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IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

14 MONSTER ENERGY COMPANY, a
 15 Delaware Corporation,
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 17 Plaintiff,
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 19 v.
 20 JIANGSU SITOUQUAI INDUSTRY
 21 CO., LTD., a Chinese Corporation, and
 22 CHANGZHOU HAIGE MICROFIBER
 23 TEXTILE CO., LTD., a Chinese
 24 Corporation,
 25
 26 Defendants.

Civil Action No. '22CV590 LL JLB
)
) **COMPLAINT FOR**
) **TRADEMARK**
) **INFRINGEMENT, TRADE**
) **DRESS INFRINGEMENT,**
) **FALSE DESIGNATION OF**
) **ORIGIN, AND UNFAIR**
) **COMPETITION**
) **DEMAND FOR JURY TRIAL**

1 Plaintiff Monster Energy Company (“Plaintiff” or “Monster”) hereby
2 complains of Defendants Jiangsu Sitouguai Industry Co., Ltd., and Changzhou
3 Haige Microfiber Textile Co., Ltd. (“Defendants”), and alleges as follows:

4 **I. JURISDICTION AND VENUE**

5 1. This is an action for 1) trademark infringement, trade dress
6 infringement, and false designation of origin under 15 U.S.C. § 1125(a), 2)
7 trademark infringement under 15 U.S.C. § 1114, 3) state trademark
8 infringement under California Business & Professions Code § 14245; 4) unfair
9 competition arising under California Business & Professions Code §§ 17200, *et*
10 *seq.*, and 5) California common-law unfair competition.

11 2. The Court has original subject matter jurisdiction over the claims
12 that relate to trademark infringement, trade dress infringement, and false
13 designation of origin, pursuant to 15 U.S.C. §§ 1116 and/or 1121(a), and
14 pursuant to 28 U.S.C. §§ 1331 and 1338, as these claims arise under the laws of
15 the United States. The Court has supplemental jurisdiction over the claims in
16 this Complaint which arise under state statutory and common law pursuant to 28
17 U.S.C. §§ 1338(b) and 1367(a), because the state law claims are so related to the
18 federal claims that they form part of the same case or controversy and derive
19 from a common nucleus of operative facts.

20 3. This Court has personal jurisdiction over Defendants because
21 Defendants have a continuous, systematic, and substantial presence within this
22 Judicial District and within California. Defendants sell, advertise, market and
23 promote their goods and services in California, including in this Judicial
24 District, and ship products offered in connection with the infringing marks to
25 California, including within this Judicial District. Defendants market and
26 advertise their products online in connection with the infringing marks through
27 the <https://4monster.com/> URL, which is available and accessible in California.
28 Upon information and belief, Defendants ship products throughout the USA,

1 including to California and this Judicial District. Furthermore, Defendants
2 market and sell their products through ecommerce websites which are accessible
3 in California, and this Judicial District, including
4 <https://www.amazon.com/s?me=AS1SDRZXN0OV0&marketplaceID=ATVPD>
5 [KIKX0DER](https://4monster.en.alibaba.com/), and <https://4monster.en.alibaba.com/>. In addition, by committing
6 acts of trademark infringement, trade dress infringement, and false designation
7 of origin in this Judicial District, including, but not limited to, by using
8 infringing marks and designs in connection with the advertisement, marketing,
9 promotion and rendering of goods and services to customers in this Judicial
10 District, Defendants' acts form a substantial part of the events or omissions
11 giving rise to Monster's claims.

12 4. Venue is proper in this Judicial District pursuant to 28 U.S.C.
13 § 1391(b) and (c) at least because Defendants reside in this Judicial District by
14 virtue of being subject to personal jurisdiction within the Judicial District, and a
15 substantial portion of the events complained of herein took place in this Judicial
16 District.

17 **II. THE PARTIES**

18 5. Monster is a corporation organized and existing under the laws of
19 the State of Delaware, having a principal place of business at 1 Monster Way,
20 Corona, California 92879.

21 6. Upon information and belief, Defendant Jiangsu Sitouguai Industry
22 Co., Ltd., who is also known as Jiangsu 4monster Industrial Co., Ltd., is a
23 corporation organized and existing under the laws of China, having a registered
24 business address of Baijia Village, Niutang Town, Wujin District; Changzhou
25 City; Jiangsu Province, PRC, 213163, and an actual place of business at 12th
26 Floor, Chuangyan Port, Building No. 3, Science and Education City, Hutang
27 Town, Wujin District, Changzhou City, Jiangsu Province, PRC, 213164.

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1 7. Upon information and belief, Defendant Changzhou Haige
2 Microfiber Textile Co., Ltd., is a corporation organized and existing under the
3 laws of China, having a registered business address at Baijia Village, Niutang
4 Town, Wujin District; Changzhou City; Jiangsu Province, PRC, 213163, and an
5 actual business address at Xizheng North Road, Niutang Town, Wujin District,
6 Changzhou City, Jiangsu Province, PRC, 213163.

7 **III. COMMON ALLEGATIONS FOR ALL CLAIMS OF RELIEF**

8 **A. Monster and Its Trademarks and Trade Dress**



9 8. Monster is a nationwide leader in the business of developing,
10 marketing, selling, and distributing beverages. Monster has achieved extensive
11 exposure and widespread recognition of its MONSTER™ brand through its
12 sponsorship of sports, athletes and teams, among other sponsorships. In
13 addition to its numerous trademark registrations for beverages, Monster owns
14 trademark registrations for promoting clothing and sports gear and bags, among
15 many other goods and services.

16 9. In 2002, long before Defendants' acts described herein, Monster
17 launched its MONSTER ENERGY® drink brand, bearing its now-famous
18 MONSTER and MONSTER ENERGY® marks.


19 10. Monster's successful line of MONSTER drinks has grown to
20 include numerous other well-known products, the containers and packaging of
21 which are prominently marked with the MONSTER mark. The MONSTER line
22 of drinks includes or has included, but is not limited to, original Monster
23 Energy® and Lo-Carb Monster Energy®; Monster Assault®; Juice Monster®
24 Khaos®; Juice Monster® Ripper®; Juice Monster® Pipeline Punch®; Monster
25 Energy® Import; Punch Monster® Baller's Blend™; Punch Monster® Mad
26 Dog™; Monster Energy Unleaded®; Monster Energy Absolutely Zero®; the
27 Monster Energy Ultra® line of drinks, which includes or has included Monster
28 Energy Zero Ultra®, Monster Energy Ultra Blue®, Monster Energy Ultra Red®,





1 Monster Energy Ultra Black[®], Monster Energy Ultra Citron[®], Monster Energy
 2 Ultra Sunrise[®], Monster Energy Ultra Paradise[®], and Monster Energy Ultra
 3 Violet[®]; Monster Cuba-Lima[®]; Ubermonster[®] (a bio-activated non-alcoholic
 4 energy brew produced using brewing technology which converts sugar into
 5 organic acids); Monster Rehab[®], which has been rebranded to Rehab[®]
 6 Monster[™] (a line of non-carbonated energy drinks, which includes or has
 7 included Rehab[®] Monster[™] Lemonade, Rehab[®] Monster[™] Strawberry
 8 Lemonade, Rehab[®] Monster[™] Peach Tea, Rehab[®] Monster[™] Orangeade and
 9 Rehab[®] Monster[™] Raspberry Tea); Java Monster[®] (a line of dairy based coffee
 10 plus energy drinks); Muscle Monster[®] (a line of energy shakes); Monster
 11 Energy Extra Strength Nitrous Technology[®], which has been rebranded as
 12 Monster Maxx[®] (a line of energy drinks with a blend of nitrous oxide and
 13 carbon dioxide to create a smoother energy drink); Caffé Monster[®]; Espresso
 14 Monster[®]; Monster Hydro[®]; and Monster Dragon Tea[®], among others (referred
 15 to collectively as “MONSTER line of drinks”).

16 11. Monster is also the owner of numerous trademark registrations for
 17 marks that incorporate its famous MONSTER Mark and/or MONSTER
 18 ENERGY[®] Mark, for use in connection with beverages, nutritional
 19 supplements, clothing, bags, and other products and services, including the
 20 following U.S. Trademark Registrations:

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
	3,923,683	All purpose sport bags; all-purpose carrying bags; backpacks; duffle bags	04/02/2009	02/22/2011
	3,908,601	Clothing, namely, t-shirts, hooded shirts and hooded sweatshirts, sweat shirts, jackets, pants, bandanas,	04/02/2009	01/18/2011

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MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
		sweat bands and gloves; headgear, namely, hats and beanies		
MONSTER ARMY	5,551,192	Clothing, namely, tops, shirts, t-shirts, hooded shirts, sweat shirts, and jackets Providing a web site featuring entertainment information and news on athletes; organizing and conducting educational programs and activities in the nature of classes, workshops, and sports competitions for athletes in the field of athlete development; athlete development program, namely, athlete training and mentoring in the field of wake, ski, surf, snowboard, motocross, mountain bike, BMX, and skate	11/16/2015	08/28/2018
	5,551,230	Clothing, namely, tops, shirts, t-shirts, hooded shirts, sweat shirts, and jackets Providing a web site featuring entertainment information and news on athletes; organizing and conducting educational programs and activities in the nature of classes, workshops, and sports	02/12/2016	08/28/2018

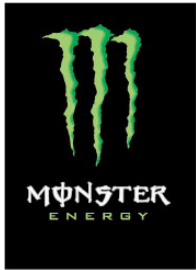
MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
		competitions for athletes in the field of athlete development; athlete development program, namely, athlete training and mentoring in the field of wake, ski, surf, snowboard, motocross, mountain bike, BMX, and skate		
	3,908,600	Stickers; sticker kits comprising stickers and decals; decals	04/02/2009	01/18/2011
	3,914,828	Sports helmets	04/02/2009	02/01/2011
	4,332,062	Silicone wrist bands; silicone bracelets; jewelry, namely, bracelets and wristbands	10/05/2012	05/07/2013
	4,660,598	Lanyards; Lanyards for holding whistles, keys, eyeglasses, sunglasses, mobile telephones, badges, identification cards, event passes, media passes, photographs, recording equipment, or similar conveniences	08/26/2013	12/23/2014
MONSTER ENERGY	3,044,315	Nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	05/23/2003	01/17/2006
MONSTER ENERGY	4,036,680	Nutritional supplements in liquid form	09/11/2007	10/11/2011

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
MONSTER REHAB	4,129,288	Nutritional supplements in liquid form Beverages, namely, non-alcoholic non-carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf-stable; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	07/06/2010	04/17/2012
MONSTER REHAB	4,111,964	Ready to drink tea, iced tea and tea based beverages; ready to drink flavored tea, iced tea and tea based beverages	08/24/2011	03/13/2012
MONSTER ENERGY	4,036,681	Non-alcoholic beverages, namely, energy drinks, excluding perishable beverage products that contain fruit juice or soy	09/11/2007	10/11/2011
MONSTER ENERGY	3,057,061	Fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids	04/18/2002	02/07/2006

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
		and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		
MONSTER ASSAULT	4,634,053	Nutritional supplements in liquid form; vitamin fortified beverages Non-alcoholic beverages, namely, energy drinks, energy drinks flavored with juice, sports drinks, all enhanced with vitamins, minerals, nutrients, proteins, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	11/15/2013	11/04/2014
JAVA MONSTER	3,959,457	Beverages, namely, soft drinks; non-carbonated energy drinks; non-carbonated sports drinks; soft drinks and non-carbonated energy drinks, all enhanced with vitamins, minerals, nutrients, amino acids, and/or herbs, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	12/08/2005	05/10/2011

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
M MONSTER ENERGY	3,044,314	Nutritional supplements in liquid form, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	05/23/2003	01/17/2006
LO-CARB MONSTER ENERGY	3,852,118	Nutritional supplements Non-alcoholic beverages, namely, energy drinks, drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs	02/13/2009	09/28/2010
M MONSTER ENERGY	3,134,842	Beverages, namely, carbonated soft drinks, carbonated drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, carbonated energy or sports drinks, fruit juice drinks having a juice content of 50% or less by volume that are shelf stable, but excluding perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	05/07/2003	08/29/2006
MUSCLE MONSTER	4,376,796	Nutritional supplements in liquid form beverages, namely, soft drinks; non-alcoholic and non-carbonated drinks	07/02/2010	07/30/2013

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
		enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; non-carbonated energy or sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not		
MUSCLE MONSTER	4,451,535	Vitamin fortified beverages dairy-based beverages; dairy-based energy shakes; energy shakes; coffee energy shakes; chocolate energy shakes	07/10/2013	12/17/2013
JUICE MONSTER	4,716,750	Nutritional supplements in liquid form Non-alcoholic beverages, namely, energy drinks and drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs, but excluding perishable beverage products that contain fruit juice or soy	02/24/2012	04/07/2015
MONSTER ENERGY ULTRA	5,281,559	Nutritional supplements in liquid form Non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks	06/12/2014	09/05/2017

MARK	REG. NO.	GOODS/SERVICES	DATE FILED	REG. DATE
		and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs		
UBER-MONSTER	4,234,456	Nutritional supplements in liquid form; Beverages, namely, carbonated soft drinks; nonalcoholic carbonated soft drinks and energy drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy drinks and sports drinks; all the foregoing goods exclude perishable beverage products that contain fruit juice or soy, whether such products are pasteurized or not	07/09/2010	10/30/2012
	4,865,702	Nutritional supplements in liquid form; Non-alcoholic beverages, namely, carbonated soft drinks; carbonated drinks enhanced with vitamins, minerals, nutrients, proteins, amino acids and/or herbs; carbonated energy drinks and sports drinks	02/02/2015	12/08/2015

12. Attached hereto as Exhibits 1-25 are true and correct copies of Monster’s trademark registrations identified in paragraph 11 of this Complaint, which are hereby incorporated by reference. Collectively, those registrations

1 and trademarks, including all common law rights therein, are referred to as the
2 “MONSTER Marks.”

3 13. Pursuant to 15 U.S.C. § 1065, U.S. Trademark Registration Nos.
4 3,908,601, 3,914,828, 4,322,062, 3,044,315, 4,036,680, 4,129,288, 4,111,964,
5 4,036,681, 3,057,061, 4,634,053, 3,959,457, 3,044,314, 3,852,118, 3,134,842,
6 4,367,796, 4,451,535, 4,716,750, and 4,234,456 are incontestable.

7 14. Monster also owns California Registration No. 108124 for the
8 mark MONSTER for “fruit juice drinks, soft drinks, carbonated soft drinks and
9 soft drinks enhanced with vitamins, minerals, nutrients, amino acids and/or
10 herbs, aerated water, soda water and seltzer water” in International Class 32,
11 which registered on April 24, 2002. This registration is valid and subsisting,
12 having been renewed on April 24, 2012 and on April 24, 2017. Attached hereto
13 as Exhibit 26 is a true and correct copy of the registration.

14 15. In addition to its trademark registrations, since 2002, Monster has
15 consistently used a distinctive trade dress in the way it presents its products in
16 both its packaging and promotional materials using the combination of the
17 colors green and black with the word “Monster” (the “MONSTER Trade
18 Dress”). One example of Monster’s use of the MONSTER Trade Dress is
19 shown below:



1 16. Long before Defendant’s acts described herein, Monster has used
2 or licensed the use of its MONSTER Marks and/or MONSTER Trade Dress in
3 connection with bags, towels, blankets, sporting equipment, clothing, clothing
4 accessories, gloves, helmets, stickers and decals, headgear, wristbands, beverages,
5 and promotion of goods and services in the sports and fitness industries, as well as
6 many other goods and services. Examples of bags, towels, blankets, clothing, and
7 other products bearing Monster’s MONSTER Marks and MONSTER Trade
8 Dress are shown below:

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17. There is a large demand for bags, towels, blankets, gear, clothing, and other merchandise bearing Monster’s MONSTER Marks and MONSTER Trade Dress. Monster has entered into license agreements with several manufacturers, granting them a license to produce and sell bags, clothing, and other products that bear Monster’s MONSTER Marks and MONSTER Trade Dress. In the United States, Monster’s licensees have sold licensed goods bearing Monster’s MONSTER Marks and MONSTER Trade Dress to consumers in all 50 states through their own websites and through nationwide retailers. These licensees also sell the licensed products bearing the MONSTER Marks and MONSTER Trade Dress throughout the world including on websites, in retail

1 stores, and at events.

2 18. Monster’s MONSTER Marks and MONSTER Trade Dress are the
3 subject of substantial and continuous marketing and promotion by Monster.
4 Since 2002, Monster has spent over \$9.8 billion dollars in advertising,
5 promoting, and marketing its MONSTER brand and MONSTER Trade Dress.

6 19. Monster’s marketing includes, among other things, sponsorship and
7 promotion of athletes, music festivals, sports events, and other live events that
8 are televised nationwide and internationally and that prominently feature the
9 MONSTER Marks. Monster’s sponsored athletes and musicians, which include
10 or have included, Tiger Woods (professional golfer), Conor McGregor (MMA
11 athlete), Lewis Hamilton (Formula 1 driver), Excision (DJ) and Ricky
12 Carmichael (motocross/supercross athlete), are frequently seen using towels,
13 bags, and/or other items bearing the MONSTER Marks.

14 20. Monster’s MONSTER Marks, and MONSTER Trade Dress were
15 also marketed and promoted while prominently displayed on the Las Vegas
16 monorail (the “Monster Train”). In 2003, Monster engaged in a massive
17 advertising campaign in connection with its sponsorship of the Monster Train,
18 which prominently featured the MONSTER Mark and MONSTER Trade Dress.
19 The Monster Train was featured in *The Wall Street Journal*, *Time* and *USA*
20 *Today* in 2003, and these articles were read by an estimated 32 million people in
21 the U.S. In addition, television and internet reports that discussed the Las Vegas
22 Monster Train reached another 70 million readers, and television and radio
23 promotions were circulated to approximately 36 million people in the U.S.

24 21. Monster’s MONSTER line of drinks has achieved substantial
25 commercial success. Since 2002, Monster has sold more than 40 billion cans of
26 its MONSTER line of drinks worldwide, which has totaled over \$88 billion in
27 estimated retail revenue. Monster’s MONSTER brand has established itself as
28 the best-selling energy drink brand in the United States by unit volume and

1 dollar value. While Monster continues to expand its successful MONSTER line
2 of drinks, Monster's best-selling drink is still the original Monster Energy®,
3 which prominently features the colors green and black.

4 22. As a result of Monster's substantial use and promotion of its
5 MONSTER Marks and MONSTER Trade Dress, the marks and trade dress have
6 acquired great value as specific identifiers of Monster's products and services
7 and serve to identify and distinguish Monster's MONSTER products and
8 services from those of others. Customers in this Judicial District and elsewhere
9 readily recognize Monster's MONSTER Marks and MONSTER Trade Dress as
10 distinctive designations of the origin of Monster's MONSTER and MONSTER
11 ENERGY® brand of products, services and promotional items. The MONSTER
12 Marks and MONSTER Trade Dress are intellectual property assets of enormous
13 value as symbols of Monster and its quality products, services, reputation, and
14 goodwill.

15 **B. Defendants' Infringing Activities**

16 23. Defendants are engaged in the business of producing, distributing,
17 marketing, and/or selling bags, towels, blankets, clothing and related goods, as
18 well as other products.

19 24. Upon information and belief, Defendants also own and operate the
20 website <https://4monster.com/>.

21 25. Defendant Jiangsu Sitouguai Industrial Co., Ltd. is the owner and
22 operator of the ecommerce store <https://4monster.en.alibaba.com/> located at
23 Alibaba.com, which is accessible in the United States and in this Judicial
24 District.

25 26. Defendant Changzhou Haige Microfiber Textile Co., Ltd. is the
26 owner and operator of the ecommerce store
27 <https://www.amazon.com/s?me=AS1SDRZXN0OV0&marketplaceID=ATVPD>
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1 KIKX0DER located at Amazon.com, which is accessible in the United States
2 and this Judicial District.

3 27. Without permission or consent from Monster, Defendants have
4 sold and are offering for sale goods using a trademark that is confusingly similar
5 to one or more of the MONSTER Marks and/or the MONSTER Trade Dress.
6 Defendants’ infringing mark is comprised of the word MONSTER with the
7 number 4. Defendants’ 4MONSTER mark and all variations thereof used by
8 Defendants are referred to herein as the “4MONSTER Mark.” Defendants also
9 frequently use the color combination of green and black in connection with their
10 infringing 4MONSTER Mark.

11 28. Some examples of Defendants’ products bearing the infringing
12 4MONSTER Mark and associated trade dress, all of which are currently
13 advertised on Defendants’ website, <https://4monster.com/>, are shown below:

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29. Defendants’ products are sold and marketed to consumers in the United States and in this Judicial District on the website <https://4monster.com/>, and on Defendants’ ecommerce stores <https://4monster.en.alibaba.com/> and <https://www.amazon.com/s?me=AS1SDRZXN0OV0&marketplaceID=ATVPDKIKX0DER>.

30. As shown above, Defendants’ trademark and trade dress are confusingly similar to Monster’s MONSTER Marks and MONSTER Trade Dress. Like Monster, Defendants incorporate the word MONSTER in the color combination green and black. Adding to the confusion is the fact that Defendants use a nearly identical shade of green to the shade of green used by Monster.

1 31. On August 18, 2017, Defendant Jiangsu Sitouguai Industry, co.
2 Ltd., filed U.S. Application Serial No. 87/573,926 for the mark ~~4monster~~ for
3 “bags for climbers in the nature of all-purpose carrying bags; bags for sports;
4 beach bags; garment bags for travel; knapsacks; pouch baby carriers; school
5 bags; travelling bags; vanity cases, not fitted; all-purpose carrying bags for use
6 by campers; business card cases; mesh shopping bags; name card cases;
7 reusable shopping bags; textile shopping bags” in Class 18, and “elastic fabrics
8 for clothing; fabrics for textile use; handkerchiefs of textile; jersey fabrics for
9 clothing; knitted fabrics; labels of textile for identifying clothing; mosquito nets;
10 pet blankets; textile fabrics for use in making clothing and household
11 furnishings; towels of textile; travelling blankets; curtain loops of textile
12 material; face towels of textiles” in Class 24, claiming a first use date of January
13 1, 2017.

14 32. The mark published for opposition on March 26, 2019, and
15 Monster filed an opposition with the Trademark Trial and Appeal Board (the
16 “Board”) on May 24, 2019, alleging likelihood of confusion based on Monster’s
17 trademark registrations and common law rights.

18 33. On August 4, 2019, the Board suspended proceedings and informed
19 Defendant Jiangsu Sitouguai Industry, co. Ltd. of its obligation to secure U.S.
20 counsel to represent it during the proceeding.

21 34. On November 13, 2019, the Board issued an order requiring
22 Defendant Jiangsu Sitouguai Industry, co. Ltd. to show cause as to why the
23 Board should not enter judgment in Monster’s favor in view of Defendant
24 Jiangsu Sitouguai Industry, co. Ltd.’s failure to appoint U.S. counsel or
25 otherwise respond to the Board’s August 4, 2019, order.

26 35. On August 31, 2020, having received no response from Defendant
27 Jiangsu Sitouguai Industry, co. Ltd., the Board entered judgement in favor of
28 Monster.

1 36. Defendants continued their infringing actions after the Board
2 entered judgment in favor of Monster, and on November 10, 2020, Monster sent
3 a letter demanding that Jiangsu Sitouguai Industry, co. Ltd. cease its infringing
4 actions. Defendants did not respond to Monster’s letter, and on December 8,
5 2020, Monster sent a follow up letter which, again went unanswered.

6 37. On August 3, 2021, Monster made yet another attempt to reach
7 Defendants through local counsel in China, who personally served a demand
8 letter on Defendant Jiangsu Sitouguai Industry, co. Ltd. Upon receipt,
9 Defendant Jiangsu Sitouguai Industry, co. Ltd. confirmed they would not agree
10 to Monster’s demands in the letter.

11 38. Thus, Defendants have been aware of Monster’s MONSTER
12 Marks and MONSTER Trade Dress since at least as early as May 24, 2019,
13 when Monster filed its Notice of Opposition. Despite having actual knowledge
14 of Monster’s MONSTER Marks and MONSTER Trade Dress, Defendants have
15 refused to cease their infringing conduct.

16 39. Without permission or consent from Monster, Defendants have
17 infringed Monster’s MONSTER Marks and MONSTER Trade Dress in
18 interstate commerce by making, using, promoting, advertising, selling, and/or
19 offering to sell various products using the 4MONSTER Mark, and by using the
20 word MONSTER in combination with the colors green and black, which are
21 confusingly similar to Monster’s MONSTER Marks and MONSTER Trade
22 Dress.

23 40. Upon information and belief, Defendants’ actions alleged herein
24 are intended to cause confusion, mistake, or deception as to the source of
25 Defendants’ products and services and are intended to cause consumers and
26 potential customers to believe that Defendants’ business, and the goods and
27 services that Defendants offer, are associated with Monster or Monster’s family
28 of products when they are not.

1 47. As a result of the widespread use and promotion of Monster’s
2 MONSTER Marks and MONSTER Trade Dress, the marks and trade dress have
3 acquired strong fame and secondary meaning to consumers and potential
4 customers, in that consumers and potential customers have come to associate the
5 MONSTER Marks and MONSTER Trade Dress with Monster.

6 48. Defendants have infringed Monster’s MONSTER Marks and
7 MONSTER Trade Dress, and created a false designation of origin, by using in
8 commerce, without Monster’s permission, the confusingly similar 4MONSTER
9 Mark, and by using the word MONSTER in combination with the colors green
10 and black in connection with the advertisement, offering for sale, and/or sale of
11 Defendants’ goods.

12 49. Defendants’ actions are likely to cause confusion and mistake, or to
13 deceive as to the affiliation, connection, or association of Monster with
14 Defendants, and/or as to the origin, sponsorship, or approval of Defendants’
15 products or Defendants’ commercial activities, in violation of 15 U.S.C.
16 § 1125(a).

17 50. Upon information and belief, Defendants did so with the intent to
18 trade upon Monster’s reputation and goodwill by causing confusion and mistake
19 among customers and the public and to deceive the public into believing that
20 Defendants’ products are associated with, sponsored by or approved by
21 Monster, when they are not.

22 51. Upon information and belief, Defendants had actual knowledge of
23 Monster’s ownership and prior use of the MONSTER Marks and MONSTER
24 Trade Dress, and without the consent of Monster, willfully violated 15 U.S.C.
25 § 1125(a).

26 52. Defendants, by their actions, have damaged Monster in an amount
27 to be determined at trial.

28

1 53. Defendants, by their actions, have irreparably injured Monster.
2 Such irreparable injury will continue unless Defendants are preliminarily and
3 permanently enjoined by this Court from further violation of Monster's rights,
4 for which Monster has no adequate remedy at law.

5 **V. SECOND CLAIM FOR RELIEF**

6 **(Trademark Infringement Under 15 U.S.C. § 1114)**

7 54. Monster hereby repeats, realleges, and incorporates by reference
8 paragraphs 1-53 of this Complaint as though fully set forth herein.

9 55. This is a claim for trademark infringement arising under 15 U.S.C.
10 § 1114.

11 56. Monster owns valid and enforceable federally registered
12 trademarks for the MONSTER Marks, including at least the registrations listed
13 in paragraph 11 above.

14 57. Defendants have used in commerce, without permission from
15 Monster, colorable imitations, and/or confusingly similar marks to Monster's
16 MONSTER Marks that are the subject of at least Monster's U.S. Trademark
17 Registration Nos. 3,923,683; 3,908,601; 5,551,192; 5,551,230; 3,908,600;
18 3,914,828; 4,332,062; 4,660,598; 3,044,315; 4,036,680; 4,129,288; 4,111,964;
19 4,036,681; 3,057,061; 4,634,053; 3,959,457; 3,044,314; 3,852,118; 3,134,842;
20 4,376,796; 4,451,535; 4,716,750; 5,281,559; 4,234,456; and 4,865,702, in
21 connection with the advertising, marketing, and/or promoting of Defendants'
22 products, including bags, towels, blankets, clothing and related goods, as well as
23 other products. Such use is likely to cause confusion or mistake, or to deceive.

24 58. The activities of Defendants complained of herein constitute willful
25 and intentional infringements of Monster's registered marks, and Defendants
26 did so with the intent to trade upon Monster's reputation and goodwill by
27 causing confusion and mistake among customers and the public and to deceive
28 the public into believing that Defendants' products are associated with,

1 sponsored by, originated from, or are approved by, Monster, when they are not.

2 59. Upon information and belief, Defendants had actual knowledge of
3 Monster's ownership and prior use of the MONSTER Marks, and had actual
4 knowledge that Defendants' actions constituted infringement of Monster's
5 MONSTER Marks, and have willfully violated 15 U.S.C. § 1114.

6 60. Defendants, by their actions, have damaged Monster in an amount
7 to be determined at trial.

8 61. Defendants, by their actions, have irreparably injured Monster.
9 Such irreparable injury will continue unless Defendants are preliminarily and
10 permanently enjoined by this Court from further violation of Monster's rights,
11 for which Monster has no adequate remedy at law.

12 **VI. THIRD CLAIM FOR RELIEF**

13 **(Trademark Infringement Under California Business & Professions Code**
14 **§ 14245)**

15 62. Monster hereby repeats, realleges, and incorporates by reference
16 paragraphs 1-61 of this Complaint as though fully set forth herein.

17 63. This is a claim for trademark infringement under California
18 Business and Professions Code § 14245.

19 64. Defendants have used in commerce, without permission from
20 Monster, colorable imitations, and/or confusingly similar marks to Monster's
21 MONSTER mark that is the subject of Monster's California Registration No.
22 108124 in connection with the advertising, marketing, and/or promoting of
23 Defendants' products, including bags, towels, blankets, clothing and related
24 goods, as well as other products. Such use is likely to cause confusion or
25 mistake, or to deceive.

26 65. The activities of Defendants complained of herein constitute willful
27 and intentional infringements of Monster's registered mark, and Defendants did
28 so with the intent to trade upon Monster's reputation and goodwill by causing

1 confusion and mistake among customers and the public and to deceive the
2 public into believing that Defendants' products are associated with, sponsored
3 by, originated from, or are approved by, Monster, when they are not.

4 66. Upon information and belief, Defendants had actual knowledge of
5 Monster's ownership and prior use of the MONSTER trademark and have
6 willfully violated California Business and Professions Code § 14245.

7 67. Defendants, by their actions, have damaged Monster in an amount
8 to be determined at trial.

9 68. Defendants' infringing acts were performed with willfulness,
10 wantonness, malice, and conscious indifference to the rights and welfare of
11 Monster, the trademark registrant, and therefore Monster is entitled to
12 exemplary damages under California law.

13 69. Defendants, by their actions, have irreparably injured Monster.
14 Such irreparable injury will continue unless Defendants are preliminarily and
15 permanently enjoined by this Court from further violation of Monster's rights,
16 for which Monster has no adequate remedy at law.

17 **VII. FOURTH CLAIM FOR RELIEF**

18 **(Unfair Competition Under California Business & Professions Code**
19 **§§ 17200 *et seq.*)**

20 70. Monster hereby repeats, realleges, and incorporates by reference
21 paragraphs 1-69 of this Complaint as though fully set forth herein.

22 71. This is an action for unfair competition under California Business
23 & Professions Code §§ 17200, *et seq.*

24 72. By virtue of the acts complained of herein, Defendants have
25 intentionally caused a likelihood of confusion among consumers and the public
26 and have unfairly competed in violation of Cal. Bus. & Prof. Code §§ 17200, *et*
27 *seq.*

28

1 73. Defendants' acts complained of herein constitute trademark
2 infringement, trade dress infringement, unfair competition, and unlawful, unfair,
3 malicious or fraudulent business practices, which have injured and damaged
4 Monster.

5 74. Defendants' acts complained of herein have resulted in harm to
6 Monster's property rights in its trademarks and trade dress through harm to
7 Monster's reputation and goodwill, have resulted in lost royalty income, and
8 have caused economic injury to Monster.

9 75. Defendants, by their actions, have irreparably injured Monster.
10 Such irreparable injury will continue unless Defendants are preliminarily and
11 permanently enjoined by this Court from further violation of Monster's rights,
12 for which Monster has no adequate remedy at law.

13 **VIII. FIFTH CLAIM FOR RELIEF**

14 **(California Common Law Unfair Competition)**

15 76. Monster hereby repeats, realleges, and incorporates by reference
16 paragraphs 1-75 of this Complaint as though fully set forth herein.

17 77. This is an action for unfair competition under the common law of
18 the State of California.

19 78. Defendants' acts complained of herein constitute trademark
20 infringement and unfair competition under the common law of the State of
21 California.

22 79. By virtue of the acts complained of herein, Defendants have
23 willfully and intentionally caused a likelihood of confusion among the
24 purchasing public in this Judicial District and elsewhere, thereby unfairly
25 competing with Monster in violation of the common law of the State of
26 California.

27 80. Defendants' aforementioned acts have damaged Monster in an
28 amount to be determined at trial.

1 81. Defendants have irreparably injured Monster. Such irreparable
2 injury will continue unless Defendants are preliminarily and permanently
3 enjoined by this Court from further violation of Monster's rights, for which
4 Monster has no adequate remedy at law.

5 82. Defendants' willful acts of unfair competition under California
6 common law constitute fraud, oppression and malice. Accordingly, Monster is
7 entitled to exemplary damages pursuant to Cal. Civ. Code Section § 3294(a).

8 **IX. PRAYER FOR RELIEF**

9 WHEREFORE, Monster prays for judgment against Defendants as
10 follows:

11 1. That the Court render a final judgment in favor of Monster and
12 against Defendants on all claims for relief alleged herein;

13 2. That the Court render a final judgment that Defendants have
14 violated the provisions of 15 U.S.C. § 1125(a) by willfully infringing the
15 MONSTER Marks and MONSTER Trade Dress by using a false designation of
16 origin, through the marketing, sale and promotion of Defendants' products,
17 including bags, towels, blankets, clothing and related goods;

18 3. That the Court render a final judgment that Defendants have
19 willfully violated the provisions of 15 U.S.C. § 1114 by infringing Monster's
20 trademark rights in at least the marks that are the subject of the U.S. Trademark
21 Registration Nos. 3,923,683; 3,908,601; 5,551,192; 5,551,230; 3,908,600;
22 3,914,828; 4,332,062; 4,660,598; 3,044,315; 4,036,680; 4,129,288; 4,111,964;
23 4,036,681; 3,057,061; 4,634,053; 3,959,457; 3,044,314; 3,852,118; 3,134,842;
24 4,376,796; 4,451,535; 4,716,750; 5,281,559; 4,234,456; and 4,865,702;

25 4. That the Court render a final judgment declaring that Defendants
26 have violated California Business and Professions Code § 14245;

27 5. That the Court render a final judgment declaring that Defendants
28 have violated California Business and Professions Code §§ 17200, *et seq.* by

1 committing trademark infringement, trade dress infringement, and unfairly
2 competing with Monster;

3 6. That the Court render a final judgment declaring Defendants have
4 violated California common law by unfairly competing with Monster;

5 7. That Defendants, their agents, servants, employees, attorneys,
6 successors, and assigns, and all other persons in active concert or participation
7 with any of them who receive actual notice of the injunction by personal service
8 or otherwise, be forthwith preliminarily and permanently enjoined from:

9 a. using the 4MONSTER Mark in connection with the
10 advertising, promotion, or sale of bags, towels, blankets, clothing and
11 related goods, using any of the MONSTER Marks or MONSTER Trade
12 Dress, in connection with Defendants' products, using any of the
13 MONSTER Marks or MONSTER Trade Dress in advertising or
14 promoting Defendants' products, and/or using confusingly similar
15 variations of any of the MONSTER Marks or MONSTER Trade Dress in
16 any manner that is likely to create the impression that Defendants'
17 products originate from Monster, are endorsed by Monster, or are
18 connected in any way with Monster;

19 b. manufacturing, distributing, shipping, importing,
20 reproducing, displaying, advertising, marketing, promoting, transferring,
21 selling, and/or offering to sell any unauthorized products bearing any of
22 the MONSTER Marks or MONSTER Trade Dress, and/or any
23 confusingly similar marks or trade dress;

24 c. filing any applications or continuing to pursue any
25 applications for registration of any trademarks, trade dress, or designs
26 confusingly similar to the MONSTER Marks or MONSTER Trade Dress;

27 d. otherwise infringing any of the MONSTER Marks or any of
28 Monster's other trademarks, or Monster's MONSTER Trade Dress;

- 1 e. falsely designating the origin of Defendants' products;
2 f. unfairly competing with Monster in any manner whatsoever;
3 and
4 g. causing a likelihood of confusion or injury to Monster's
5 business reputation;

6 8. That Defendants be directed to file with this Court and serve on
7 Monster within thirty (30) days after the service of the injunction, a report, in
8 writing, under oath, setting forth in detail the manner and form in which they
9 have complied with the injunction pursuant to 15 U.S.C. § 1116.

10 9. That Defendants be required to account to Monster for any and all
11 profits derived by Defendants and all damages sustained by Monster by virtue
12 of Defendants' acts complained of herein;

13 10. That Defendants be ordered to pay over to Monster all damages
14 which Monster has sustained as a consequence of the acts complained of herein,
15 subject to proof at trial, together with prejudgment and post-judgment interest;

16 11. That this case be deemed exceptional and the amount of the
17 damages be trebled and that the amount of profits be increased by as many times
18 as the Court deems appropriate, pursuant to 15 U.S.C. § 1117;

19 12. That Monster be awarded exemplary damages from Defendants
20 pursuant to Cal. Civ. Code. § 3294;

21 13. That Defendants' actions be deemed willful;

22 14. That an award of reasonable costs, expenses, and attorneys' fees be
23 awarded to Monster pursuant to at least 15 U.S.C. § 1117;

24 15. That Defendants be required to deliver and destroy all devices,
25 literature, advertising, goods and other unauthorized materials bearing the
26 4MONSTER Mark, any of the MONSTER Marks or MONSTER Trade Dress,
27 or any confusingly similar marks or trade dress, pursuant to 15 U.S.C. § 1118;

28

1 16. That Monster be awarded restitution and disgorgement; and

2 17. That Monster be awarded such other and further relief as this Court
3 may deem just.

4

5

Respectfully submitted,

6

KNOBBE, MARTENS, OLSON & BEAR, LLP

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8

Dated: April 27, 2022

By: /s/ Matthew S. Bellinger

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Steven J. Nataupsky

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Lynda J. Zadra-Symes

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Matthew S. Bellinger

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Jacob R. Rosenbaum

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Attorneys for Plaintiff,

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MONSTER ENERGY COMPANY

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DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff Monster Energy Company hereby demands a trial by jury on all issues so triable.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 27, 2022

By: /s/ Matthew S. Bellinger
Steven J. Nataupsky
Lynda J. Zadra-Symes
Matthew S. Bellinger
Jacob R. Rosenbaum

Attorneys for Plaintiff,
MONSTER ENERGY COMPANY

EXHIBIT 1

United States of America

United States Patent and Trademark Office



Reg. No. 3,923,683

Registered Feb. 22, 2011

Int. Cl.: 18

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: ALL PURPOSE SPORT BAGS; ALL-PURPOSE CARRYING BAGS; BACKPACKS;
DUFFLE BAGS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2004; IN COMMERCE 5-0-2004.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND THE STYLIZED WORDS
"MONSTER ENERGY".

SN 77-705,810, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

EXHIBIT 2

United States of America

United States Patent and Trademark Office



Reg. No. 3,908,601

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE SUITE 201
CORONA, CA 92880

Registered Jan. 18, 2011

Int. Cl.: 25

FOR: CLOTHING, NAMELY, T-SHIRTS, HOODED SHIRTS AND HOODED SWEATSHIRTS, SWEAT SHIRTS, JACKETS, PANTS, BANDANAS, SWEAT BANDS AND GLOVES; HEADGEAR, NAMELY, HATS AND BEANIES, IN CLASS 25 (U.S. CLS. 22 AND 39).

TRADEMARK

FIRST USE 5-24-2002; IN COMMERCE 6-30-2002.

PRINCIPAL REGISTER

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,822, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT 3

United States of America

United States Patent and Trademark Office

MONSTER ARMY

Reg. No. 5,551,192

Registered Aug. 28, 2018

Int. Cl.: 25, 41

Service Mark

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CALIFORNIA 92879

CLASS 25: Clothing, namely, tops, shirts, T-shirts, hooded shirts, sweat shirts, and jackets

FIRST USE 5-00-2010; IN COMMERCE 5-00-2010

CLASS 41: Providing a web site featuring entertainment information and news on athletes; organizing and conducting educational programs and activities in the nature of classes, workshops, and sports competitions for athletes in the field of athlete development; athlete development program, namely, athlete training and mentoring in the field of wake, ski, surf, snowboard, motocross, mountain bike, BMX, and skate

FIRST USE 5-00-2005; IN COMMERCE 5-00-2005

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 86-822,049, FILED 11-16-2015



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 4

United States of America

United States Patent and Trademark Office



Reg. No. 5,551,230

Registered Aug. 28, 2018

Int. Cl.: 25, 41

Service Mark

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CALIFORNIA 92879

CLASS 25: Clothing, namely, tops, shirts, T-shirts, hooded shirts, sweat shirts, and jackets

FIRST USE 5-00-2010; IN COMMERCE 5-00-2010

CLASS 41: Providing a web site featuring entertainment information and news on athletes; organizing and conducting educational programs and activities in the nature of classes, workshops, and sports competitions for athletes in the field of athlete development; athlete development program, namely, athlete training and mentoring in the field of wake, ski, surf, snowboard, motocross, mountain bike, BMX, and skate

FIRST USE 5-00-2005; IN COMMERCE 5-00-2005

The mark consists of a bird with outspread wings with a shield over its chest bearing a stylized letter "M" with the word "MONSTER ARMY" written between two five-pointed stars on a ribbon below the shield. The bottom of the bird and three five-pointed stars appear below the ribbon.

SER. NO. 86-906,378, FILED 02-12-2016



Andrei Iancu

Director of the United States
Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 5

United States of America

United States Patent and Trademark Office



Reg. No. 3,908,600

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE SUITE 201
CORONA, CA 92880

Registered Jan. 18, 2011

Int. Cl.: 16

FOR: STICKERS; STICKER KITS COMPRISING STICKERS AND DECALS; DECALS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

TRADEMARK

FIRST USE 1-0-2004; IN COMMERCE 1-0-2004.

PRINCIPAL REGISTER

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,747, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT 6

United States of America

United States Patent and Trademark Office



Reg. No. 3,914,828
Registered Feb. 1, 2011
Int. Cl.: 9

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

TRADEMARK
PRINCIPAL REGISTER

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

FIRST USE 1-0-2006; IN COMMERCE 1-0-2006.

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" AND THE STYLIZED WORDS "MONSTER ENERGY".

SN 77-705,362, FILED 4-2-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT 7

United States of America

United States Patent and Trademark Office



Reg. No. 4,332,062

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

Registered May 7, 2013

Int. Cl.: 14

FOR: SILICONE WRIST BANDS; SILICONE BRACELETS; JEWELRY, NAMELY, BRACELETS AND WRISTBANDS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

TRADEMARK

FIRST USE 12-0-2006; IN COMMERCE 12-0-2006.

PRINCIPAL REGISTER

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,841, AND 3,134,842.

THE MARK CONSISTS OF A STYLIZED LETTER "M" TO THE LEFT OF THE STYLIZED WORDS "MONSTER ENERGY".

SER. NO. 85-747,244, FILED 10-5-2012.

REGINA DRUMMOND, EXAMINING ATTORNEY



Lea Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 8

United States of America

United States Patent and Trademark Office



Reg. No. 4,660,598

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

Registered Dec. 23, 2014

Int. Cl.: 22

FOR: LANYARDS; LANYARDS FOR HOLDING WHISTLES, KEYS, EYEGLASSES, SUNGLASSES, MOBILE TELEPHONES, BADGES, IDENTIFICATION CARDS, EVENT PASSES, MEDIA PASSES, PHOTOGRAPHS, RECORDING EQUIPMENT, OR SIMILAR CONVENIENCES, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

TRADEMARK

PRINCIPAL REGISTER

FIRST USE 12-20-2006; IN COMMERCE 12-20-2006.

OWNER OF U.S. REG. NOS. 3,134,841, 3,134,842, AND 4,332,062.

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW TO THE LEFT OF THE STYLIZED WORDS "MONSTER ENERGY". THE WORD "MONSTER" APPEARS ABOVE THE WORD "ENERGY" AND FEATURES A SLASH MARK THROUGH THE LETTER "O".

SN 86-048,359, FILED 8-26-2013.

ZHALEH DELANEY, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 9

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 3,044,315

United States Patent and Trademark Office

Registered Jan. 17, 2006

**TRADEMARK
PRINCIPAL REGISTER**

MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID
AND NON-LIQUID FORM, BUT EXCLUDING PER-
ISHABLE BEVERAGE PRODUCTS THAT CONTAIN
FRUIT JUICE OR SOY, WHETHER SUCH PRO-
DUCTS ARE PASTEURIZED OR NOT, IN CLASS 5
(U.S. CLS. 6, 18, 44, 46, 51 AND 52).

SER. NO. 78-253,933, FILED 5-23-2003.

SUSAN HAYASH, EXAMINING ATTORNEY

EXHIBIT 10

United States of America

United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 4,036,680

Registered Oct. 11, 2011

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

OWNER OF U.S. REG. NOS. 3,044,314, 3,057,061 AND OTHERS.

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

SER. NO. 77-276,979, FILED 9-11-2007.

MICHAEL WIENER, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 11

United States of America

United States Patent and Trademark Office

MONSTER REHAB

Reg. No. 4,129,288

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

Registered Apr. 17, 2012

Int. Cls.: 5 and 32

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

PRINCIPAL REGISTER

FOR: BEVERAGES, NAMELY, NON-ALCOHOLIC NON-CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; NON-CARBONATED ENERGY OR SPORTS DRINKS, FRUIT JUICE DRINKS HAVING A JUICE CONTENT OF 50% OR LESS BY VOLUME THAT ARE SHELF-STABLE; ALL THE FOREGOING GOODS EXCLUDE PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-2-2011; IN COMMERCE 3-2-2011.

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

OWNER OF U.S. REG. NOS. 3,057,061, 3,353,473, AND OTHERS.

SN 85-078,405, FILED 7-6-2010.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 12

United States of America

United States Patent and Trademark Office

MONSTER REHAB

Reg. No. 4,111,964

Registered Mar. 13, 2012

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: READY TO DRINK TEA, ICED TEA AND TEA BASED BEVERAGES; READY TO DRINK FLAVORED TEA, ICED TEA AND TEA BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 2-0-2011; IN COMMERCE 2-0-2011.

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

SER. NO. 85-406,210, FILED 8-24-2011.

RONALD DELGIZZI, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 13

United States of America
United States Patent and Trademark Office

MONSTER ENERGY

Reg. No. 4,036,681

Registered Oct. 11, 2011

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842 AND OTHERS.

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

SER. NO. 77-276,989, FILED 9-11-2007.

MICHAEL WIENER, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 14

Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 3,057,061

United States Patent and Trademark Office

Registered Feb. 7, 2006

**TRADEMARK
PRINCIPAL REGISTER**

MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: FRUIT JUICE DRINKS HAVING A JUICE
CONTENT OF 50% OR LESS BY VOLUME THAT
ARE SHELF STABLE, CARBONATED SOFT
DRINKS, CARBONATED DRINKS ENHANCED
WITH VITAMINS, MINERALS, NUTRIENTS, AMI-
NO ACIDS AND/OR HERBS, AERATED WATER,
SODA WATER AND SELTZER WATER, BUT EX-
CLUDING PERISHABLE BEVERAGE PRODUCTS
THAT CONTAIN FRUIT JUICE OR SOY, WHETHER

SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN
CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

SER. NO. 78-122,679, FILED 4-18-2002.

ANN E. SAPPENFIELD, EXAMINING ATTORNEY

EXHIBIT 15

United States of America

United States Patent and Trademark Office

MONSTER ASSAULT

Reg. No. 4,634,053

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

Registered Nov. 4, 2014

Int. Cls.: 5 and 32

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM; VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK

FIRST USE 5-0-2008; IN COMMERCE 5-0-2008.

PRINCIPAL REGISTER

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, ENERGY DRINKS FLAVORED WITH JUICE, SPORTS DRINKS, ALL ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS, AND/OR HERBS, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 5-0-2008; IN COMMERCE 5-0-2008.

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

OWNER OF U.S. REG. NOS. 3,357,068, 3,924,797, AND 3,949,989.

SN 86-120,138, FILED 11-15-2013.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Michelle K. Lee

Deputy Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 16

United States of America

United States Patent and Trademark Office

JAVA MONSTER

Reg. No. 3,959,457

Registered May 10, 2011

Int. Cl.: 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE
SUITE 201
CORONA, CA 92880

FOR: BEVERAGES, NAMELY, SOFT DRINKS; NON-CARBONATED ENERGY DRINKS; NON-CARBONATED SPORTS DRINKS; SOFT DRINKS AND NON-CARBONATED ENERGY DRINKS, ALL ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS, AND/OR HERBS, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 4-27-2007; IN COMMERCE 4-27-2007.

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

OWNER OF U.S. REG. NOS. 3,044,314 AND 3,044,315.

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

SN 78-769,836, FILED 12-8-2005.

RAMONA ORTIGA, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

EXHIBIT 17

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

Reg. No. 3,044,314

United States Patent and Trademark Office

Registered Jan. 17, 2006

**TRADEMARK
PRINCIPAL REGISTER**

M MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE
CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID
AND NON-LIQUID FORM, BUT EXCLUDING PER-
ISHABLE BEVERAGE PRODUCTS THAT CONTAIN
FRUIT JUICE OR SOY, WHETHER SUCH PRO-
DUCTS ARE PASTEURIZED OR NOT, IN CLASS 5
(U.S. CLS. 6, 18, 44, 46, 51 AND 52).

SER. NO. 78-253,930, FILED 5-23-2003.

SUSAN HAYASH, EXAMINING ATTORNEY

EXHIBIT 18

United States of America

United States Patent and Trademark Office

LO-CARB MONSTER ENERGY

Reg. No. 3,852,118

Registered Sep. 28, 2010

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
SUITE 201
550 MONICA CIRCLE
CORONA, CA 92880

FOR: NUTRITIONAL SUPPLEMENTS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS, DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS AND/OR HERBS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003.

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

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "LO-CARB" AND "ENERGY", APART FROM THE MARK AS SHOWN.

SER. NO. 77-670,729, FILED 2-13-2009.

JILL PRATER, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

EXHIBIT 19

Int. Cl.: 32

Prior U.S. Cls.: 45, 46 and 48

Reg. No. 3,134,842

United States Patent and Trademark Office

Registered Aug. 29, 2006

**TRADEMARK
PRINCIPAL REGISTER**

M MONSTER ENERGY

HANSEN BEVERAGE COMPANY (DELAWARE CORPORATION)
1010 RAILROAD STREET
CORONA, CA 92882

FOR: BEVERAGES, NAMELY, CARBONATED SOFT DRINKS, CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS AND/OR HERBS, CARBONATED AND NON-CARBONATED ENERGY OR SPORTS DRINKS, FRUIT JUICE DRINKS HAVING A JUICE CONTENT OF 50% OR LESS BY VOLUME THAT ARE SHELF STABLE, AND WATER, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR

SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

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

SER. NO. 78-246,573, FILED 5-7-2003.

AMY HELLA, EXAMINING ATTORNEY

EXHIBIT 20

United States of America

United States Patent and Trademark Office

MUSCLE MONSTER

Reg. No. 4,376,796

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

Registered July 30, 2013

Int. Cls.: 5 and 32

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

PRINCIPAL REGISTER

FOR: BEVERAGES, NAMELY, SOFT DRINKS; NON-ALCOHOLIC AND NON-CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; NON-CARBONATED ENERGY OR SPORTS DRINKS; ALL THE FOREGOING GOODS EXCLUDE PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

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

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

SN 85-077,052, FILED 7-2-2010.

GRETCHEN ULRICH, EXAMINING ATTORNEY



Sean Street Lee

Acting Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 21

United States of America

United States Patent and Trademark Office

MUSCLE MONSTER

Reg. No. 4,451,535

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

Registered Dec. 17, 2013

Int. Cls.: 5, 29 and 30

FOR: VITAMIN FORTIFIED BEVERAGES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

TRADEMARK

FOR: DAIRY-BASED BEVERAGES; DAIRY-BASED ENERGY SHAKES; ENERGY SHAKES;
COFFEE ENERGY SHAKES; CHOCOLATE ENERGY SHAKES, IN CLASS 29 (U.S. CL. 46).

PRINCIPAL REGISTER

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

FOR: READY TO DRINK COFFEE BASED BEVERAGES; READY TO DRINK CHOCOLATE-BASED BEVERAGES, IN CLASS 30 (U.S. CL. 46).

FIRST USE 3-18-2013; IN COMMERCE 3-18-2013.

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

OWNER OF U.S. REG. NOS. 3,966,554, 4,036,680 AND OTHERS.

SER. NO. 86-006,264, FILED 7-10-2013.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 22

United States of America

United States Patent and Trademark Office

JUICE MONSTER

Reg. No. 4,716,750

Registered Apr. 7, 2015

Int. Cls.: 5 and 32

TRADEMARK

PRINCIPAL REGISTER

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 6-23-2014; IN COMMERCE 6-23-2014.

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS AND DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, AMINO ACIDS AND/OR HERBS, BUT EXCLUDING PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 6-23-2014; IN COMMERCE 6-23-2014.

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

OWNER OF U.S. REG. NOS. 3,936,161 AND 3,939,395.

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

SN 85-552,165, FILED 2-24-2012.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 23

United States of America

United States Patent and Trademark Office

MONSTER ENERGY ULTRA

Reg. No. 5,281,559

Registered Sep. 05, 2017

Int. Cl.: 5, 32

Trademark

Principal Register

Monster Energy Company (DELAWARE CORPORATION)
1 Monster Way
Corona, CA 92879

CLASS 5: Nutritional supplements in liquid form

FIRST USE 2-5-2014; IN COMMERCE 2-5-2014

CLASS 32: Non-alcoholic beverages, namely, carbonated soft drinks, carbonated energy drinks, sports drinks, and soft drinks; energy drinks and sports drinks enhanced with vitamins, minerals, nutrients, amino acids and/or herbs

FIRST USE 2-5-2014; IN COMMERCE 2-5-2014

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

OWNER OF U.S. REG. NO. 4534414, 4036680, 4532292

No claim is made to the exclusive right to use the following apart from the mark as shown: "ENERGY"

SER. NO. 86-307,787, FILED 06-12-2014
GEOFFREY A FOSDICK, EXAMINING ATTORNEY



Joseph Matal

Performing the Functions and Duties of the
Under Secretary of Commerce for
Intellectual Property and Director of the
United States Patent and Trademark Office

REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

EXHIBIT 24

United States of America

United States Patent and Trademark Office

UBERMONSTER

Reg. No. 4,234,456

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
550 MONICA CIRCLE, SUITE 201
CORONA, CA 92880

Registered Oct. 30, 2012

Int. Cls.: 5 and 32

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK

FIRST USE 2-0-2012; IN COMMERCE 2-0-2012.

PRINCIPAL REGISTER

FOR: BEVERAGES, NAMELY, CARBONATED SOFT DRINKS; NON-ALCOHOLIC CARBONATED SOFT DRINKS AND ENERGY DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; CARBONATED ENERGY DRINKS AND SPORTS DRINKS, ALL THE FOREGOING GOODS EXCLUDE PERISHABLE BEVERAGE PRODUCTS THAT CONTAIN FRUIT JUICE OR SOY, WHETHER SUCH PRODUCTS ARE PASTEURIZED OR NOT, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 2-0-2012; IN COMMERCE 2-0-2012.

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

OWNER OF U.S. REG. NOS. 3,044,314, 3,134,842, AND OTHERS.

SN 85-081,796, FILED 7-9-2010.

COLLEEN KEARNEY, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

EXHIBIT 25

United States of America

United States Patent and Trademark Office



Reg. No. 4,865,702
Registered Dec. 8, 2015
Int. Cls.: 5 and 32

MONSTER ENERGY COMPANY (DELAWARE CORPORATION)
1 MONSTER WAY
CORONA, CA 92879

FOR: NUTRITIONAL SUPPLEMENTS IN LIQUID FORM, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

PRINCIPAL REGISTER

FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED SOFT DRINKS; CARBONATED DRINKS ENHANCED WITH VITAMINS, MINERALS, NUTRIENTS, PROTEINS, AMINO ACIDS AND/OR HERBS; CARBONATED ENERGY DRINKS AND SPORTS DRINKS, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 3-27-2002; IN COMMERCE 4-18-2002.

OWNER OF U.S. REG. NOS. 4,036,680 AND 4,036,681.

THE COLOR(S) GREEN, BLACK, AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

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

THE MARK CONSISTS OF A STYLIZED LETTER "M" IN THE FORM OF A CLAW DISPLAYED IN GREEN ABOVE THE STYLIZED WORD "MONSTER" WHICH APPEARS IN THE COLOR WHITE, WHICH IS ABOVE THE WORD "ENERGY" WHICH APPEARS IN THE COLOR GREEN, ALL ON A BLACK BACKGROUND.

SER. NO. 86-521,176, FILED 2-2-2015.

GEOFFREY FOSDICK, EXAMINING ATTORNEY



Michelle K. Lee
Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.