Arcuate trademark is valid and protectable, and exclusively owned by
 8 LS&Co. The Arcuate trademark is famous and is recognized around the world and throughout
 9 the United States by consumers as signifying authentic, high-quality LEVI’S® jeans. The
 10 Arcuate trademark became famous prior to Defendant’s conduct that is the subject of this
 11 Complaint.

12 18. In addition to producing its own branded apparel, LS&Co. sometimes enters
 13 license agreements so that licensees may produce authorized products to LS&Co.’s
 14 specifications. The Arcuate trademark and Tab trademarks may be licensed for this purpose.
 15 In addition, LS&Co. often engages in collaborations with designers and other brands to
 16 produce a jointly created and sponsored item, including many designers and brands with a
 17 public image and brand equity that are highly similar to Defendant’s market position.

18 **Coperni’s Infringement of LS&Co.’s Trademarks**

19 19. Beginning at some point in the past and continuing until the present, Coperni
 20 has manufactured, promoted, and sold garments that infringe and dilute LS&Co.’s Tab
 21 trademark. Examples include these products bearing infringing tabs (the “Coperni Tabs”):





20. Additionally, Coperni has manufactured, marketed, and/or sold products bearing copies of LS&Co.'s Arcuate trademark. Examples include these products bearing infringing stitching design (the "Coperni Stitching Design"):



21. In particular, LS&Co. is informed and believes that Coperni has manufactured, sourced, marketed, and/or sold substantial quantities of garments bearing the Coperni Tabs and Coperni Stitching Design (collectively, the "Coperni Infringements") that are highly similar to LS&Co.'s Arcuate trademark and Tab trademark and are likely to confuse consumers about the source of Coperni's products and/or a relationship between Coperni and LS&Co.

22. Additionally, LS&Co. is informed and believes that Coperni sells the Coperni Infringements alongside unauthorized "reworked" versions of LS&Co.'s authentic apparel

1 products, retaining the Arcuate trademark and Tab trademark in a manner that is likely to
2 confuse consumers about the source of Coperni's products and/or a relationship between
3 Coperni and LS&Co. Examples of these unauthorized "reworked" products bearing LS&Co.'s
4 Arcuate trademark and Tab trademark follow (these products constitute infringement and
5 dilution of LS&Co.'s famous trademarks as well):



12 23. LS&Co. is informed and believes that Coperni has manufactured, marketed, and
13 sold the Coperni Infringements and reworked LS&Co.'s products and products – all of which
14 bear one or more copies of the Arcuate trademark and Tab trademark – and has profited, and
15 continues to profit from these sales.

16 24. Coperni's actions have caused and will cause LS&Co. irreparable harm for
17 which money damages and other remedies are inadequate. Unless Coperni is restrained
18 preliminarily and permanently by this Court, it will continue and/or expand its illegal activities
19 and otherwise continue to cause great and irreparable damage and injury to LS&Co. by, among
20 other things:

- 21 a. Depriving LS&Co. of its rights to use and control use of its trademarks
22 and maintain its reputation with consumers, licensees and collaborators,
23 including the exclusive use of its trademarks on products and services
24 that LS&Co. creates, produces, licenses, and sells;
- 25 b. Creating a likelihood of confusion, mistake, and deception among
26 consumers and the trade as to the source of the infringing products and
27 services;

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- c. Causing the public falsely to associate LS&Co. with Coperni and/or its products and services, or vice versa;
- d. Causing incalculable and irreparable damage to LS&Co.’s goodwill, reputation and standing with consumers, licensees and collaborators;
- e. Diluting the capacity of its Tab trademark and Arcuate trademark to differentiate Levi’s® products from others;
- f. Causing LS&Co. to lose sales of its genuine clothing products; and
- g. Causing others to believe that the distinctive features of the Tab trademark and Arcuate trademark may be misappropriated for their use.

FIRST CLAIM
FEDERAL TRADEMARK INFRINGEMENT
(15 U.S.C. §§ 1114-1117; Lanham Act § 32)

25. LS&Co. realleges and incorporates by reference each of the allegations contained in paragraphs 1 through 24 of this Complaint.

26. Without LS&Co.’s consent, Defendant has used – in connection with the sale, offering for sale, distribution, or advertising of its products and services – trademarks and designs, including the stitching and pocket tab designs (examples of which are shown in this Complaint) that infringe upon LS&Co.’s registered Tab trademark and Arcuate trademark.

27. Defendant’s acts of willful trademark infringement have been committed with the intent to cause confusion, mistake, or deception, cause harm to LS&Co. and consumers, and are in violation of 15 U.S.C. § 1114.

28. As a direct and proximate result of Defendant’s infringing activities, LS&Co. is entitled to recover all of Defendant’s unlawful profits and LS&Co.’s substantial damages under 15 U.S.C. 1117(a).

29. Defendant’s infringement of LS&Co.’s Tab trademark and Arcuate trademark is an exceptional case and was intentional, entitling LS&Co. to treble the amount of its damages and Defendant’s profits, and to an award of attorneys’ fees under 15 U.S.C. §§ 1117(a).

30. LS&Co. is entitled to injunctive relief pursuant to 15 U.S.C. 1116(a).

1 trademark and Arcuate trademark by diminishing each of their distinctiveness in violation of
2 the Trademark Dilution Revision Act of 2006, 15 U.S.C. § 1125(c).

3 39. LS&Co. is entitled to injunctive relief pursuant to 15 U.S.C. §§ 1116(a) and
4 1125(c).

5 **FOURTH CLAIM**
6 **CALIFORNIA TRADEMARK INFRINGEMENT AND DILUTION**
7 **(Cal. Bus. & Prof. Code §§ 14200 *et seq.*; Cal. Bus. & Prof. Code § 14247)**

8 40. LS&Co. realleges and incorporates by reference each of the allegations
9 contained in paragraphs 1 through 39 of this Complaint.

10 41. LS&Co. owns registered and common law rights in its Tab trademark and
11 Arcuate trademark.

12 42. Defendant is using trademarks and designs – including the stitching and pocket
13 tab designs shown by example in this Complaint – that are identical or nearly identical to the
14 Tab trademark and Arcuate trademark, without the consent of LS&Co.

15 43. LS&Co.’s Tab trademark and Arcuate trademark each became famous in
16 California long before Defendant began using its infringing trademarks and designs.

17 44. Defendant’s use of its infringing trademarks and designs is likely to cause
18 consumer confusion about the source of Defendant’s goods and services or about a relationship
19 between LS&Co. and Defendant and is likely to dilute LS&Co.’s Tab trademark and Arcuate
20 trademark, and each of them, in violation of California Business & Professions Code §§ 14200
21 *et seq.*, and California Business & Professions Code § 14247.

22 45. Defendant infringed and diluted LS&Co.’s Tab trademark and Arcuate
23 trademark with knowledge and intent to cause confusion, mistake, or deception.

24 46. Defendant’s conduct is aggravated by that kind of willfulness, wantonness,
25 malice, and conscious indifference to the rights and welfare of LS&Co. for which California
26 law allows the imposition of exemplary damages.

27 47. Pursuant to California Business & Professions Code §§ 14247 and 14250,
28 LS&Co. is entitled to injunctive relief and damages in the amount of three times Defendant’s
profits and three times all damages suffered by LS&Co. by reason of Defendant’s

1 manufacture, use, display, and sale of infringing goods and services.

2 **FIFTH CLAIM**
3 **CALIFORNIA UNFAIR COMPETITION**
4 **(Cal. Bus. & Prof. Code § 17200)**

4 48. LS&Co. realleges and incorporates by reference each of the allegations
5 contained in paragraphs 1 through 47 of this Complaint.

6 49. Defendant’s conduct constitutes “unlawful, unfair or fraudulent business act[s]
7 or practice[s] and unfair, deceptive, untrue or misleading advertising” within the meaning of
8 California Business & Professions Code section 17200.

9 50. LS&Co. is entitled to injunctive relief preventing the conduct alleged in this
10 Complaint.

11 **PRAYER FOR JUDGMENT**

12 WHEREFORE, LS&Co. prays that this Court grant it the following relief:

13 1. Adjudge that LS&Co.’s Tab trademark and Arcuate trademark, and each of them,
14 have been infringed by Defendant in violation of LS&Co.’s rights under common law, 15 U.S.C. §
15 1114, and/or California law;

16 2. Adjudge that Defendant has competed unfairly with LS&Co. in violation of
17 LS&Co.’s rights under common law, 15 U.S.C. § 1125(a), and/or California law;

18 3. Adjudge that Defendant’s activities are likely to dilute LS&Co.’s famous Tab
19 trademark and Arcuate trademark, and each of them, in violation of LS&Co.’s rights under common
20 law, 15 U.S.C. § 1125(c), and/or California law;

21 4. Adjudge that Defendant and its agents, employees, attorneys, successors, assigns,
22 affiliates, and joint venturers and any person(s) in active concert or participation with it, and/or any
23 person(s) acting for, with, by, through or under it, be enjoined and restrained at first during the
24 pendency of this action and thereafter permanently from:

- 25 a. Manufacturing, producing, sourcing, importing, exporting, selling,
26 buying, offering for sale, distributing, licensing, advertising, or
27 promoting any goods or services, using any words, symbols or designs
28 that so resemble LS&Co.’s Tab trademark and Arcuate trademark, or

1 any of them, as to be likely to cause confusion, mistake or deception, on
2 or in connection with any product or service that is not authorized by or
3 for LS&Co., including without limitation, the infringing trademarks and
4 designs that are the subject of this Complaint and for which Defendant
5 is responsible, or any other approximation of LS&Co.'s trademarks;

6 b. Using any word, term, name, symbol, device, or combination thereof
7 that causes or is likely to cause confusion, mistake, or deception as to
8 the affiliation or association of Defendant or its products and services
9 with LS&Co. or as to the origin of Defendant's goods and services, or
10 any false designation of origin, false or misleading description or
11 representation of fact, or any false or misleading advertising;

12 c. Claiming trademark rights in the pocket stitching and tab designs shown
13 by example in this Complaint, or any other word, symbol, or design that
14 is confusingly similar to the Tab trademark and Arcuate trademark,
15 including by applying now or in the future for federal registration of
16 trademarks comprising the Coperni Infringements or any other word,
17 symbol, or design that is similar to the Tab trademark and Arcuate
18 trademark;

19 d. Infringing LS&Co.'s rights in and to any of its trademarks in its Levi's®
20 brand products or otherwise damaging LS&Co.'s goodwill or business
21 reputation;

22 e. Further diluting the Tab trademark and Arcuate trademark;

23 f. Otherwise competing unfairly with LS&Co. in any manner; and

24 g. Continuing to perform in any manner whatsoever any of the other acts
25 complained of in this Complaint;

26 5. Adjudge that Defendant be required immediately to supply LS&Co.'s counsel with a
27 complete list of individuals and entities from whom or which it purchased, and to whom or which it
28 sold, offered for sale, distributed, advertised or promoted, infringing products and services as alleged

1 in this Complaint;

2 6. Adjudge that Defendant be required immediately to deliver to LS&Co.’s counsel its
3 entire inventory of infringing products and services, including without limitation pants, shirts, and
4 any other clothing, packaging, labeling, advertising and promotional material, and all plates,
5 patterns, molds, matrices and other material for producing or printing such items, domain names, or
6 social media handles that are in its possession or subject to its control and that infringe or facilitate
7 infringement of LS&Co.’s trademarks as alleged in this Complaint;

8 7. Adjudge that Defendant, within thirty (30) days after service of the judgment
9 demanded herein, be required to file with this Court and serve upon LS&Co.’s counsel a written
10 report under oath setting forth in detail the manner in which it has complied with the judgment;

11 8. Adjudge that LS&Co. recover from Defendant its damages and lost profits, and
12 Defendant’s profits, in an amount to be proven at trial, as well as punitive damages under California
13 law;

14 9. Adjudge that Defendant be required to account for any profits that are attributable to
15 its illegal acts, and that LS&Co. be awarded (1) Defendant’s profits and (2) all damages sustained by
16 LS&Co., under 15 U.S.C. § 1117, plus prejudgment interest;

17 10. Adjudge that the amounts awarded to LS&Co. pursuant to 15 U.S.C. § 1117 shall be
18 trebled;

19 11. Order an accounting of and impose a constructive trust on all of Defendant’s funds
20 and assets that arise out of its infringing and dilutive activities;

21 12. Adjudge that LS&Co. be awarded its costs and disbursements incurred in connection
22 with this action, including LS&Co.’s reasonable attorneys’ fees and investigative expenses; and

23 13. Adjudge that all such other relief be awarded to LS&Co. as this Court deems just and
24 proper.

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1 Dated: September 7, 2023

Respectfully submitted,

2 VERSO LAW GROUP LLP

3
4 By: /s/ Ryan Bricker

5 Gregory S. Gilchrist

6 Ryan Bricker

Sophy J. Tabandeh

7 Paymaneh Parhami

8 Attorneys for Plaintiff

9 LEVI STRAUSS & CO.

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DEMAND FOR JURY TRIAL

Levi Strauss & Co. demands that this action be tried to a jury.

Dated: September 7, 2023

Respectfully submitted,

VERSO LAW GROUP LLP

By: /s/ Ryan Bricker

Gregory S. Gilchrist

Ryan Bricker

Sophy J. Tabandeh

Paymaneh Parhami

Attorneys for Plaintiff

LEVI STRAUSS & CO.

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Exhibit A

Registered Oct. 18, 1949

Registration No. 516,561

PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

Levi Strauss & Company, San Francisco, Calif.

Act of 1946

Application May 3, 1948, Serial No. 556,108



(Statement)

Levi Strauss & Company, a corporation duly organized under the laws of the State of California, located at San Francisco, California, and doing business at 98 Battery Street, San Francisco, California, has adopted and is using the trade-mark shown in the accompanying drawing, for MEN'S, WOMEN'S, AND CHILDREN'S OVERALLS AND JACKETS, in Class 39, Clothing, and presents herewith five specimens showing the trade-mark as actually used in connection with such goods, the trade-mark being applied to the goods by affixing permanently thereto a tab of textile material on which the trade-mark is shown, and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used on jackets July 1, 1937, and on overalls September 1, 1936, and first used in commerce among the several States and between the United States and foreign nations which may lawfully be regulated by Congress on jackets July 1, 1937, and on overalls September 1, 1936.

Applicant is the owner of the trade-mark, Reg-

istration No. 413,386, dated April 24, 1945, and Registration No. 250,265, dated December 4, 1928.

(Declaration)

D. A. Beronio, being duly sworn, deposes and says that he is the secretary of Levi Strauss & Company, the applicant named in the foregoing statement; that he believes that said corporation is the owner of the trade-mark which is in use in commerce among the several States and between the United States and foreign nations, and that no other person, firm, corporation or association, to the best of his knowledge and belief, has the right to use such trade-mark in commerce which may lawfully be regulated by Congress, either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive; that the drawing and description truly represent the trade-mark sought to be registered; that the specimens show the trade-mark as actually used in connection with the goods; and that the facts set forth in the statement are true.

LEVI STRAUSS & COMPANY,
By D. A. BERONIO,
Secretary.

Int. Cl.: 25

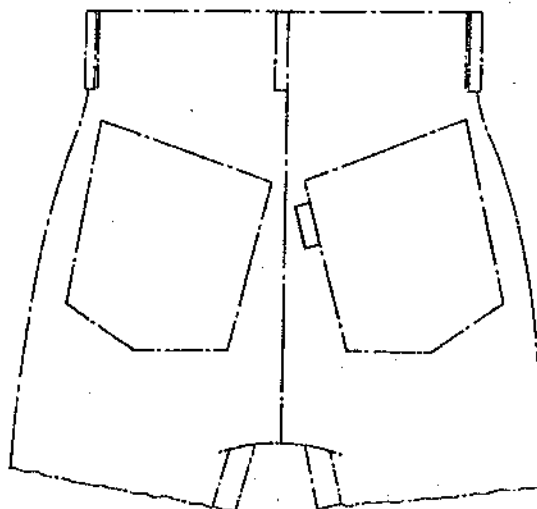
Prior U.S. Cl.: 39

United States Patent and Trademark Office

Reg. No. 1,157,769

Registered Jun. 16, 1981

TRADEMARK
Principal Register



Levi Strauss & Co. (Delaware corporation)
98 Battery St.
San Francisco, Calif. 94106, by merger and change of
name from
Levi Strauss & Co. (California corporation)
San Francisco, Calif.

For: TROUSERS, in CLASS 25 (U.S. Cl. 39).
First use Sep. 1, 1936; in commerce Sep. 1, 1936.
Owner of U.S. Reg. Nos. 356,701, 775,412 and
others.

Applicant disclaims the representation of the goods
apart from the mark as shown.

The mark consists of a small marker or tab affixed
to the exterior of the garment at the hip pocket.

Ser. No. 263,725, filed Feb. 1, 1967.

J. C. DEMOS, Deputy Director

Int. Cl.: 25

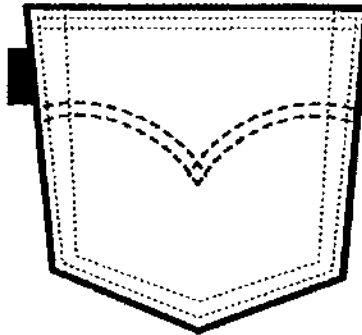
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,791,156

Registered Dec. 9, 2003

**TRADEMARK
PRINCIPAL REGISTER**



LEVI STRAUSS & CO. (DELAWARE CORPORATION)
1155 BATTERY STREET
SAN FRANCISCO, CA 94111

FOR: PANTS, JEANS, SHORTS, SHIRTS, T-SHIRTS, BLOUSES, SKIRTS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 9-1-1936; IN COMMERCE 9-1-1936.

OWNER OF U.S. REG. NOS. 1,041,846, 1,135,196, AND 1,139,254.

THE LINING AND SHADING SHOWN IN THE DRAWING ARE FEATURES OF THE MARK AND NOT INTENDED TO INDICATE COLOR.

THE MARK CONSISTS OF THE COMBINATION OF A DOUBLE ARCUATE AND TAB DESIGN SHOWN ON THE SHAPE OF A POCKET, AS INDICATED BY A SOLID LINE.

SER. NO. 78-144,339, FILED 7-16-2002.

ELLEN B. AWRICH, EXAMINING ATTORNEY

Registered May 10, 1938

Trade-Mark 356,701

Republished, under the Act of 1946, April 27, 1948, by
Levi Strauss & Company, San Francisco, Calif.

Affidavit under Section 8 accepted.
Affidavit under Section 15 received, Aug. 31, 1953.

UNITED STATES PATENT OFFICE

Levi Strauss & Company, San Francisco, Calif.

Act of February 20, 1905

Application June 30, 1937, Serial No. 394,734



STATEMENT

To the Commissioner of Patents:

Levi Strauss & Company, a corporation duly organized under the laws of the State of California and located at city and county of San Francisco, State of California, and doing business at 98 Battery Street, San Francisco, California, has adopted and used the trade-mark shown in the accompanying drawing, for MEN'S, WOMEN'S, AND CHILDREN'S OVERALLS OF THE PATCH-POCKET TYPE, in Class 39, Clothing, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905.

The trade-mark consists of a small marker or tab, of textile material or the like, colored red, appearing on and affixed permanently to the exterior of the garment in a position that the red tab is visible, while the garment is being worn.

The trade-mark has been continuously used in the business of the applicant since on or about September 1, 1936.

In practice the trade-mark is applied to the

goods by stitching an end of a red marker or tab into one of the regular structural seams of the garment so that the stitching of said seam secures one end of the red tab to the garment with a portion thereof extending visibly from the edge of the seam.

No claim is made herein for the representation of a portion of the garment or seam shown in the drawing, these being shown merely to illustrate one manner in which the red marker or red tab may be applied to a garment. The drawing is lined for the color red.

The undersigned hereby appoints Chas. E. Townsend, whose address is 908-917 Crocker Building, San Francisco, California, its attorney with full power of substitution and revocation to prosecute this application, to make alterations and amendments therein, to receive the certificate of registration, and to transact all business in the Patent Office connected therewith.

LEVI STRAUSS & COMPANY,
By D. A. BERONIO,
Secretary.

registered July 21, 1953

Registration No. 577,490

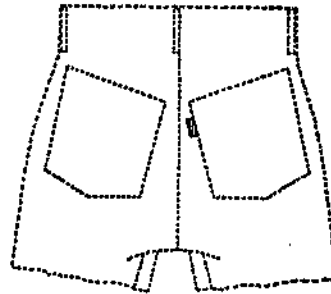
PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

Levi Strauss & Company, San Francisco, Calif.

Act of 1946

Application April 30, 1949, Serial No. 578,119



STATEMENT

Levi Strauss & Company, a corporation duly organized under the laws of the State of California, located at San Francisco, California, and doing business at 98 Battery Street, San Francisco, California, has adopted and is using the trade-mark shown in the accompanying drawing, for OVERALLS, in Class 39, Clothing, and presents herewith five facsimiles showing the trade-mark as actually used in connection with such goods, the trade-mark being applied to the goods in the manner hereinafter set forth, and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used on September 1, 1936, and first used in commerce among the several States which may lawfully be regulated by Congress on September 1, 1936.

The trade-mark consists of a small marker

or tab, of textile material or the like, colored red, appearing on and affixed permanently to the exterior of the garment in a position that the red tab is visible, while the garment is being worn.

In practice, the trade-mark is applied to the goods by stitching an end of a red marker or tab into one of the regular structural seams of the hip pockets of the garment so that the stitching of said seam secures one end of the red tab to the garment with a portion thereof extending visibly from the edge of the seam.

The drawing is lined for the color red.
Applicant is the owner of Trade-Mark Registration No. 366,701 issued May 10, 1938, and No. 404,248 issued November 18, 1943.

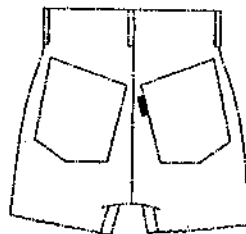
LEVI STRAUSS & COMPANY,
By D. A. BERONIO,
Secretary.

United States Patent Office

774,625
Registered Aug. 4, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 171,283, filed June 18, 1963



Levi Strauss & Co. (California corporation)
98 Battery St.
San Francisco 6, Calif.

For: GARMENTS, PARTICULARLY TROUSERS,
in CLASS 39.

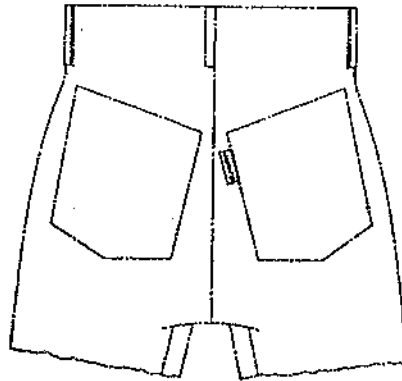
First use May 22, 1963; in commerce May 22, 1963.
The mark consists of a small marker or black tab af-
fixed to the exterior of the garment at the hip pocket.
Owner of Reg. Nos. 356,701, 577,490, and 720,376.

United States Patent Office

775,412
Registered Aug. 18, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 171,282, filed June 18, 1963



Levi Strauss & Co. (California corporation)
98 Battery St.
San Francisco 6, Calif.

For: GARMENTS, PARTICULARLY TROUSERS,
in CLASS 39.

First use Oct. 9, 1957; in commerce Oct. 9, 1957.

The mark consists of a small marker or white tab with
the name "Levi's" superposed thereon, which is affixed to
the exterior of the garment at the hip pocket.

Owner of Reg. Nos. 250,265, 720,376, and others.

Int. Cl.: 25

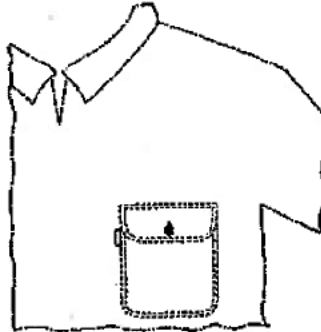
Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,726,253

Registered June 17, 2003

**TRADEMARK
PRINCIPAL REGISTER**



LEVI STRAUSS & CO. (DELAWARE CORPORATION)
1155 BATTERY STREET
SAN FRANCISCO, CA 94111

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

FIRST USE 3-7-1969; IN COMMERCE 3-7-1969.

OWNER OF U.S. REG. NOS. 356,701, 1,183,022 AND
OTHERS.

THE TRADEMARK CONSISTS OF A SMALL
MARKER OR TAB OF TEXTILE MATERIAL AP-

PEARING ON AND AFFIXED PERMANENTLY TO
THE EXTERIOR OF A SHIRT POCKET. THE SHIRT
AND SHIRT POCKET SHOWN IN BROKEN LINES
ON THE DRAWING SERVES TO SHOW POSITION-
ING OF THE MARK AND NO CLAIM IS MADE TO
THIS MATTER.

SEC. 2(F).

SER. NO. 75-904,260, FILED 1-26-2000.

TERESA M. RUPP, EXAMINING ATTORNEY

Int. Cl.: 35

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

Reg. No. 2,620,144

United States Patent and Trademark Office

Registered Sep. 17, 2002

**SERVICE MARK
PRINCIPAL REGISTER**



LEVI STRAUSS & CO. (DELAWARE CORPORATION)
1155 BATTERY STREET
SAN FRANCISCO, CA 94111

FIRST USE 2-0-1999; IN COMMERCE 2-0-1999.

SER. NO. 76-193,799, FILED 1-12-2001.

FOR: RETAIL STORE SERVICES IN THE FIELD
OF CLOTHING, IN CLASS 35 (U.S. CLS. 100, 101 AND
102).

CHRISTOPHER BUONGIORNO, EXAMINING ATTORNEY

Design Only : Q4State ST-6

State	CALIFORNIA
Owner	LEVI STRAUSS & CO.
Renewed To	<p>LEVI STRAUSS & CO. DELAWARE CORPORATION 1155 BATTERY STREET SAN FRANCISCO CALIFORNIA Renewed: 04-JAN-1984 Renewal Registration Number: 9036</p> <p>LEVI STRAUSS & CO. CALIFORNIA CORPORATION 1155 BATTERY STREET SAN FRANCISCO CALIFORNIA 94111 Renewed: 13-JUN-1994 Renewal Registration Number: 13720</p> <p>LEVI STRAUSS & CO. DELAWARE CORPORATION 1155 BATTERY STREET SAN FRANCISCO CALIFORNIA 94111 Renewed: 16-JUN-2004 Renewal Registration Number: 17805</p> <p>LEVI STRAUSS & CO. DELAWARE CORPORATION 1155 BATTERY STREET SAN FRANCISCO CALIFORNIA 94111 Renewed: 30-MAY-2014 Renewal Registration Number: 20170</p>
Registrant	<p>LEVI STRAUSS & CO. DELAWARE CORPORATION TWO EMBARCADERO CENTER SAN FRANCISCO CALIFORNIA 94106</p>
Status	Renewed (Registered) (CA) - 52312
Chronology	<p>Registered: 12-JUN-1974 Registration Number: 52312 Renewed: 04-JAN-1984 13-JUN-1994 16-JUN-2004 30-MAY-2014 Renewal Registration Number: 9036 13720 17805 20170</p>
Mark Type	TRADEMARK
Goods and Services	<p>25 Shirts and jackets State Class(es): 39 First Use in State: 07-MAR-1969 First Use Anywhere: 07-MAR-1969</p>
Design Type	DESIGN ONLY
Design Phrase	THE MARK CONSISTS OF A FOLDED CLOTH RIBBON SEWN WITH ITS ENDS INSERTED INTO THE REGULAR STRUCTURAL SEAM OF A PATCH POCKET OR FLAP OF SHIRTS SO THAT THE FOLD PROTRUDES FROM THE SEAM AND IS VISIBLE THROUGHOUT THE LIFE OF THE GARMENT WHILE IT IS BEING WORN
Manner Of Display	A PROTRUDING TAB IN THE POCKET SEAM OF A SHIRT OR JACKET PROTRUDING FROM THE SEAM OF THE POCKET OR FROM THE FLAP ON THE POCKET

EXHIBIT B

Registered Nov. 16, 1943

Trade-Mark 404,248

Republished, under the Act of 1946, April 27, 1948, by
Levi Strauss & Company, San Francisco, Calif.

Affidavit under Section 8 accepted.

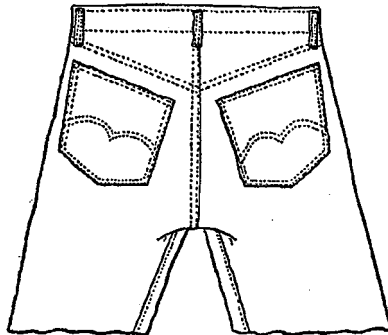
Affidavit under Section 15 received, Aug. 31, 1953.

UNITED STATES PATENT OFFICE

Levi Strauss & Company, San Francisco, Calif.

Act of February 20, 1905

Application September 25, 1942, Serial No. 455,769



STATEMENT

To the Commissioner of Patents:

Levi Strauss & Company, a corporation duly organized under the laws of the State of California and located at the city and county of San Francisco, State of California, and doing business at 98 Battery Street, San Francisco, California, has adopted and used the trade-mark shown in the accompanying drawing, for **WAISTBAND TYPE OVERALLS**, in Class 39, Clothing, and presents herewith five facsimiles showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with act of February 20, 1905. The trade-mark has been continuously used and applied to said goods in applicant's business since the year 1873. The trade-mark consists of double arcuate designs of orange color displayed on the hip pockets of the overalls as shown on the drawing. The mark is applied to the overalls

by stitching the double arcuate designs on the hip pockets with orange colored thread, or by painting the lines of said design on the hip pockets with orange colored paint.

No claim is made to the exclusive use of the representation of a pair of overalls.

The undersigned hereby appoints Castberg & Roemer, a firm composed of Thomas Castberg and Irving C. Roemer, whose address is 807 Crocker Building, San Francisco, California, and whose registration number is 15,030, as its attorneys, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the certificate of registration, and to transact all business in the Patent Office connected therewith.

LEVI STRAUSS & COMPANY,
By **DANIEL E. KOSHLAND,**
Vice President.

Int. Cl.: 25

Prior U.S. Cl.: 39

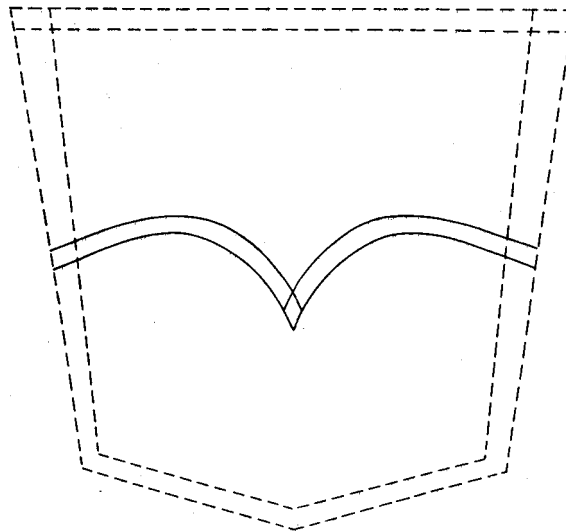
Reg. No. 1,139,254

Registered Sep. 2, 1980

United States Patent and Trademark Office

TRADEMARK

Principal Register



Levi Strauss & Co. (Delaware corporation)
Two Embarcadero Ctr.
San Francisco, Calif. 94106

For: PANTS, JACKETS, SKIRTS, DRESSES AND
SHORTS, in CLASS 25 (U.S. CL. 39).

First use 1873; in commerce 1873.

Owner of U.S. Reg. No. 404,248.

Ser. No. 169,399. Filed May 8, 1978.

M. J. LEAHY, Primary Examiner

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,794,649

Registered Dec. 16, 2003

**TRADEMARK
PRINCIPAL REGISTER**



LEVI STRAUSS & CO. (DELAWARE CORPORATION)
1155 BATTERY STREET
SAN FRANCISCO, CA 94111

THE MARK CONSISTS OF A DOUBLE ARCUATE DESIGN.

FOR: PANTS, JEANS, SHORTS, SHIRTS, T-SHIRTS, BLOUSES, SKIRTS AND JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

SER. NO. 78-142,765, FILED 7-10-2002.

FIRST USE 0-0-1873; IN COMMERCE 0-0-1873.

GINNY ISAACSON, EXAMINING ATTORNEY

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

LEVI STRAUSS & CO.

(b) County of Residence of First Listed Plaintiff San Francisco (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Gregory S. Gilchrist, Ryan Bricker, Sophy J. Tabandeh, Paymaneh Parhami Verso Law Group LLP, 209 Kearny St., 3rd Fl., San Francisco, CA 94108, 415-534-0495

DEFENDANTS

COPERNI UK LIMITED

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, HABEAS CORPUS, OTHER, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation-Transfer
8 Multidistrict Litigation-Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. §§ 1114-1117; 15 U.S.C. § 1125(a) and (c);

Brief description of cause: Trademark Infringement, Dilution, and Unfair Competition

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$

CHECK YES only if demanded in complaint: JURY DEMAND: X Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) X SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE 09/07/2023

SIGNATURE OF ATTORNEY OF RECORD

/s/ Ryan Bricker

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

Authority For Civil Cover Sheet. The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the “defendant” is the location of the tract of land involved.)
 - c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section “(see attachment).”
- II. Jurisdiction.** The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an “X” in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an “X” in this box.
 - (3) Federal question. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - (4) Diversity of citizenship. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an “X” in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an “X” in one of the six boxes.
- (1) Original Proceedings. Cases originating in the United States district courts.
 - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
 - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - (5) Transferred from Another District. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - (6) Multidistrict Litigation Transfer. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
 - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket. Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC § 553. Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an “X” in this box if you are filing a class action under Federal Rule of Civil Procedure 23. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment.** If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: “the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.”
- Date and Attorney Signature.** Date and sign the civil cover sheet.