

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

Kirsten Kjaer Weis,)	
an individual,)	Civil Action No.: _____
)	
Plaintiff,)	Judge _____
v.)	
)	Magistrate Judge _____
Kimsaprincess Inc.,)	
a California corporation,)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT

1. Plaintiff Kirsten Kjaer Weis (pronounced Kē-yar Wīs) (referred to herein as “KKW”), by her undersigned attorneys, complains against Defendant Kimsaprincess Inc. (“Kimsaprincess”) as follows:

STATUTORY BASIS AND NATURE OF ACTION

2. This action is for: (1) trademark infringement under the Federal Trademark Act, also known as the Lanham Act (15 U.S.C. §§ 1051-1127); (2) false designation of origin, or false or misleading description or representation of fact under § 43(a) of the Lanham Act (15 U.S.C. § 1125(a)); (3) unfair competition and deceptive trade practices under the Illinois Uniform Deceptive Trade Practices Act (815 ILCS §§ 510/1-510/7); and (4) unfair competition under Illinois common law.

3. Plaintiff seeks preliminary and permanent injunctive relief and an award of profits and actual damages, among other remedies, for Kimsaprincess’ unlawful conduct.

THE PARTIES

4. Plaintiff KKW is a well-known Danish makeup artist with a principal place of business at 82 Nassau Street, #302, New York, NY, 10038. Since at least as early as 2010, KKW has formulated, distributed, and sold a line of all natural, organic, luxury makeup and skin-related products through her licensee, Kjaer Weis, LLC. Plaintiff has become a leader in developing luxury organic beauty products from milled minerals.

5. KKW sells, markets, and distributes her products through high-end retailers like Barneys, Net-A-Porter, Four Seasons, Cosbar, Revolve.com, Violet Grey, and Forty Five Ten, as well as via her website kjaerweis.com. KKW has received a tremendous amount of public recognition and critical acclaim for her makeup artist services, makeup and beauty products. KKW's products have been featured in a number of well-known publications, including: *Vogue*, *Elle*, *W*, *Women's Wear Daily*, *People* and *Michigan Avenue Magazine*.

6. KKW is well-known in the makeup industry by her name Kirsten Kjaer Weis, and her initials. She has worked on numerous high-profile magazine covers and fashion editorials, as well as advertising campaigns and music videos.

7. Since at least as early as September 9, 2010, KKW has continuously used the KW stylized mark (the "KW Stylized Mark") in interstate commerce with cosmetics and beauty products, including in Illinois and this judicial district. KKW owns incontestable United States Trademark Registration No. 4,153,624, issued June 5, 2012, for the KW Stylized Mark (the "'624 Registration"), for cosmetics in International Class 03.

8. A copy of the '624 Registration certificate is attached hereto as **Exhibit A**. The '624 Registration is in full force and effect on the Trademark Principal Register and constitutes conclusive evidence of the validity of the KW Stylized Mark, KKW's ownership of the KW

Stylized Mark, and KKW's exclusive right to use the KW Stylized Mark in commerce in connection with the registered goods (15 U.S.C. § 1115(b)).

9. Since at least as early as September 9, 2010, KKW has continuously used the KW KJAER WEIS and design mark (the "KW KJAER WEIS Mark") in interstate commerce with cosmetics and beauty products, including in Illinois and in this judicial district. KKW owns United States Trademark Registration No. 4,311,458, issued April 2, 2013 (the "'458 Registration"), for cosmetics in International Class 03 for the KW KJAER WEIS Mark.

10. A copy of the '458 Registration certificate is attached hereto as **Exhibit B**. The '458 Registration is in full force and effect on the Trademark Principal Register and constitutes prima facie evidence of the validity of the KW KJAER WEIS Mark, KKW's ownership of the KW KJAER WEIS Mark, and KKW's exclusive right to use the KW KJAER WEIS Mark in commerce in connection with the registered goods (15 U.S.C. § 1115(b)).

11. Since at least as early as September 9, 2010, KKW has continuously used the KW WWW.KJAERWEIS.COM and design mark (the "KW WWW.KJAERWEIS.COM Mark") in interstate commerce with cosmetics and beauty products, including in Illinois and in this judicial district. KKW owns United States Trademark Registration No. 4,359,840, issued July 2, 2013 (the "'840 Registration"), for cosmetics in International Class 03 for the KW WWW.KJAERWEIS.COM Mark.

12. A copy of the '840 Registration certificate is attached hereto as **Exhibit C**. The '840 Registration is in full force and effect on the Trademark Principal Register and constitutes prima facie evidence of the validity of the KW WWW.KJAERWEIS.COM Mark, KKW's ownership of the KW WWW.KJAERWEIS.COM Mark, and KKW's exclusive right to use the

KW WWW.KJAERWEIS.COM Mark in commerce in connection with the registered goods (15 U.S.C. § 1115(b)).

13. Since at least as early as September 9, 2010, KKW has continuously used the COPENHAGEN·MILANO·NEW YORK·VENICE KJAER WEIS EYE SHADOW FARD À PAUPIÈRES REFILL RECHARGE KW and design mark (the “KW EYE SHADOW Mark”) in interstate commerce with cosmetics, including in Illinois and in this judicial district. KKW owns United States Trademark Registration No. 4,348,746, issued June 11, 2013 (the “’746 Registration”), for the KW EYE SHADOW Mark.

14. A copy of the ’746 Registration certificate is attached hereto as **Exhibit D**. The ’746 Registration is in full force and effect on the Trademark Principal Register and constitutes prima facie evidence of the validity of the KW EYE SHADOW Mark, KKW’s ownership of the KW EYE SHADOW Mark, and KKW’s exclusive right to use the KW WWW.KJAERWEIS.COM Mark in commerce in connection with the registered goods (15 U.S.C. § 1115(b)).

15. KKW’s above identified marks are collectively referred to herein as the “KW Marks.”

16. All of KKW’s products are branded with her KW Marks. *See* July 7, 2017 screen captures of KKW’s Instagram page, attached hereto as **Exhibit E**.

17. On information and belief, Defendant Kimsaprincess is a California corporation with a registered address at 21731 Ventura Blvd., Suite 300, Woodland Hills, CA, 91364, and is engaged in the sale of cosmetics and beauty products. On information and belief, Kimsaprincess’ products are sold through retail outlets like Target, CVS, Walgreens, and online via KKWBeauty.com, throughout the United States, including in this judicial district. *See, e.g.*, July

12, 2017 Target and Walmart website screen captures, attached hereto as **Exhibit F** (highlights added). *See also* July 6, 2017 screen captures of KKWBeauty.com, attached hereto as **Exhibit G**.

18. Kimsaprincess is a direct competitor of KKW. *See, e.g.*, July 17, 2017 screen capture of consumer's Instagram, attached hereto as **Exhibit H**.

19. Defendant Kimsaprincess is infringing Plaintiff KKW's federal registrations for the KW Marks, which have become exclusively associated with Plaintiff after years of use and promotion by Plaintiff, through use of the trademark KKW for cosmetic and beauty products that compete directly with KKW's KW products. *See, e.g.*, July 7, 2017 screen captures of KKW Beauty's Instagram page, attached hereto as **Exhibit I**.

20. Upon information and belief, Kim Kardashian West is the President of Defendant Kimsaprincess.

21. Despite KKW's attempts to resolve this matter, Kimsaprincess launched its KKW cosmetic and beauty line on June 21, 2017 using its KKW and KKW Beauty designations to market its products.

22. Kimsaprincess' product launch was extensively covered in the media including by *People Magazine, USA Today, Elle, Cosmopolitan, US Magazine, Vogue, Instyle, LA Times, Time Magazine, Forbes, Fortune, Bravo TV* and others. *See, e.g.*, June 21, 2017 Forbes article, attached hereto as **Exhibit J** (highlights added). As reported in the media, Kimsaprincess' KKW product launch sold out in less than three hours generating many millions of dollars in revenue. *Id.* On July 6, 2017, Kimsaprincess' website indicated that most of the KKW products were out of stock. *See Ex. G*, at 2. When the KKW Crème Liquid Lipstick Collection was in

stock, it was available on the website to be sold to Illinois consumers. *See id.* at 5. As of the filing of this Complaint, the KKW products are out of stock.

23. On information and belief, Kimsaprincess transacts business in this district by offering to sell and selling products, including products bearing its KKW designation, to Illinois customers and has conducted numerous sales to Illinois consumers of such products in this judicial district.

24. Kimsaprincess' conduct complained of herein infringes KKW's federally registered KW Marks, and is likely to cause confusion, mistake or deception as to the source of KKW's goods or as to an affiliation, connection, or association between KKW and Kimsaprincess, or concerning the origin, sponsorship, or approval of Kimsaprincess' goods and services by KKW, to KKW's detriment and Kimsaprincess' unjust enrichment.

JURISDICTION AND VENUE

25. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331 and 1338(a) and (b); and supplemental jurisdiction over the state law claims asserted herein pursuant to 28 U.S.C. § 1367(a).

26. Defendant Kimsaprincess is subject to personal jurisdiction in this judicial district because it is committing one or more of the acts complained of herein within this state and judicial district by targeting, advertising, selling to and/or offering for sale products in connection with its KKW designations to customers in this district and elsewhere. Upon information and belief, Kimsaprincess has sold its infringing products to KKW's customers and prospective customers located in this district.

27. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events complained of occurred in this district, Defendant

Kimsaprincess has knowingly committed tortious acts aimed at and causing harm in this state and district, and Kimsaprincess is subject to personal jurisdiction herein. Moreover, the damage to Plaintiff KKW and her KW marks has occurred and continues to occur in this judicial district.

BACKGROUND

A. Plaintiff's Business and Marks

28. Since at least as early as 2010, KKW has formulated, sold and promoted a wide variety of cosmetics, makeup, and skin care products including, but not limited to, lipsticks, bronzers, foundations, mascaras, eye shadows, and scented oils through retail outlets and her website, kjaerweis.com. All of KKW's products bear her KW Marks.

29. Since 2009, Kjaer Weis has expended considerable time, resources and effort in developing and promoting her KW Marks in Illinois and throughout the United States. Kjaer Weis has become a leader in developing luxury organic beauty products free of chemicals and synthetics. She has received a tremendous amount of public recognition and critical acclaim both in the United States and internationally for the products sold under the KW Marks. KKW's KW Marks have been featured in a number of well-known publications, including: *Allure*, *Vogue*, *Elle*, *Glamour*, *Brides*, *Marie Claire*, *W*, *Women's Wear Daily*, *Nylon*, *People*, *The Oprah Magazine*, *Michigan Avenue Magazine*, *The New York Times*, *Harper's Bazaar*, *Tank*, *AnOther Magazine*, and *Elle*. See, e.g., January 31, 2017 Forbes article, attached as **Exhibit K**.

30. In 2014, *Allure* Magazine picked KKW's KW Highlighter as a "Best of Beauty 2014 Winner." *Allure* featured KKW's KW KJAER WEIS Mark alongside products from Giorgio Armani, Christian Dior, Tom Ford, Shiseido and Oribe. In 2015, *Nylon Magazine* picked KKW's KW Highlighter as a "Beauty Hit List Winner." In 2017, *Glamour* Magazine picked

KKW's lipstick as "The Best Lip Color." *See, e.g.*, excerpts from magazine websites, attached as **Exhibit L**.

31. KKW's KW products are available at retail outlets including, but not limited to: Barneys, Net-A-Porter, Four Seasons, Cosbar, Revolve.com, Violet Grey, and Forty Five Ten.

32. Through KKW's widespread and continuous use of her KW Marks, the KW Marks have acquired extensive goodwill, and have become well known and recognized by the public and the trade as identifying goods that originate from Plaintiff. As a result, KKW has developed significant goodwill, intellectual property rights, and asset value in the KW Marks and her name.

B. Defendant's President and Celebrity

33. Kim Kardashian West is known internationally as an American reality television personality, socialite, and businesswoman. After her marriage to Kanye West in 2014, she began promoting herself as Kim Kardashian West on her website and other social media platforms. *See* July 10, 2017 screen capture of www.kimkardashianwest.com, attached hereto as **Exhibit M**.

34. Due to the enormous fame and celebrity of Ms. Kardashian West, there is a likelihood that consumers will mistakenly believe that KKW, despite being the senior trademark user, is affiliated with, sponsored, or approved by Ms. Kardashian West of Kimsaprincess.

35. Kimsaprincess' use of designations confusingly similar to the KW Marks with cosmetics and beauty products is likely to harm the value of KKW's KW Marks and prevent Plaintiff from controlling the reputation and goodwill KKW has established in the KW Marks.

36. Kimsaprincess' unlawful actions are impacting and will continue to impact the goodwill and reputation enjoyed by KKW under her KW Marks unless Kimsaprincess is enjoined from using the KKW designation and any other marks containing the initials KKW.

C. Defendant's Business and Unlawful Actions

37. Defendant Kimsaprincess is a manufacturer, distributor and seller of cosmetics, fragrances, jewelry, clothing, handbags, hair accessories, hair brushes, shampoos, conditioners, and hair styling products (including electric flat irons, electric curling irons, hair straightening irons, hair dryers, and hair diffusers). Kimsaprincess markets its products under a variety of trademarked names including KARDASHIAN BEAUTY[®], KARDASHIAN KOLLECTION[®], KIM KARDASHIAN[®], KK KIM KARDASHIAN[®], and DASH[®]. See Kimsaprincess trademarks, attached hereto as **Exhibit N**.

38. Despite KKW's attempts to resolve this matter without filing a lawsuit, Kimsaprincess launched its cosmetic and beauty line on June 21, 2017, using the designations "KKW" and "KKW BEAUTY."

39. Kimsaprincess offers and markets its KKW products in the same channels of trade as those in which KKW's goods are offered. In particular, Kimsaprincess is selling its KKW products via social media and via its KKWbeauty.com website in direct competition with KKW.

40. Kimsaprincess' KKW products are the same or similar to the goods covered in the '624, '458, '840 and '746 Registrations, in that the recited goods and Kimsaprincess' products are both cosmetic and beauty products, and are marketed, promoted and advertised in a similar manner to the same consumers.

41. To date, Kimsaprincess continues to use its KKW designations in commerce in connection with its cosmetic and beauty products, without KKW's authorization and in contravention of KKW's prior rights in the KW Marks for the same or highly related products, all to Kimsaprincess' benefit and to KKW's detriment.

42. On June 5, 2017, KKW informed Kimsaprincess by letter of KKW's prior rights in her KW Marks and demanded that Kimsaprincess cease its use of KKW and not use any other name likely to cause confusion with KKW's KW Marks. *See* June 5, 2017 Letter, attached hereto as **Exhibit O**. Instead of complying with KKW's demands, Kimsaprincess rejected them, and continues to this day to reject them.

43. The confusing similarity between Kimsaprincess' KKW designations and KKW's KW Marks is likely to cause confusion with regard to the source of KKW's goods.

COUNT I

VIOLATION OF THE LANHAM ACT FEDERAL TRADEMARK INFRINGEMENT 15 U.S.C. § 1114(1)(a)

44. KKW realleges and incorporates each and every allegation in the paragraphs above as if they were fully set forth herein.

45. This Count is based on infringement of one or more trademarks registered under the trademark laws of the United States and, more particularly, under 15 U.S.C. § 1051 *et seq.*

46. Long after KKW's first use of her name, initials, and the KW Marks, Kimsaprincess began using its KKW designation and KKW BEAUTY designation in commerce to identify its goods and advertise its KKW cosmetic and beauty products.

47. Defendant Kimsaprincess' unauthorized use of the designations KKW and KKW BEAUTY for its products is likely to cause confusion, mistake or deception as to the source, affiliation, connection or association of Kimsaprincess and Kimsaprincess' goods with KKW, or as to the sponsorship, approval or affiliation of Kimsaprincess by or with KKW, in violation of 15 U.S.C. § 1114.

48. Kimsaprincess adopted and used the KKW and KKW BEAUTY designations with either actual and constructive notice or knowledge (pursuant to 15 U.S.C. § 1072) of KKW's KW Marks, and KKW's exclusive rights therein.

49. Kimsaprincess has refused to cease using the KKW and KKW BEAUTY designations despite KKW's requests that it do so. Kimsaprincess' actions therefore constitute knowing, deliberate, and willful infringement of KKW's KW Marks and make this an exceptional case under 15 U.S.C. § 1117(a).

50. As a result of Kimsaprincess' knowing, deliberate, and willful infringement of KKW's KW Marks, KKW has been, is now, and will continue to be damaged and irreparably harmed. Thus, KKW has no adequate remedy at law.

51. Kimsaprincess will continue such infringement unless enjoined by this Court.

COUNT II
VIOLATION OF THE LANHAM ACT
FEDERAL UNFAIR COMPETITION 15 U.S.C. § 1125(a)(1)(A)

52. KKW realleges and incorporates each and every allegation in the paragraphs above as if they were fully set forth herein.

53. This Count is based on false designation of origin and false description or representation in violation of 15 U.S.C. § 1125(a)(1)(A).

54. KKW has used and is currently using her KW Marks, name and her initials to identify her goods and services and to distinguish them from the goods and services of others.

55. KKW is well-known in the makeup industry by her name Kirsten Kjaer Weis, her KW Marks, and her initials KKW.

56. KKW is an in-demand makeup artist. She has worked on magazine covers and fashion editorials for the likes of *Elle*, *Lucky*, *Marie Claire* and *Vogue*. She has also worked on high-profile advertising campaigns and music videos.

57. Long after KKW's first use of her name, initials, and the KW Marks, Kimsaprincess began using its KKW designation and KKW BEAUTY designation in commerce to identify its goods and advertise its KKW products. Those unlawful acts of Kimsaprincess are likely to confuse, cause mistake, or deceive consumers that Kimsaprincess' goods are authorized by, sponsored by or affiliated with KKW, all in violation of 15 U.S.C. § 1125(a).

58. Kimsaprincess had direct and full knowledge of KKW's prior use of her name, initials, and rights in her KW Marks before the acts complained of herein. Kimsaprincess' violation of 15 U.S.C. § 1125(a) is knowing, intentional, willful and deliberate. The knowing, intentional, willful and deliberate nature of the acts set forth herein renders this an exceptional case under 15 U.S.C. § 1117(a).

59. As a result of Kimsaprincess' willful and unlawful acts, KKW has been, is now, and will continue to be damaged and irreparably harmed. Thus, KKW has no adequate remedy at law.

60. Kimsaprincess will continue such unlawful acts unless enjoined by this Court.

COUNT III
ILLINOIS DECEPTIVE TRADE PRACTICES

61. KKW realleges and incorporates each and every allegation in the paragraphs above as if they were fully set forth herein.

62. This Count is based on unfair competition and deceptive trade practices in violation of the Illinois Uniform Deceptive Trade Practices Act (815 ILCS § 510/1 *et seq.*).

63. KKW has used and is currently using her KW Marks, name, and initials to identify her goods and services and to distinguish them from the goods and services of others.

64. KKW is well-known in the makeup industry by her name Kirsten Kjaer Weis, her KW Marks, and her initials KKW.

65. She has worked on magazine covers and fashion editorials for the likes of *Elle*, *Lucky*, *Marie Claire* and *Vogue*. She has also worked on high-profile advertising campaigns and music videos.

66. Long after KKW's first use of her name, initials, and the KW Marks, Kimsaprincess began using its KKW designation and KKW BEAUTY designation in commerce to identify its goods and advertise its KKW products.

67. Kimsaprincess, with full knowledge of KKW's superior rights and prior use of her name, KW Marks, and initials, willfully adopted and is using the KKW designations, in connection with its cosmetic and beauty products in Illinois with full knowledge of KKW's prior use of and rights in her name, KW Marks, and initials. Kimsaprincess' unfair or deceptive acts or practices are likely to cause, are intended to cause, and are actually causing, confusion and deception of the public.

68. Kimsaprincess' willful use of marks confusingly similar to KKW's KW Marks, and initials, is likely to cause confusion, mistake, or deception as to the source, sponsorship or approval of KKW's goods and has created a likelihood of confusion or misunderstanding as to whether Kimsaprincess is affiliated, connected or associated with KKW in violation of 815 ILCS § 510/2.

69. Unless enjoined by the Court, Kimsaprincess will continue to do the acts complained of herein and cause damage and injury to business reputation and confusion as to the

source of Kimsaprincess' goods, all to KKW's and the public's irreparable harm, for which KKW has no adequate remedy at law.

COUNT IV

COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

70. KKW realleges and incorporates each and every allegation in the paragraphs above as if they were fully set forth herein.

71. This Count is based on Illinois common law trademark infringement and unfair competition.

72. KKW owns and has used her KW Marks in connection with her products since at least as early as 2010. Because of KKW's longstanding and extensive use of the KW Marks, the KW Marks have become uniquely associated with KKW and they identify KKW's goods. KKW's KW Marks are valid trademarks under Illinois state common law.

73. Kimsaprincess' acts constitute willful trademark infringement under Illinois common law. In Illinois, Kimsaprincess has used the KKW BEAUTY and KKW designations which are confusingly similar to KKW's KW Marks.

74. Kimsaprincess' unauthorized and infringing use in commerce of KKW's KW Marks on similar products to those sold by KKW constitutes willful unfair competition with Kjaer Weis under the common law, in that Kimsaprincess' use of KKW on its products, which have experienced popularity in the market due at least in part to the fame and celebrity of Ms. Kardashian West, will cause consumers to believe that KKW and Kimsaprincess are connected or otherwise affiliated when they are not and is likely to cause confusion, mistake or deception, and result in Kimsaprincess' unjust enrichment.

75. Unless enjoined by this Court, Kimsaprincess will continue to cause irreparable harm to KKW and the public, for which KKW has no adequate remedy at law.

JURY DEMAND

Plaintiff hereby demands a jury trial on all matters and issues triable by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for an order and judgment:

A. that Defendant has infringed U.S. Trademark Registration No. 4,153,624;
B. that Defendant has infringed U.S. Trademark Registration No. 4,359,840;
C. that Defendant has infringed U.S. Trademark Registration No. 4,348,746;
D. that Defendant has infringed U.S. Trademark Registration No. 4,311,458;
E. that Defendant is liable for unfair competition relative to each of Plaintiff's KW Marks and Plaintiff's name and initials;

F. that Defendant's actions constitute unfair competition and deceptive trade practices in violation of the Illinois Uniform Deceptive Trade Practices Act;

G. that Defendant has infringed Plaintiff's common law trademarks;

H. preliminarily and permanently restraining and enjoining Defendant, its directors, officers, agents, servants, attorneys, employees, parent, subsidiaries, affiliates, related companies, successors and assigns, and all other persons or entities in active concert and/or participation with them who receive notice, from any further infringement of said KW Marks, including:

(1) reproducing, copying, counterfeiting, colorably imitating or otherwise using in any way in connection with Defendant's business without the consent of Plaintiff, "KW" or "KKW" exclusively or as a portion of any trade name, trademark,

service mark or domain name, alone or in combination with any other words, symbols or marks on products similar to those used by Plaintiff with her KW Marks;

(2) using in any way in connection with Defendant's business any other mark, designation or term so similar to Plaintiff's KW Mark, as to be likely to cause confusion, or to cause mistake, or to deceive;

(3) otherwise infringing Plaintiff's KW Marks;

(4) injuring Plaintiff's business reputation and the goodwill associated with Plaintiff's KW Marks, and from otherwise unfairly competing, directly or indirectly, with Plaintiff; and

(5) causing a likelihood of confusion or misunderstanding as to source, sponsorship, association, affiliation, approval or certification with or by Plaintiff, or engaging in conduct tending to create a false commercial impression of Plaintiff's products or services or any other conduct that tends to pass off Defendant's products or services as those of Plaintiff or creates a likelihood of confusion, misunderstanding, or false representation;

I. ordering Defendant to account for and pay to Plaintiff her actual damages by reason of Defendant's infringement, unfair competition, and to account for and pay over to Plaintiff all gains, profits and advantages derived by Defendant from its infringement, unfair competition, and other unlawful acts, and such other damages as appear proper to the Court;

J. ordering Defendant to deliver up for destruction or show proof of such destruction, pursuant to 15 U.S.C. § 1118, all signs, prints, displays, advertisements, packaging, publications, literature, sales aids, promotional items, computer files (including but not limited to

any text and/or images that are hosted on Defendant's web site(s) or social media sites, or on any of Defendant's computers or hard drives or other storage media) or any other materials in its possession or control or in the possession or control of its agents, that bear the designation KKW, or KKW BEAUTY, alone or in combination with other words or terms or any mark or term confusingly similar to plaintiff's KW Marks, including all means of making the same;

K. granting Plaintiff a judgment, pursuant to 815 ILCS § 510/3, for injunctive relief, costs and reasonable attorneys' fees;

L. granting Plaintiff a judgment for punitive damages in an amount to be determined;

M. ordering Defendant to file in Court and to serve upon Plaintiff's counsel, within thirty (30) days after entry of the above injunction, a report in writing, under oath, setting forth in detail the manner and form in which Defendant has complied with this injunction;

N. finding Defendant to have willfully infringed the KW Marks and awarding Plaintiff enhanced damages of three (3) times its compensatory damages for Defendant's willful infringement;

O. awarding Plaintiff pre-judgment and post-judgment interest;

P. finding this to be an "exceptional case" within the meaning of 15 U.S.C. § 1117 and awarding reasonable attorneys' fees to Plaintiff;

Q. awarding costs to Plaintiff; and

R. granting Plaintiff such other and further relief as may be proper under the circumstances.

Dated: July 25, 2017

Respectfully submitted,

s/ Marcus S. Harris

Marcus S. Harris – ARDC No. 6269909

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