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6 Attorneys for Plaintiff  
PINTEREST, INC.

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 PINTEREST, INC.,  
a Delaware corporation,  
11  
12 Plaintiff,

13 v.

14 PINTRIPS, INC.,  
a California corporation,  
15 Defendant.

Case No. 13-4608

**COMPLAINT FOR  
TRADEMARK INFRINGEMENT,  
FALSE DESIGNATION OF ORIGIN,  
UNFAIR COMPETITION, AND  
TRADEMARK DILUTION**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Pinterest, Inc. (“Pinterest” or “Plaintiff”), for its Complaint against Defendant Pintrips,  
2 Inc. (“Pintrips” or “Defendant”), alleges as follows:

### 3 NATURE OF THE ACTION

4 1. This action arises from Pintrips’ decision to adopt a social media brand that is  
5 confusingly similar to Pinterest’s, and its refusal to recognize, discuss or remediate the confusion it  
6 causes among consumers. Pinterest is a world-renowned provider of social media services and the  
7 beneficiary of a hard-earned reputation in a PIN-formative family of trademarks, notably including the  
8 famous PINTEREST trademark. When Pintrips launched its own social media service, it could have  
9 adopted any number of trademarks. Instead it chose PINTRIPS, which is similar in appearance, sound,  
10 and commercial impression to PINTEREST. In doing so, Pintrips has chosen a brand that causes  
11 confusion among consumer and implies a connection, affiliation or sponsorship that does not exist. This  
12 violates the Lanham Act, 15 U.S.C. § 1114 *et seq.*, California Business and Professions Code § 17200 *et*  
13 *seq.*, and California Business and Professions Code § 14247.

### 14 THE PARTIES

15 2. Plaintiff Pinterest, Inc. is a Delaware corporation with its principal place of business in  
16 the City and County of San Francisco, California.

17 3. On information and belief, Defendant Pintrips, Inc. is a California corporation with its  
18 principal place of business in the County of Santa Clara, California.

### 19 JURISDICTION

20 4. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338 because  
21 this action arises under the Lanham Act, 15 U.S.C. § 1051, *et seq.* The Court has supplemental  
22 jurisdiction over Pinterest’s state law claims under 28 U.S.C. § 1367.

23 5. This Court has personal jurisdiction over Pintrips because, on information and belief,  
24 Pintrips is a California corporation with its principal place of business in California.

### 25 VENUE

26 6. Venue is proper under 28 U.S.C. § 1391(b) because Pintrips resides in this judicial  
27 district and a substantial part of the events or omissions giving rise to this action occurred here.

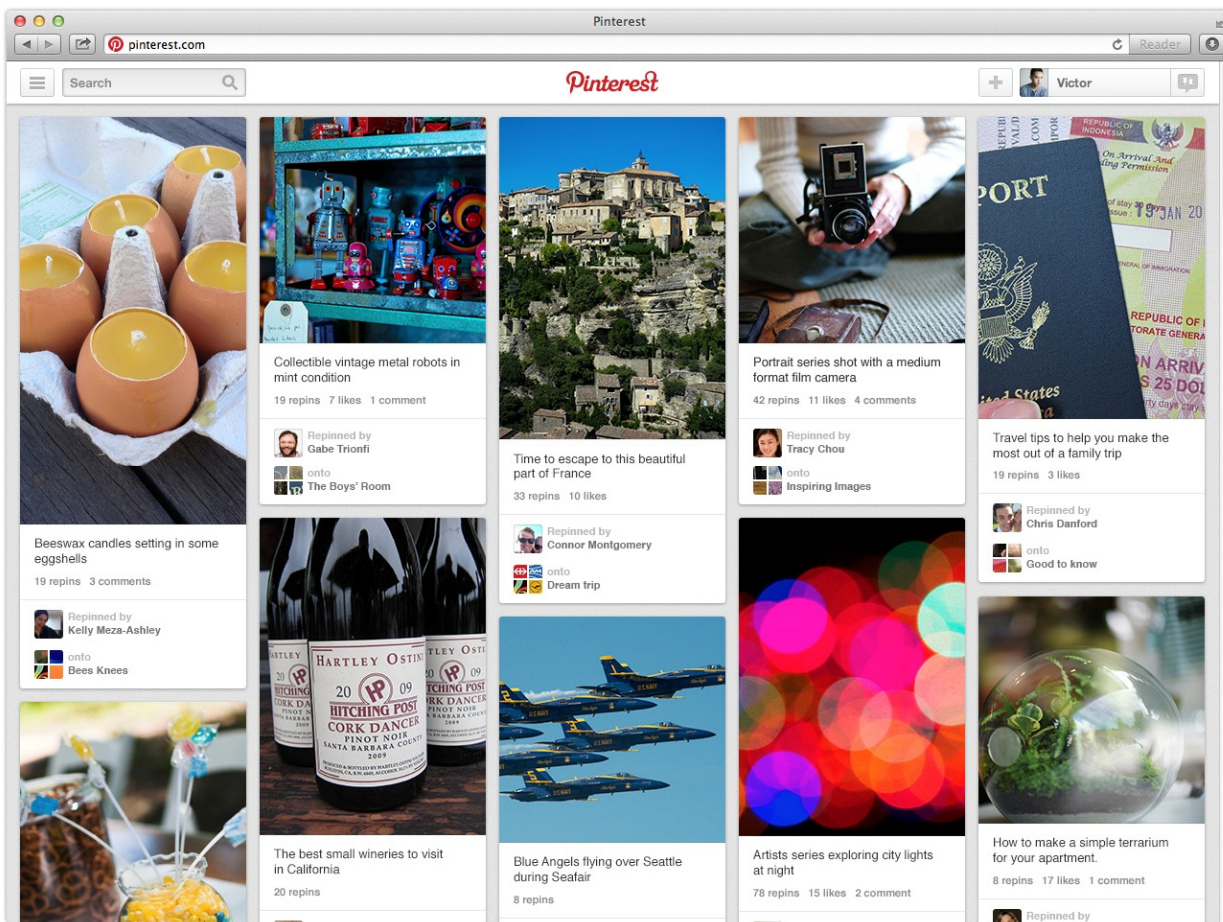
**INTRADISTRICT ASSIGNMENT**

7. This intellectual property action shall be assigned on a district-wide basis pursuant to Civil L.R. 3-2(c).

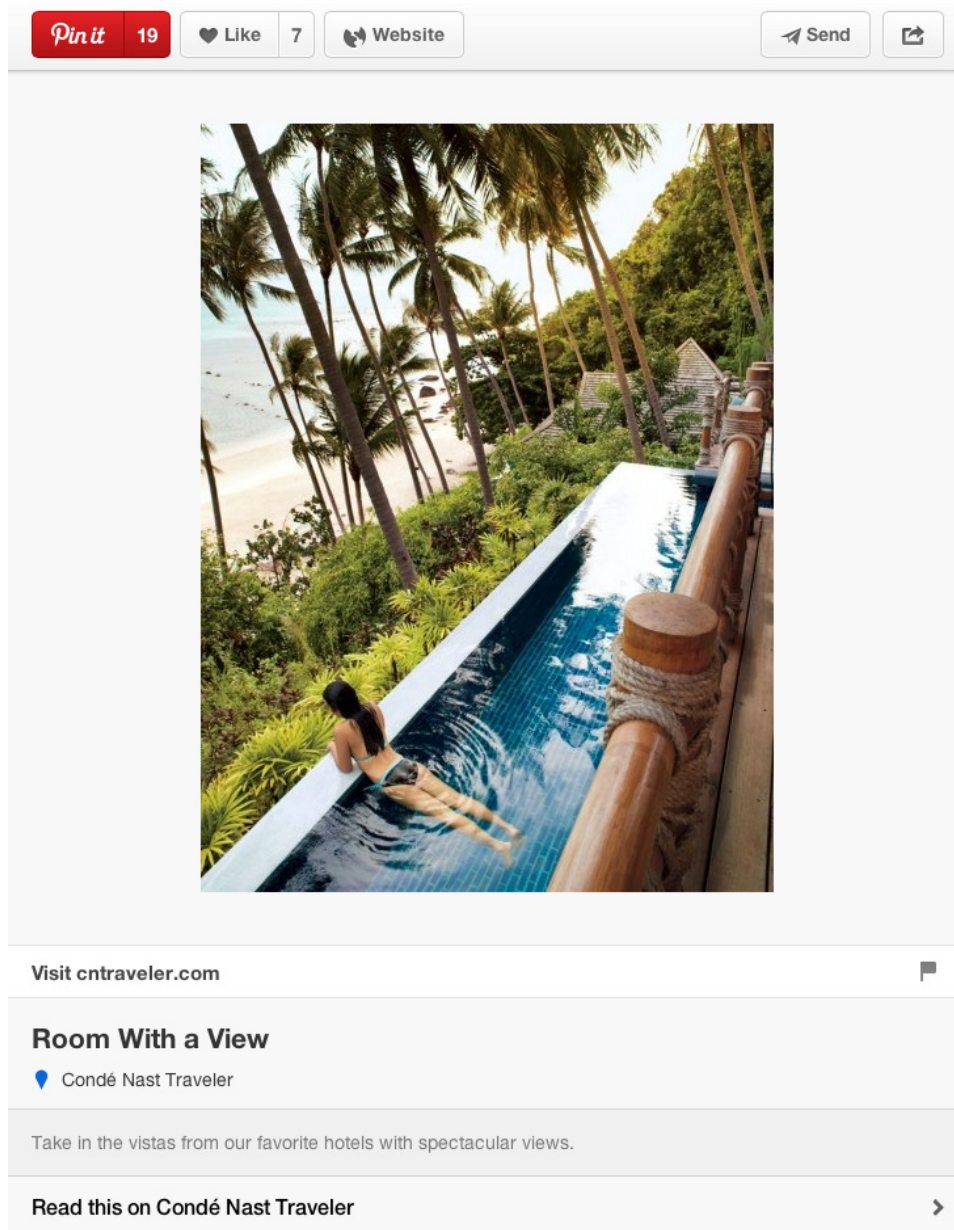
**GENERAL ALLEGATIONS**

**Pinterest And Its Trademarks**

8. Pinterest provides online services through its website, www.pinterest.com, and through applications designed for Apple and Android mobile devices. Pinterest lets users gather images and other content, as shown below, for example, and curate that content into themed boards. Pinterest users typically build their boards using images from their own collections or other websites. Pinterest allows its users to post content to their boards, browse other users' boards, and share content that interests or inspires them. In doing so, Pinterest provides a way for people to express themselves, discover new things, and engage with the people who create them.



1           9.       A “PIN” is the foundational element of Pinterest. Each piece of content posted on  
2 Pinterest, such as shown below, is known as a PIN. Users are known as “PINNERS.” They post content  
3 to Pinterest from their own collections or other websites by posting it to a themed collection. Pinterest  
4 pioneered the use of PIN-formative terms in the context of social media and bookmarking. The public  
5 associates these terms with Pinterest, and they have become famous in relation to Pinterest’s goods and  
6 services.



1 10. Launched in March 2010, Pinterest has millions of active users. It is one of the 20 most popular  
2 web sites in the United States and the third most popular such social networking site, behind only  
3 Facebook and Twitter. Time magazine named Pinterest one of the 50 best websites of 2011. In early  
4 2012, Pinterest became the fastest website in history to attract more than 10-million-visitors-a-month.  
5 Pinterest has continued to grow ever since. Along the way, it has received favorable coverage in  
6 hundreds of publications worldwide, including The New York Times, The Wall Street Journal, The Los  
7 Angeles Times, The Daily Mail, The Australian, The Times of India, and The New Zealand Herald,  
8 which described it as the “web’s hottest social property.”

9 11. By virtue of its popularity, Pinterest is a major force in social media. Photographers,  
10 designers, artists and other professionals use Pinterest to promote their work and expose new audiences  
11 to it. Companies like The Gap, Macy’s, Nordstrom, Neiman Marcus, and Saks Fifth Avenue promote  
12 their products and their brands on Pinterest. Publications like The New Yorker and Time Magazine  
13 maintain Pinterest boards to share images, reach new audiences and draw people to their websites. Even  
14 The White House maintains a presence on Pinterest, where it has nine boards, on topics such as “The  
15 First Lady” and “The People’s Pins.”

16 12. An important element in Pinterest’s success has been the popularity of its PIN IT button,  
17 which appears on hundreds of thousands of domains across the Internet, including some of the biggest  
18 names in on-line retailing, from Amazon to Zappos. The PIN IT button sits alongside content on a  
19 website. When a visitor clicks on the PIN IT button, he or she can easily add that content to Pinterest.

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