

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AMERICAN ASSOCIATION OF
MOTORCYCLE INJURY LAWYERS, INC.,

Plaintiff,

v.

HP3 LAW, LLC and HOWARD PIGGEE III,

Defendants.

Civil Action No.

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff American Association of Motorcycle Injury Lawyers, Inc., an Arizona corporation (“AAMIL”), by and through undersigned counsel, for its Complaint against Defendants HP3 LAW, LLC, an Illinois limited liability company (“HP3”) and Howard Piggee (“Piggee”) (collectively “Defendants”), states as follows:

PARTIES

1. Plaintiff AAMIL is a corporation organized under the laws of Arizona with an address of 362 N. Third Avenue, Phoenix, Arizona 85003. AAMIL is engaged in the business of providing legal marketing and client referral services nationwide under the trademark LAW TIGERS®.

2. On information and belief, Defendant HP3 Law, LLC, is a limited liability company organized under the laws of Illinois with its registered address at 1047 Hayes Ave, Oak Park, Illinois 60302 and principal place of business at 220 North Green Street, Chicago, Illinois 60607.

3. On information and belief, HP3 is engaged in the business of providing legal services within the Chicago area and elsewhere.

4. On information and belief, Defendant Howard Piggee III is an individual and resident of Illinois with an address of 1047 Hayes Ave, Oak Park, Illinois 60302.

5. On information and belief, Mr. Piggee is a lawyer licensed to practice law in the State of Illinois and the managing member of HP3. Mr. Piggee provides legal services in the Chicago area and elsewhere.

NATURE OF THE CASE

6. This is an action for (i) trademark infringement under the Trademark Act of 1946 (the “Lanham Act”); (ii) unfair competition under the Lanham Act; (iii) cybersquatting under the Lanham Act; (iv) trademark dilution under the Lanham Act; (v) trademark dilution under the Illinois Trademark Registration and Protection Act, formerly the Anti-Dilution Act, 765 ILCS 1036/65; (vi) common law unfair competition; and (vii) violation of Illinois’ Uniform Deceptive Trade Practices Act, 815 ILCS 510.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action pursuant to Section 39 of the Lanham Act, 15 U.S.C. § 1121, and under 28 U.S.C. §§ 1331, 1338(a), and 1338(b). This Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. §§ 1338(b) and 1367(a), as such claims are so related to the claims over which this Court has original jurisdiction that they form part of the same case or controversy.

8. This Court has personal jurisdiction over Defendants because Defendant HP3 maintains its principal place of business in the State of Illinois and Defendant Piggee is a resident of the State of Illinois. Defendants reside in this District and have engaged in, and continue to

engage in, acts of trademark infringement and unfair competition in this District. Personal jurisdiction is also vested in the Court pursuant to one or more subsections of 735 ILCS 5/2-209(a)-(c), in that Defendants have, with respect to the present case, transacted business in the State of Illinois and/or entered into contacts with people or entities residing in the State of Illinois, all commensurate with the United States and Illinois Constitutions, so as to submit itself to the jurisdiction and process of this Court.

9. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), as Defendants reside in this District and a substantial part of the events giving rise to the claims occurred in this District.

FACTS RELEVANT TO ALL COUNTS

THE LAW TIGERS® TRADEMARKS

10. AAMIL is an association of law firm members across the United States providing legal services to consumers in need of legal consultation, advise and representation.

11. Since at least as early as 2001, AAMIL has promoted the legal services provided by AAMIL and its members under the trademark LAW TIGERS®.

12. AAMIL owns all right, title and interest in and to the trademark LAW TIGERS®, used for (a) legal services, namely, legal advisory services, provision of legal consultations, legal advice and representation of others in legal matters and providing information in the field of personal injury and accident law, (b) association services, namely, promoting the interests of lawyers who have an interest in personal injury and accident law, promoting the interests of lawyers and law professionals, promoting the interests of motorcyclists and motorcycle drivers, and (c) business services, namely, providing a website featuring an interactive portal wherein potential clients can locate and contact lawyers (hereinafter, “AAMIL’s Legal Services”).

13. AAMIL is the owner of the U.S. trademark registration for LAW TIGERS®, No. 2,859,697, which registered on July 6, 2004, from an application filed on June 18, 2003, based on use of the mark in interstate commerce since at least January 1, 2001. The registered services are “Legal services, namely, legal services, legal advisory services, provision of legal consultations, legal advice and representation of others in legal matters, legal research, notary public services, and providing information in the field of personal injury and accident law” in International Class 42.

14. AAMIL is the owner of the U.S. trademark registration for LAW TIGERS®, No. 5,140,516, which registered on February 14, 2017, from an application filed on June 10, 2016, based on use of the mark in interstate commerce since at least January 1, 2001. The registered services are “Association services, namely, promoting the interests of lawyers who have an interest in personal injury and accident law; Association services, namely, promoting the interests of lawyers and law professionals; Association services, namely, promoting the interests of motorcyclists and motorcycle drivers; Business services, namely, providing a website featuring an interactive portal wherein potential clients can locate and contact lawyers” in International Class 35.

15. In addition to using the LAW TIGERS® trademark, AAMIL also uses various tiger images, slogans and graphics to identify AAMIL’s Legal Services (hereinafter, the “Tiger Image Marks”).

16. The Tiger Image Marks includes a tiger and road graphic, shown below (the “Tiger/Road Logo”).



17. AAMIL is the owner of the U.S. trademark registration for the Tiger/Road Logo, No. 5,129,197, which registered on January 24, 2017, from an application filed on August 19, 2016, based on use of the mark in interstate commerce since at least January 1, 2001.

18. The Tiger Image Marks include a color image of tiger eyes, shown below (the “Tiger Eyes Logo”).



19. AAMIL is the owner of the U.S. trademark registration for the Tiger Eyes Logo, No. 4,730,623, which registered on May 5, 2015, from an application filed on July 24, 2014, based on use of the mark in interstate commerce since at least February 1, 2009.

20. The Tiger Image Marks include a color image of a tiger face, shown below (the “Tiger Face Logo”).



21. AAMIL is the owner of the U.S. trademark registration for the Tiger Face Logo, No. 4,711,395, which registered on March 31, 2015, from an application filed on July 25, 2014, based on use of the mark in interstate commerce since at least February 1, 2009.

22. The Tiger Image Marks include a black and white image of a tiger face, shown below (the “Tiger Face Drawing”).



23. AAMIL is the owner of the U.S. trademark registration for the Tiger Face Drawing, No. 2,892,819, which registered on October 12, 2004, from an application filed on July 15, 2003, based on use of the mark in interstate commerce since at least January 1, 2001.

24. The Tiger Image Marks include a color tiger and road design, shown below (the “Color Tiger/Road Logo”).



25. AAMIL is the owner of the U.S. trademark registration for the Color Tiger/Road Logo, No. 2,920,420, which registered on January 25, 2005, from an application filed on July 15, 2003, based on use of the mark in interstate commerce since at least January 1, 2001.

26. Copies of the registration certificates for the LAW TIGERS[®] registered trademarks and the Tiger Image Marks are attached hereto as Exhibit A. The registrations are valid and subsisting and AAMIL is the owner of all registrations.

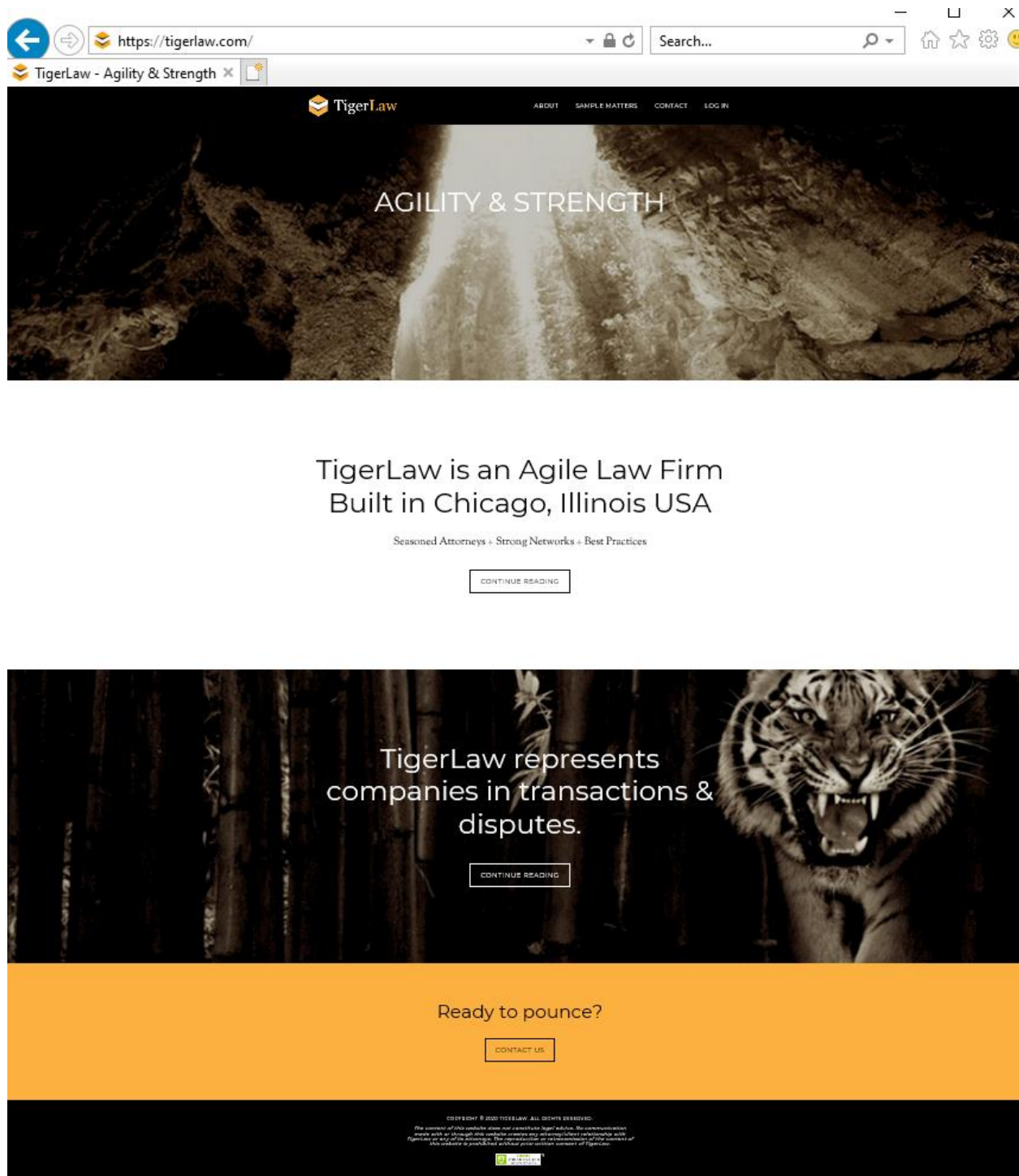
DEFENDANTS' INFRINGING ACTIVITIES

27. On information and belief, in about December 2012, Defendants HP3 and Piggee began using the designation TIGER LAW (the “Infringing Designation”) in connection with advertising and providing legal services to others (the “HP3 Legal Services”).

28. On about July 24, 2014, HP3 registered the domain name *tigerlaw.com* (the “Domain Name”). A copy of the Domain Name registration information is attached as Exhibit B.

29. HP3 uses the Domain Name to direct internet traffic to a website promoting HP3’s Services (the “HP3 Website”). The HP3 Website includes the words “TigerLaw” and tiger images. A true and correct copy of the HP3 Website is attached as Exhibit C. An image is below.

[REMAINDER OF PAGE INTENTIONALLY BLANK]



30. Defendants have been using the Infringing Designation TIGER LAW for legal services, and registered the Domain Name *tigerlaw.com* for the HP3 Website offering and

promoting legal services, with full knowledge of AAMIL's prior use and prior rights in and to, and federal registration of, the LAW TIGERS® trademark in connection with legal services.

31. On January 30, 2013, HP3 applied to the U.S. Trademark Office for registration of the TIGER LAW designation for "legal services." On May 14, 2013, the application was refused registration by the U.S. Trademark Office based on a likelihood of consumer confusion between TIGER LAW with the LAW TIGERS® registered mark under Section 2(d) of the Lanham Act. See Exhibit D.

32. On June 12, 2014, HP3 applied again to the U.S. Trademark Office for registration of the TIGER LAW designation for "providing legal services in the field of real estate law, corporate law and business transactions law." On August 18, 2014, the new application was also refused registration by the U.S. Trademark Office based on a likelihood of consumer confusion between TIGER LAW with the LAW TIGERS® registered mark under Section 2(d) of the Lanham Act. See Exhibit E.

33. With full knowledge of the LAW TIGERS® registered trademark, and after being advised by the U.S. Trademark Office that the Infringing Designation TIGER LAW, when used in connection with legal services, is confusingly similar to LAW TIGERS® under Section 2(d) of the Lanham Act, Defendants nevertheless persisted in using TIGER LAW and tiger images to identify their legal services.

34. AAMIL believes Defendants' use of the Infringing Designation is likely to cause consumer confusion.

35. TIGER LAW and LAW TIGERS are confusingly similar.

36. The only difference between TIGER LAW and LAW TIGERS is the order of the words and the pluralization of "TIGERS."

37. TIGER LAW is similar in appearance to LAW TIGERS.
38. TIGER LAW is similar in sound to LAW TIGERS.
39. TIGER LAW is similar in commercial connotation to LAW TIGERS.
40. The HP3 Legal Services provided by Defendants are the same as AAMIL's Legal Services.
41. The HP3 Legal Services provided by Defendants are closely related to AAMIL's Legal Services.
42. The HP3 Legal Services and AAMIL's Legal Services are all related to the law.
43. The HP3 Legal Services are provided to the same type of consumer as AAMIL's Legal Services.
44. The HP3 Legal Services are advertised online, as are AAMIL's Legal Services.
45. The HP3 Legal Services are acquired by individuals in need of assistance with legal matters, including legal transactions and legal disputes.
46. The LAW TIGERS[®] legal services are acquired by individuals in need of assistance with legal matters, including legal disputes.
47. Defendants' use of the TIGER LAW Infringing Designation to identify its legal services is likely to cause consumer confusion and damage AAMIL, the value and reputation of its LAW TIGER[®] brand, and the value of the LAW TIGERS[®] trademark and the Tiger Image Marks.
48. The website at *tigerlaw.com* does not identify a practicing attorney or the full legal name of the law firm behind the site, Mr. Piggee and HP3, respectively, instead using only the assumed name of "TigerLaw." Such usage contravenes, if not the technical requirement, the intent and spirit of, Illinois Rules of Professional Responsibility, R. 7.2 (c), which requires

“Any communication made pursuant to this Rule shall include the name and office address of at least one lawyer or law firm responsible for its content (emphasis added).” Thus, the association of tigerlaw.com with AAMIL is likely to tarnish AAMIL's reputation.

49. Upon learning of Defendants' use of the Infringing Designation, AAMIL sent a letter to Defendants demanding that Defendants cease and desist all use of the TIGER LAW Infringing Designation.

50. Defendants refused AAMIL's demand to stop using the TIGER LAW Infringing Designation.

51. AAMIL also has made written demand on Defendants to stop using the Infringing Domain Name and to transfer the Infringing Domain Name to AAMIL.

52. Defendants refused AAMIL's demand to stop using and transfer the *tigerlaw.com* Infringing Domain Name to AAMIL.

53. As of the date of this filing, Defendants have failed and refused to stop using the Infringing Designation or Infringing Domain Name or transfer the registration of the Infringing Domain Name to AAMIL.

54. Defendants are not a member of AAMIL, are not affiliated with AAMIL, and have never been granted authority to use LAW TIGERS, the Infringing Designation, or the Infringing Domain Name in connection with any goods or services.

55. Defendants are not authorized or licensed to use the LAW TIGERS[®] trademark or the Tiger Image Marks for any purpose.

56. Defendants' use of the Infringing Domain Name is being made willfully and in bad faith, with a deliberate intent to profit from the LAW TIGERS[®] trademark and the Tiger Image Marks, to deceive consumers, and with an indifference to the rights of AAMIL.

57. By the above acts, which are likely to cause consumer confusion, Defendants have violated the rights and irreparably damaged the name, reputation and goodwill of AAMIL and have profited unlawfully thereby.

58. By the above acts, Defendants have deprived AAMIL of clients and potential clients in need of legal services and have attempted to divert, or actually diverted, legal clients by deception, mistake and confusion.

59. By the above acts, Defendants have deprived AAMIL of the ability to use and control its own federally-registered trademarks as an Internet domain name.

60. By the above acts, Defendants have been unjustly enriched.

FIRST CLAIM FOR RELIEF

Federal Trademark Infringement (15 U.S.C. § 1114)

61. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

62. LAW TIGERS[®] and the Tiger Image Marks are distinctive trademarks used in interstate commerce to identify AAMIL's Legal Services.

63. AAMIL is the owner of the federal registrations for LAW TIGERS[®] and the Tiger Image Marks.

64. Defendants' use of a confusingly similar imitation of the LAW TIGERS[®] mark and tiger images in advertising their services, including on the HP3 Website and as the Infringing Domain Name, is likely to cause confusion, deception, and mistake by creating the false and misleading impression that Defendants' legal services originate from AAMIL or that Defendants are associated or connected with AAMIL or have the sponsorship, endorsement or approval of AAMIL.

65. Defendants' TIGER LAW Infringing Designation is confusingly similar to AAMIL's federally-registered LAW TIGERS[®] trademark, in violation of 15 U.S.C. § 1114.

66. Images of tigers on the HP3 Website are confusingly similar to the Tiger Image Marks, in violation of 15 U.S.C. § 1114.

67. Defendants' use of TIGER LAW Infringing Designation is done in a manner calculated to capture initial consumer attention, even though no actual sale is finally completed as a result of the confusion, which constitutes initial interest confusion under federal trademark law.

68. Defendants' use of the TIGER LAW Infringing Designation and tiger images to identify legal services is causing, or is likely to cause, confusion and deceive members of the general public, and is injuring and is likely to further injure AAMIL's goodwill and reputation as symbolized by AAMIL's LAW TIGERS[®] trademark and the Tiger Image Marks.

69. Defendants' infringement of the registered LAW TIGERS[®] trademark and the use of tiger images just like the tiger images embodied in the Tiger Image Marks is willful and is intended to confuse and deceive the public and trade on the reputation and goodwill associated with the LAW TIGERS[®] trademark and the Tiger Image Marks, to AAMIL's great and irreparable harm.

70. Defendants have caused, or are likely to cause, substantial injury to the public and to AAMIL.

71. The aforesaid conduct of Defendants has caused, and continues to cause, immediate and irreparable injury to AAMIL and to its goodwill and reputation, and will continue both to damage AAMIL and deceive the public unless enjoined by this Court.

SECOND CLAIM FOR RELIEF

FEDERAL UNFAIR COMPETITION (15 U.S.C. § 1125(a))

72. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

73. Defendants' use of a confusingly similar imitation of the LAW TIGERS[®] mark and tiger images in advertising their services, including on the HP3 Website and as the Infringing Domain Name, has caused and is likely to cause confusion, deception, and mistake by creating the false and misleading impression that Defendants' services originate from or are affiliated, connected, or associated with AAMIL, or have the sponsorship, endorsement, or approval of AAMIL.

74. Defendants have created a false association and false designation of origin with its services in violation of 15 U.S.C. § 1125(a). Defendants' activities have caused, or are likely to cause, a likelihood of confusion and deception of members of the trade and public, and injury to AAMIL's goodwill and reputation symbolized by the LAW TIGERS[®] trademark and the Tiger Image Marks, for which AAMIL has no adequate remedy at law.

75. Defendants' actions demonstrate an intentional, willful, and malicious intent to trade on the goodwill associated with the LAW TIGERS[®] trademark and the Tiger Image Marks, to the great and irreparable injury of AAMIL.

76. Defendants' conduct has caused, and is likely to continue causing, substantial injury to the public and to AAMIL.

THIRD CLAIM FOR RELIEF

ANTI-CYBERSQUATTING CONSUMER PROTECTION ACT (15 U.S.C. § 1125(d))

77. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

78. AAMIL owns and has superior rights against Defendants in and to the LAW TIGERS[®] trademark.

79. Defendants have registered and are using the *tigerlaw.com* Infringing Domain Name with the bad faith intent to profit from AAMIL's the LAW TIGERS[®] trademark and to confuse consumers into believing that Defendants are affiliated with or connected to AAMIL.

80. The *tigerlaw.com* Infringing Domain Name registered and used by Defendants is confusingly similar to the LAW TIGERS[®] trademark owned by AAMIL.

81. Defendants have no legitimate trademark or other intellectual property rights in the LAW TIGERS[®] trademark or the Infringing Domain Name.

82. Before registering and using the Infringing Domain Name Defendants had made no legitimate prior use of the Infringing Domain Name in connection with the bona fide offering of any goods or services.

83. Defendants have not made any bona fide noncommercial or fair use of the LAW TIGERS[®] trademark or any similar marks on websites accessible under the Infringing Domain Name.

84. Upon information and belief, Defendants registered and are using or have used the Infringing Domain Name with the intent to divert AAMIL's customers, or potential customers, for commercial gain by creating a likelihood of confusion as to the source,

sponsorship, affiliation or endorsement of the HP3 Website found at the Infringing Domain Name.

85. For these reasons and others, Defendants' registration and use of the Infringing Domain Name violates Section 43(d) of the Lanham Act, 15 U.S.C. § 1125(d).

86. The aforesaid conduct of Defendants is causing immediate and irreparable injury to AAMIL and to its goodwill and reputation, and will continue both to damage AAMIL and deceive the public unless enjoined by this Court.

FOURTH CLAIM FOR RELIEF

FEDERAL TRADEMARK DILUTION (15 U.S.C. § 1125(c))

87. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

88. AAMIL has exclusively and continuously promoted and used the LAW TIGERS[®] trademark. Taking into account the duration, extent, and geographic reach of advertising and publicity of the LAW TIGERS[®] mark, the amount, volume, and geographic extent of sales of services offered under the mark, and the extent of actual recognition of the mark, the LAW TIGERS[®] trademark was a well-known and famous symbol of AAMIL's Legal Services among the general consuming public of the United States before Defendants' began using the TIGER LAW Infringing Designation.

89. Defendants are diluting and destroying the distinctiveness of AAMIL's strong, distinctive, and famous LAW TIGERS[®] trademark by eroding the public's exclusive identification of the LAW TIGERS[®] trademark with AAMIL, tarnishing and degrading the positive associations and prestigious connotations of the mark, and otherwise lessening the capacity of the mark to identify and distinguish AAMIL's Legal Services.

90. Considering the degree of similarity between the marks, the degree of inherent or acquired distinctiveness of the LAW TIGERS[®] mark, and the Defendants' intent to create an association with Plaintiff AAMIL's mark, among other facts outlined herein, Defendants' actions are greatly diminishing and causing dilution by blurring of the source-identifying capability of the LAW TIGERS[®] trademark through their marketing, advertising, and sale of legal services that do not originate from AAMIL and are not approved by AAMIL.

91. Defendants' actions demonstrate an intentional, willful, and malicious intent to trade on the goodwill associated with LAW TIGERS[®] trademark or to cause dilution of the mark, to the great and irreparable injury of AAMIL.

92. As a result of Defendants' conduct and actions, AAMIL's distinctive LAW TIGERS[®] trademark has been diluted, blurred, tarnished, and diminished. Defendants have caused, and will continue to cause, irreparable injury to AAMIL's goodwill and business reputations, and dilution of the distinctiveness and value of AAMIL's famous and distinctive LAW TIGERS[®] trademark, in violation of 15 U.S.C. § 1125(c).

FIFTH CLAIM FOR RELIEF

TRADEMARK DILUTION UNDER THE ILLINOIS TRADEMARK REGISTRATION AND PROTECTION ACT (765 ILCS 1036/65)

93. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

94. This cause of action arises under the Illinois Trademark Registration and Protection Act, formerly known colloquially as the "Anti-Dilution Act," 765 ILCS 1036/65.

95. Through AAMIL's longstanding use of the LAW TIGERS[®] trademark in commerce in the State of Illinois, the mark has become impressed upon the minds of the relevant

trade and consuming public as identifying AAMIL. The LAW TIGERS[®] trademark has become a well-known and famous symbol of AAMIL's Legal Services among Illinois consumers.

96. Defendants' actions are diluting and destroying the distinctiveness of AAMIL's strong, distinctive, and famous LAW TIGERS[®] trademark by eroding the public's exclusive identification of the LAW TIGERS[®] trademark with AAMIL, tarnishing and degrading the positive associations and prestigious connotations of the mark, and otherwise lessening the capacity of the mark to identify and distinguish AAMIL's Legal Services.

97. Defendants' actions are greatly diminishing and blurring the source-identifying capability of the LAW TIGERS[®] trademark through their marketing, advertising, and sale of unapproved legal services.

98. Defendants' actions demonstrate an intentional, willful, and malicious intent to trade on the goodwill associated with AAMIL's LAW TIGERS[®] trademark or to cause dilution of the mark, to the great and irreparable injury of AAMIL.

99. In addition to being entitled to injunctive relief under 765 ILCS 1036/65 for trademark dilution, AAMIL is entitled to the remedies listed in 765 ILCS 1036/70, including "judgment for an amount not to exceed 3 times the profits and damages or reasonable attorneys' fees of the prevailing party, or both," because Defendants "willfully intended to trade on [AAMIL's] reputation or to cause dilution of" the LAW TIGERS[®] trademark.

100. As a result of Defendants' conduct and actions, AAMIL's distinctive LAW TIGERS[®] trademark has been diluted, blurred, and diminished. Defendants have caused and will continue to cause irreparable injury to AAMIL's goodwill and business reputations, and dilution of the distinctiveness and value of AAMIL's famous and distinctive LAW TIGERS[®] trademark.

SIXTH CLAIM FOR RELIEF

COMMON LAW UNFAIR COMPETITION

101. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs as though fully stated herein.

102. This cause of action is an action for damages and injunctive relief pursuant to acts of unfair competition under the common law of the State of Illinois.

103. Through AAMIL's longstanding use of the LAW TIGERS® trademark and Tiger Image Marks in commerce, the marks have become impressed upon the minds of the relevant trade and consuming public as identifying AAMIL and the AAMIL Legal Services.

104. AAMIL has built a large and valuable business in its use of the LAW TIGERS® trademark and Tiger Image Marks, and the goodwill associated with AAMIL, and AAMIL alone, is of great value to AAMIL.

105. Defendants have used, and are continuing to use, the TIGER LAW Infringing Designation and tiger images in connection with its advertising, promotion and sale of legal services.

106. Defendants' unauthorized use of the TIGER LAW Infringing Designation and tiger images is likely to cause confusion in the marketplace between AAMIL and Defendants.

107. Defendants' misappropriation is in willful and wanton disregard of AAMIL's rights in and to the LAW TIGERS® trademark and Tiger Image Marks, and without the consent of AAMIL.

SEVENTH CLAIM FOR RELIEF

ILLINOIS UNIFORM DECEPTIVE TRADE PRACTICES ACT (815 ILCS 510)

108. AAMIL realleges and incorporates by reference the allegations set forth in the preceding paragraphs.

109. On information and belief, Defendants' above-described acts have been made with the intent of causing a likelihood of confusion, or of a misunderstanding as to the source, ownership and/or association with AAMIL.

110. Defendants' acts constitute a violation of Illinois' Uniform Deceptive Trade Practices Act, 815 ILCS 510, insofar as they:

- (a) cause likelihood of confusion or of misunderstanding as to the source, sponsorship, or approval of services;
- (b) cause likelihood of confusion or of misunderstanding as to affiliation, connection, or association with another; and
- (c) represent that services have sponsorship, approval, status, affiliation, or connection that they do not have.

111. On information and belief, Defendants have willfully engaged in the deceptive trade practices complained of herein.

112. Defendants' aforesaid acts have caused and, unless such acts are restrained by this Court, will continue to cause great and irreparable injury to AAMIL.

113. Defendants' statutory violations and other wrongful acts have injured and threaten to continue to injure AAMIL, including through loss of customers, loss of distinctiveness, dilution of goodwill, confusion of existing and potential customers, injury to its reputation, and diminution in the value of its trademarks.

114. Defendants have unjustly gained revenue and profits by virtue of its wrongful acts that it otherwise would not have obtained and to which it is not entitled.

115. AAMIL has no adequate remedy at law for the wrongful actions of Defendants.

JURY DEMAND

116. AAMIL demands a jury trial as to all issues so triable.

RELIEF REQUESTED

WHEREFORE, Plaintiff AAMIL prays for judgment against Defendants HP3 and Piggee as follows:

(A) Under 15 U.S.C. § 1116, that Defendants and all those acting in concert with them be permanently enjoined from:

(i) Using the TIGER LAW Infringing Designation and any other confusingly similar mark, to advertise, offer for sale and/or sell legal services or any other services that may reasonably be encompassed by the LAW TIGERS[®] trademark;

(ii) Using tiger images to advertise, offer for sale and/or sell legal services or any other services that may reasonably be encompassed by the LAW TIGERS[®] trademark;

(iii) Using the Infringing Domain Name or any service mark, trademark, trade name, trade dress, word, domain name, number, abbreviation, design, color, arrangement, collocation, or any combination thereof, which contains the word “TIGER” or the image of a tiger and would imitate, resemble, suggest or dilute the LAW TIGERS[®] trademark;

(iv) Otherwise infringing the LAW TIGERS[®] trademark; and

(v) Unfairly competing with AAMIL or otherwise injuring its business reputation in any manner;

(B) Under 15 U.S.C. § 1117(a), that Defendants be ordered to pay to AAMIL damages in an amount sufficient to compensate it fairly for the injuries it has sustained and will sustain, together with all profits that are attributable to Defendants’ use of the Infringing

Designation, and further that, under 15 U.S.C. §1117(b), the amount of the monetary award be trebled in view of the willful and deliberate nature of Defendants' unlawful conduct;

(C) Under 15 U.S.C. § 1117(a), that the case be deemed to be exceptional, in view of the willful and deliberate nature of Defendants' unlawful conduct, and that Defendants be ordered to pay AAMIL its attorneys' fees and costs;

(D) Under 15 U.S.C. § 1117(d), at Plaintiff's election awarding Plaintiff statutory damages in the amount of not less than \$1,000 and up to \$100,000 for Defendants' bad faith registration and/or use of the Infringing Domain Name, as the Court considers just;

(E) Under 15 U.S.C. § 1118, that Defendants be directed to deliver up for destruction all advertisements, labels, signs, prints, and all other materials in their possession or under its control bearing the LAW TIGERS Infringing Designation, as well as materials bearing images of a tiger;

(F) Under Illinois state law, that Defendant be enjoined from any further use of the word "TIGER" or images of a tiger or any marks confusingly similar to LAW TIGERS as diluting and/or likely to cause confusion with the LAW TIGERS[®] trademark and Tiger Image Marks, and that Defendants be ordered to pay AAMIL damages in an amount sufficient to compensate it fairly for the injuries it has sustained and will sustain, together with all profits that are attributable to Defendants' use of the Infringing Designation and Infringing Domain Name, and that such awards be trebled in view of Defendants' willful and bad faith conduct;

(G) To the extent AAMIL does not receive an adequate remedy under paragraphs A-F, awarding AAMIL equitable damages equal to the full amount by which Defendants have been unjustly enriched as a result of their unlawful activities;

(H) Awarding AAMIL's costs, disbursements, and attorneys' fees incurred in bringing this action;

(I) Awarding Plaintiff punitive damages as provided by law; and

(J) Awarding such other and further relief as the Court deems just and proper.

DATED this 19th day of August, 2020.

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON LLP

By: /s/ Belinda J. Scrimenti

Belinda J. Scrimenti (IL 6288885)

bscrimenti@pattishall.com

Philip Barengolts (IL 6274516)

pb@pattishall.com

Kristine A. Bergman (IL 6320297)

kab@pattishall.com

200 South Wacker Drive, Suite 2900

Chicago, IL 60606

Tel: 312-554-8000

HARTMAN TITUS PLC

Bradley P. Hartman (*pro hac vice* pending)

bhartman@hartmantitus.com

John D. Titus (*pro hac vice* pending)

jtitus@hartmantitus.com

3507 N. Central Ave, Ste 101

Phoenix, AZ 85012-2121

Tel: 602-759-7459

*Attorneys for Plaintiff American Association Of
Motorcycle Injury Lawyers, Inc.,*