

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COPY
06 CV 15385

PEI LICENSING, INC., a Delaware corporation,

: CIV. ACTION NO.:

Plaintiffs,

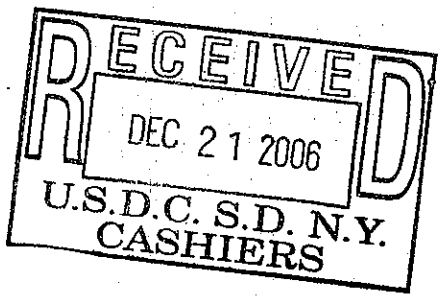
: COMPLAINT AND DEMAND FOR
: JURY TRIAL

JUDGE SAND

v.

J.CREW INTERNATIONAL, INC., a Delaware corporation,

Defendant.



Plaintiff PEI Licensing, Inc. hereby files this Complaint on personal knowledge as to its own activities and on information and belief as to the activities of others:

JURISDICTION AND VENUE

1. This is a complaint for trademark dilution, unfair competition, and trademark infringement, arising under the Trademark Act of 1946, 15 U.S.C. §§ 1051, et seq., as amended (the "Lanham Act"), and for unfair competition, trademark dilution and unlawful deceptive acts and practices under the laws of the State of New York.

2. This Court has original jurisdiction over this action pursuant to 28 U.S.C. §§1331 and 1338; and 15 U.S.C. §§1116 and 1121. This Court has supplemental jurisdiction over state law claims under 28 U.S.C. § 1367.

3. This Court has personal jurisdiction over the Defendant in that it does business in the State of New York and in this District.

4. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(a) in that the Defendant is an entity subject to personal jurisdiction in this judicial district, and this is the District in which a substantial part of the events or omissions giving rise to the claims hereinafter set forth occurred.



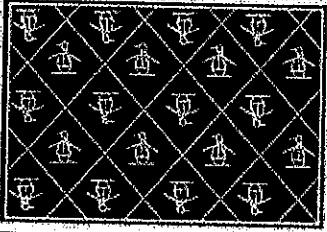

THE PARTIES

5. Plaintiff PEI Licensing, Inc., a wholly-owned subsidiary of Perry Ellis International, Inc. is a Delaware corporation with offices located in New York and Florida (hereinafter "PEI" or "Plaintiff").

6. Upon information and belief, Defendant J. Crew International, Inc. is a Delaware corporation, having its principle place of business at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, and which conducts business within the State of New York ("J.Crew" or "Defendant").

PEI PRODUCTS

7. PEI is the owner of the entire right, title and interest in and to a family of famous penguin design and word trademarks in connection with apparel and apparel retail store services, including PENGUIN, AN ORIGINAL PENGUIN, PENGUIN SPORT and a collection of Penguin Design Marks (the "Penguin Trademarks"). Many of the Penguin Marks are registered with the United States Trademark Office, copies of which are annexed hereto collectively as Exhibit A and set forth below:

U.S. TRADEMARK REG. NO.	MARK	REG. DATE	DATE OF FIRST USE
2,749,389	PENGUIN	August 12, 2003	June 1967
2,880,454		August 31, 2004	February 2003
2,870,641		August 3, 2004	February 2003
3,083,675		April 18, 2006	April 2005
2,075,922	PENGUIN  SPORT	July 1, 1997	January 1992
2,049,331	PENGUIN SPORT	April 1, 1997	October 1, 1991

8. All of the trademark registrations set forth in Exhibit A are valid, unrevoked and uncanceled. Registration Nos. 2,075,922 and 2,049,331 are incontestable. The registration of these marks constitutes *prima facie* evidence of their validity and conclusive evidence of Plaintiff's exclusive right to use the Penguin Trademarks in commerce in connection with the goods named therein, and commercially related goods. The federal registration of the Penguin Trademarks also constitutes constructive notice to Defendant of PEI's ownership and exclusive rights its family of Penguin Trademarks.

9. Plaintiff is a leader in the design, marketing and distribution of, among other items, apparel, footwear, outerwear and accessories for men, women and children, which are

sold, *inter alia*, through its stores worldwide and other high-end retailers, as well as through its website at originalpenguin.com.

10. Plaintiff through its predecessors-in-interest has been using its family of Penguin Trademarks since as early as 1967.

11. Plaintiff displays its family of Penguin Trademarks in its advertising and promotional materials. To date, Plaintiff has spent hundreds of millions of dollars in advertising and promoting the Penguin Trademarks, and Plaintiff has enjoyed billions of dollars in sales.

12. The Penguin Trademarks have been widely promoted, both in the United States and throughout the world. The public, customers, and industry have come to recognize that products bearing the Penguin Trademarks originate with PEI and its affiliates, including ORIGINAL PENGUIN®, a Munsingwear® division. Furthermore, customers, potential customers, and other members of the public associate the Penguin Trademarks with products of exceptional materials, style and precision workmanship. The Penguin Trademarks are highly visible as symbols of quality and status.

DEFENDANT'S CONDUCT

13. Upon information and belief, Defendant is a clothing retailer, selling women's, men's and children's clothing through retail stores, catalog and its website at jcrew.com.

14. Since at least as early as Fall 2006, Defendant began selling clothing, shoes and accessories bearing products bearing marks which dilute and infringe upon the Penguin Trademarks, on several men's, women's and children's clothing, including but not limited to, slippers, t-shirts, sleepwear, sweaters, ties and shoes (the "Infringing Products"). See Exhibit B.

15. Defendant, without authorization or license from Plaintiff, has knowingly and willfully used, reproduced and/or copied the Penguin Trademarks in connection with distributing, exporting, importing, selling and offering to sell the Infringing Products in interstate commerce, including through the Internet.

16. Defendant has knowingly manufactured, advertised, offered for sale, sold and distributed the Infringing Products in interstate, including through the Internet, intrastate and foreign commerce, including commerce in the State of New York and in this judicial district.

17. Defendant's use of marks that dilute and infringe upon the Penguin Trademarks on or in connection with the manufacturing, advertising, offering for sale, sale and distribution of the Infringing Products is likely to dilute the distinctive quality of the Penguin Trademarks and/or cause confusion, or to cause mistake or to deceive.

18. Defendant is not authorized by Plaintiff to manufacture, advertise, distribute, sell or offer to sell products bearing marks which infringe upon the Penguin Trademarks.

19. Upon information and belief, Defendant is selling the Infringing Products in its retail stores, including in this District, and on its website, which can be accessed in this District and throughout the United States.

20. Upon information and belief, the Infringing Products are being used by Defendant to draw customers to its own designs and away from Plaintiff.

COUNT ONE

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

21. Plaintiff repeats and realleges the allegations of Paragraphs 1 through 20 of this Complaint as if fully set forth herein.

22. Plaintiff's family of Penguin Trademarks are "famous marks" within the meaning of § 43(c) of the Lanham Act, 15 U.S.C. § 1125(c)(1) and have been famous marks prior to Defendant's conduct as alleged herein.

23. Defendant's manufacture, distribution, sale and/or offer for sale in commerce of products bearing marks which infringe upon the Penguin Trademarks dilutes the distinctive quality of the Penguin Trademarks, and was done with the willful intent to trade on Plaintiff's reputation and/or to cause dilution of the Penguin Trademarks.

24. Defendant's unauthorized use of marks which infringe the Penguin Trademarks was done with notice and full knowledge that such manufacture, distribution, sale and/or offer for sale was not authorized or licensed by Plaintiff.

25. Defendant's aforesaid acts are in knowing and willful violation of Plaintiff's rights under section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

26. Plaintiff has no adequate remedy at law and, if Defendant's activities are not enjoined, will continue to suffer irreparable harm and injury to Plaintiff's goodwill and reputation.

27. As a result of Defendant's activities, Plaintiff has been damaged in an amount to be ascertained, but no less than \$100,000.00.

COUNT TWO

UNFAIR COMPETITION AND FALSE DESIGNATION OF ORIGIN
(15 U.S.C. § 1125(a))

28. Plaintiff repeats and realleges Paragraphs 1 through 27 this Complaint as if fully set forth herein.

29. The Infringing Products are of the same general nature and type as Plaintiff's goods, as such, Defendant's sale of the Infringing Products is likely to cause confusion to the general purchasing public.

30. By misappropriating and using marks which infringe upon the Penguin Trademarks, Defendant misrepresents and falsely describes to the general public the origin and source of the Infringing Products and create a likelihood of confusion by ultimate purchasers as to both the source and sponsorship of such merchandise.

31. Defendant's unlawful, unauthorized and unlicensed manufacturing, advertising, distributing, offering for sale and/or selling of the Infringing Products creates express and implied misrepresentations that the Infringing Products were created, authorized or approved by Plaintiff, all to Defendant's profit and Plaintiff's great damage and injury.

32. Defendant's aforesaid acts are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a), in that Defendant's use of marks which infringe upon Plaintiff's Penguin Trademarks, in connection with Defendant's goods and services, in interstate commerce constitutes false designation of origin and unfair competition.

33. Plaintiff has no adequate remedy at law. If Defendant's activities are not enjoined, Plaintiff will continue to suffer irreparable harm and injury to their goodwill and reputation.

COUNT THREE

FEDERAL TRADEMARK INFRINGEMENT
(15 U.S.C. § 1114)

34. Plaintiff repeats and realleges the allegations of Paragraphs 1 through 34 of this Complaint as if fully set forth herein.

35. The Penguin Trademarks and the goodwill of the businesses associated with them in the United States and throughout the world are of great and incalculable value, are highly distinctive and arbitrary, and have become universally associated in the public mind with the products and services of the very highest quality and reputation finding their source in Plaintiff.

36. Upon information and belief, without Plaintiff's authorization or consent, and having knowledge of Plaintiff's well-known and prior rights in the Penguin Trademarks, and the fact that Defendant's goods bear marks which are confusingly similar to the Penguin Trademarks, Defendant has manufactured, distributed, offered for sale and/or sold the Infringing Products to the consuming public in direct competition with Plaintiff's sale of genuine products, in or affecting interstate commerce.

37. Defendant's use of marks which infringe upon the Penguin Trademarks is likely to cause and is causing confusion, mistake and deception among the general purchasing public as to the origin of the Infringing Products, and is likely to deceive the public into believing the

Infringing Products originate from, are associated with or are otherwise authorized by Plaintiff, all to the damage and detriment of Plaintiff's reputation, goodwill and sales.

38. Plaintiff has no adequate remedy at law and, if Defendant's activities are not enjoined, Plaintiff will continue to suffer irreparable harm and injury to its goodwill and reputation.

39. As a result of Defendant's activities, Plaintiff has been damaged in an amount to be ascertained, but no less than \$100,000.00.

40. As a result of Defendant's activities, Plaintiff has been damaged in an amount to be ascertained, but no less than \$100,000.00.

COUNT FOUR

NEW YORK TRADEMARK DILUTION **(New York General Business Law § 360(I))**

41. Plaintiff repeats and realleges Paragraphs 1 through 40 of this Complaint as if fully set forth herein.

42. Defendant's acts have caused damage to Plaintiff by tarnishing Plaintiff's valuable reputation and diluting or blurring the distinctiveness of Plaintiff's Penguin Trademarks in violation of New York General Business Law § 360(I), and will continue to tarnish and destroy the value of Plaintiff's Penguin Trademarks unless enjoined by this Court. Plaintiff has no adequate remedy at law.

COUNT FIVE

UNLAWFUL DECEPTIVE ACTS AND PRACTICES
(New York General Business Law § 349)

43. Plaintiff repeats and realleges Paragraphs 1 through 42 of this Complaint as if fully set forth herein. Upon information and belief, Defendant, without Plaintiff's authorization or consent, and having knowledge of Plaintiff's well-known and prior rights in the Penguin Trademarks, has manufactured, advertised, distributed, offered for sale and/or sold the Infringing Products to the consuming public in direct competition with Plaintiff's Products.

44. Defendant's use of copies or simulations of the Penguin Trademarks is likely to cause and is causing confusion, mistake and deception among the general purchasing public as to the origin of the Infringing Products, and is likely to deceive the public into believing the Infringing Products being sold by Defendant originate from, are associated with, or are otherwise authorized by Plaintiff.

45. Defendant's deceptive acts and practices involve public sales activities of a recurring nature.

46. Plaintiff has no adequate remedy at law and, if Defendant's activities are not enjoined, Plaintiff will continue to suffer irreparable harm and injury to its goodwill and reputation.

COUNT SIX

UNFAIR COMPETITION UNDER NEW YORK STATE LAW

47. Plaintiff repeats and realleges Paragraphs 1 through 46 of this Complaint as if fully set forth herein.

48. Plaintiff has built up valuable goodwill in the Penguin Trademarks.

49. Defendant's use of marks its apparel and accessories that infringe upon Plaintiff's Penguin Trademarks is likely to and does permit Defendant to palm off the Infringing Products as those of Plaintiff, all to the detriment of Plaintiff and the unjust enrichment of Defendant.

50. Upon information and belief, Defendant, with full knowledge of the fame of the Penguin Trademarks, intended to, and did, trade on the goodwill associated with the Penguin Trademarks and have misled and will continue to mislead the public into assuming a connection between Plaintiff and Defendant by Defendant's advertising, selling and/or distributing of the Infringing Products.

51. Defendant's unauthorized use of marks that infringe upon Plaintiff's Penguin Trademarks has caused, and is likely to continue to cause, Plaintiff damage by tarnishing the valuable reputation and images associated with Plaintiff and its genuine goods.

52. The acts of Defendant, which permit and accomplish confusion, mislead and deceive the public as to the source of the Infringing Products, permit and accomplish palming off of the Infringing Products as those of Plaintiff's and falsely suggest a connection with Plaintiff, constitute acts of unfair competition with Plaintiff in violation of the laws of the State of New York.

53. Defendant's acts have caused and will continue to cause Plaintiff irreparable harm unless enjoined by this Court. Plaintiff has no adequate remedy at law.

WHEREFORE, Plaintiff respectfully requests the following relief as to each of the above causes of action:

1. That Defendant, its officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through or under them be enjoined and restrained and thereafter, permanently:
 1. from using in any manner the marks which infringe upon Plaintiff's Penguin Trademarks, as to be likely to cause confusion, deception, or mistake on or in connection with the manufacturing, advertising, distributing, offering for sale, or selling of any product not Plaintiff's, or not authorized by Plaintiff to be sold in connection with each of Plaintiff's products;
 2. from passing off, inducing, or enabling others to sell or pass off any product as and for products produced by Plaintiff, not Plaintiff's, or not produced under the control and supervision of Plaintiff and approved by Plaintiff for sale under the Penguin Trademarks;
 3. from committing any acts calculated to cause purchasers to believe that the Infringing Products are those sold under the control and supervision of Plaintiff, or sponsored or approved by, or connected with, or guaranteed by, or produced under the control and supervision of Plaintiff;
 4. from further diluting and infringing the Penguin Trademarks, and damaging Plaintiff's goodwill;
 5. from otherwise competing unfairly with Plaintiff in any manner;
2. That Defendant be required to forthwith deliver up for destruction their entire inventory of the Infringing Products and any advertising or promotional materials bearing the Penguin Trademarks or a confusingly similar copy thereof.
3. That Defendant, within thirty (30) days after service of judgment with notice of entry thereof upon it, be required to file with the Court and serve upon Plaintiff a

written report under oath setting forth in detail the manner in which Defendant has complied with paragraphs 1 and 2, *supra*.

4. That Defendant account for and pay over to Plaintiff profits realized by Defendant by reason of Defendant's unlawful acts herein alleged and, that the amount of damages for infringement of Plaintiff's Penguin Trademarks be increased by a sum not exceeding three times the amount thereof as provided by law.
5. That Defendant's Infringing Products infringe Plaintiff's Penguin Trademarks.
6. That Plaintiff be awarded punitive damages.
7. That Plaintiff be awarded be awarded costs and disbursements of this action, together with reasonable attorney fees.
8. That Plaintiff be awarded such other and further relief as the Court may deem equitable, including, but not limited to, any relief set forth under Sections 34-39 of the 1946 Trademark Act and/or under 35 U.S.C. §285 and/or under 17 U.S.C. §504.

Dated: December 21, 2006
New York, New York

Respectfully submitted,

GREENBERG TRAURIG, LLP

By: 

G. Roxanne Elings (GE 8321)
David Saenz (DS 1976)
200 Park Avenue, 34th Floor
New York, NY 10166
(212) 801-9200

Attorneys for PEI Licensing, Inc.

Exhibit A


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Typed Drawing

Word Mark	PENGUIN
Goods and Services	IC 025. US 022 039. G & S: Slacks, walking shorts, sport shirts, and jackets. FIRST USE: 19670600. FIRST USE IN COMMERCE: 19670600
Mark Drawing Code	(1) TYPED DRAWING
Design Search Code	
Serial Number	76301300
Filing Date	August 17, 2001
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	May 20, 2003
Registration Number	2749389
Registration Date	August 12, 2003
Owner	(REGISTRANT) Perry Ellis International, Inc. FORMERLY Supreme International Corporation CORPORATION FLORIDA 3000 Northwest 107th Avenue Miami FLORIDA 33172
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Geri Lynn Mankoff
Prior Registrations	0673912;0796003;0903044;0952079;0961376;1034409;1116035;1569866;1580093;1849971;1928826;2049331;2060953;2075921;2075922;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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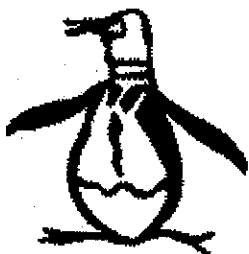
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Goods and Services IC 025. US 022 039. G & S: CLOTHING, NAMELY, KNIT AND WOVEN SHIRTS, T-SHIRTS, SWEATSHIRTS, OUTERWEAR IN THE NATURE OF WIND-RESISTANT JACKETS, JACKETS, COATS, VESTS, PANTS, SHORTS, SWEATERS, HEADWEAR, NAMELY, HATS, CAPS, VISORS AND HEADBANDS, FOOTWEAR, NAMELY SHOES, SNEAKERS AND SANDALS, TIES, WRISTBANDS, BELTS FOR CLOTHING, SWIMSUITS, HOSIERY, UNDERWEAR AND SOCKS. FIRST USE: 20030200; FIRST USE IN COMMERCE: 20030200

Mark Drawing Code (2) DESIGN ONLY

Design 03.15.15 - Penguins; Puffins

Search Code 03.19.26 - Costumed fish and other sea creatures with human attributes; Costumed sea mammals; Costumed seals

Serial Number 78975440

Filing Date July 18, 2002

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition September 2, 2003

Registration Number 2880454

Registration Date August 31, 2004

Owner (REGISTRANT) PEI Licensing, Inc. CORPORATION DELAWARE 3000 N.W. 107th Avenue Miami FLORIDA 33172

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead
Indicator LIVE

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Goods and Services IC 025. US 022 039. G & S: Clothing, namely, knit and woven shirts, t-shirts, sweatshirts, outerwear in the nature of wind resistant jackets, jackets, coats, vests, pants, shorts, sweaters, headwear, namely, hats, caps, visors and headbands, footwear, namely, shoes, sneakers and sandals, ties, wristbands, belts for clothing, swimsuits, hosiery, underwear and socks. FIRST USE: 20030200. FIRST USE IN COMMERCE: 20030200

Mark Drawing Code (2) DESIGN ONLY

Design 03.15.15 - Penguins; Puffins

Search Code 03.15.26 - Costumed birds and bats and those with human attributes
 09.03.01 - Blazers; Coats; Fur coats; Jackets; Parkas; Ponchos; Rain coats; Shawls; Vests, clothing

Serial Number 78975441

Filing Date July 18, 2002

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition August 26, 2003

Registration Number 2870641

Registration Date August 3, 2004

Owner (REGISTRANT) PEI Licensing, Inc. CORPORATION DELAWARE 3000 N.W. 107th Avenue Miami FLORIDA 33172

Attorney of Record Geri Lynn Mankoff

Prior Registrations 0673912;0796003;0952079;0961376;1034409;1116035;1569866;1849971;AND OTHERS

Description of Mark The mark consists of a dressed Penguin with an orange beak and orange feet.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

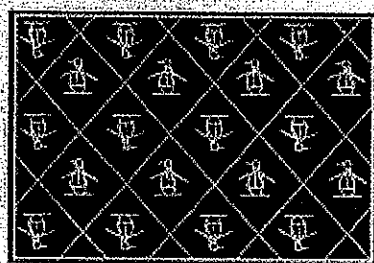
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Goods and Services IC 025. US 022 039. G & S: Clothing, namely, pants, denim jeans, denim pants. FIRST USE: 20050400. FIRST USE IN COMMERCE: 20050400

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 03.15.15 - Penguins; Puffins
 03.15.24 - Stylized birds and bats
 26.07.03 - Diamonds, incomplete or divided in the middle; Incomplete diamonds or divided in the middle
 26.07.13 - Diamonds, more than one; More than one diamond
 26.07.21 - Diamonds that are completely or partially shaded
 26.11.21 - Rectangles that are completely or partially shaded

Serial Number 78437215

Filing Date June 17, 2004

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition April 26, 2005

Registration Number 3083675

Registration Date April 18, 2006

Owner (REGISTRANT) PEI Licensing, Inc. CORPORATION DELAWARE 3000 NW 107th Avenue Miami FLORIDA 33172

Attorney of Record Lawrence E. Apolzon

Prior Registrations 0673912;1569866;AND OTHERS

Description of Mark The mark consists of a design of a series of penguins on a diamond background.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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PENGUIN SPORT

Word Mark PENGUIN SPORT

Goods and Services IC 025. US 022 039. G & S: clothing; namely, men's, women's and children's tops, shirts, skirts, pullover windshirts, pants, shorts, sweat shirts, jackets, hosiery, hats, scarves, gloves, footwear; activewear; namely, jackets, pullover windshirts, sweaters, shirts, skirts, pants, swimwear, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, footwear, hosiery, hats, scarves and gloves; and sportswear; namely, shorts, jackets, pullover windshirts, shirts, skirts, pants, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, hosiery, hats, scarves, gloves and footwear. FIRST USE: 19920100. FIRST USE IN COMMERCE: 19920100

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 03.15.15 - Penguins; Puffins
03.15.24 - Stylized birds and bats

Serial Number 74236566

Filing Date January 10, 1992

Current Filing Basis 1A

Original Filing Basis 1B

Published for Opposition August 11, 1992

Registration Number 2075922

Registration Date July 1, 1997

Owner
(REGISTRANT) SUPREME INTERNATIONAL CORPORATION CORPORATION FLORIDA 7495 NW 48th Street Miami FLORIDA 33166

(LAST LISTED OWNER) PEI LICENSING, INC. CORPORATION BY ASSIGNMENT DELAWARE 3000 NW
107TH AVE. MIAMI FLORIDA 33172

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record GERI LYNN MANKOFF
Prior Registrations 0903044;1569866;AND OTHERS
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SPORT" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark PENGUIN SPORT
Goods and Services IC 025. US 022 039. G & S: clothing; namely, men's, women's and children's tops, shirts, skirts, pullover windshirts, pants, shorts, sweat shirts, jackets, hosiery, hats, scarves, gloves, footwear; activewear; namely, jackets, pullover windshirts, sweaters, shirts, skirts, shorts, pants, swimwear, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, footwear, hosiery, hats, scarves and gloves; and sportswear; namely, shorts, jackets, pullover windshirts, shirts, skirts, pants, warm-up suits, training suits, sweat suits, sweat shirts, sweat shorts, sweat pants, hosiery, hats, scarves, gloves and footwear. FIRST USE: 19911001. FIRST USE IN COMMERCE: 19911001
Mark Drawing Code (1) TYPED DRAWING
Design Search Code
Serial Number 74236799
Filing Date January 10, 1992
Current Filing Basis 1A
Original Filing Basis 1B
Published for Opposition July 28, 1992
Registration Number 2049331
Registration Date April 1, 1997
Owner (REGISTRANT) Munsingwear, Inc. CORPORATION DELAWARE 8000 W. 78th Street Suite 400 Minneapolis MINNESOTA 55439
 (LAST LISTED OWNER) PEI LICENSING, INC. CORPORATION BY ASSIGNMENT DELAWARE 3000 NW 107TH AVE MIAMI FLORIDA 33172
Assignment Recorded ASSIGNMENT RECORDED
Prior 0903044

Registrations

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SPORT" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

Live/Dead Indicator LIVE

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Exhibit B

J. CREW

[HELP](#) • [CHECK ORDER STATUS](#) • [YOUR ACCOUNT](#) • [FIND A STORE NEAR YOU](#) • [SHOP BY ITEM#](#)

[men](#) | [women](#) | [crewcuts](#) | [gifts](#) | [accessories](#) | [shoes](#) | [sale](#) | [shopping](#)

[previous](#) 1 2 3 4 5 6 7 8 9 10 ... [next](#)

the women's shop

- [new arrivals](#)
- [shop our looks](#)
- [J.Crew Collection](#)
- [J.Crew cashmere](#)
- [catalog/jcrew.com exclusives](#)

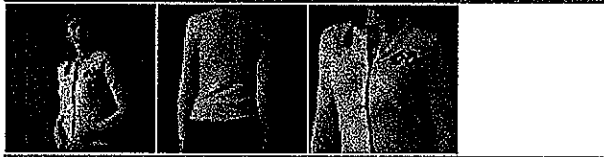
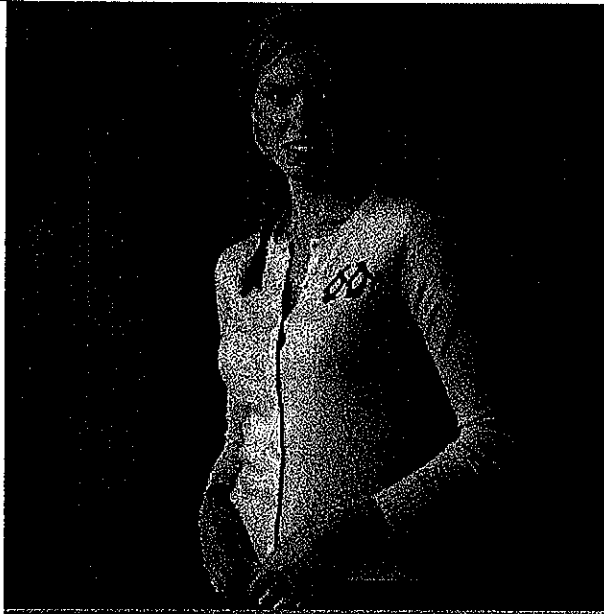
sweaters

- [see all](#)
- [J.Crew cashmere](#)
- [wellesley cables](#)
- wool**
- [cotton](#)
- [knits & tees](#)
- [shirts & tops](#)
- [dresses](#)
- [jackets](#)
- [outerwear](#)
- [pants & shorts](#)
- [denim](#)
- [skirts](#)
- [suits](#)
- [swim](#)
- [sleepwear & lounge](#)
- [shoes](#)
- [accessories](#)
- [hats, scarves & gloves](#)

- [the greatgiftfinder](#)
- [little black dress shop](#)
- [weddings & parties](#)
- [J.Crew at the beach](#)
- [crewcuts for kids](#)
- [monogramming](#)

- [petite](#)
- [tall](#)
- [size 16](#)
- [special swim sizes](#)
- [size 5 & 12 shoes](#)

[holiday sale](#)



FEATURE COLOR: MUSLIN



[CLICK TO VIEW ANOTHER COLOR](#)



**JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.**

LOOKS GREAT WITH:

Penguin critter cardigan

\$88.00 Item 79993

The very latest in critter couture: our crew cardigan. Wool/viscose/angora/cashmere knit. Penguin intarsla design on left chest, neck, cuffs, and hem. Long sleeves. Hits a Dry clean.

STEP 1: choose options

First, choose size [size charts](#)

Then, choose color

(colors and sizes not listed are sold o

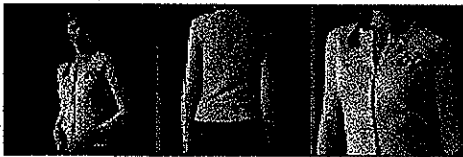
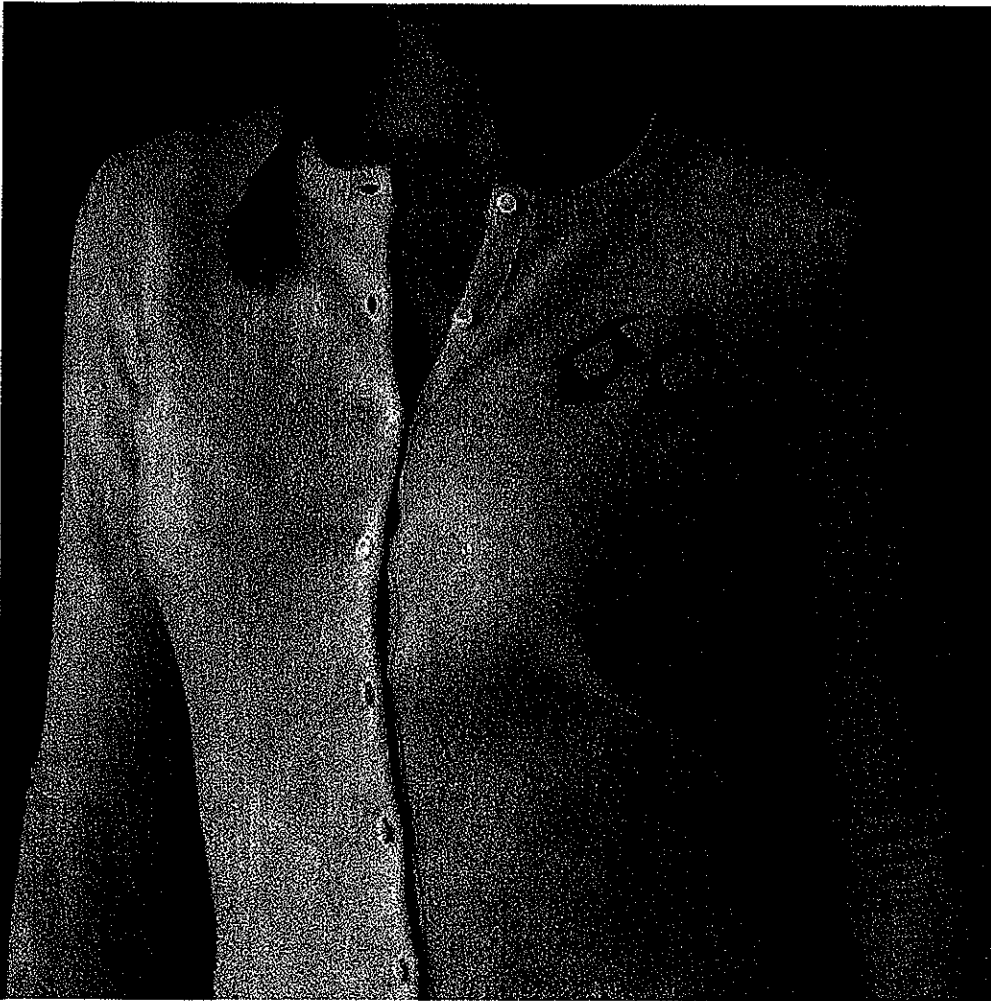
Qty

STEP 2: ship to

[My Shipping](#)

[sign in for saved addresses](#)

ADD TO SHOPPING BAG



FEATURE COLOR: MUSLIN



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J. CREW

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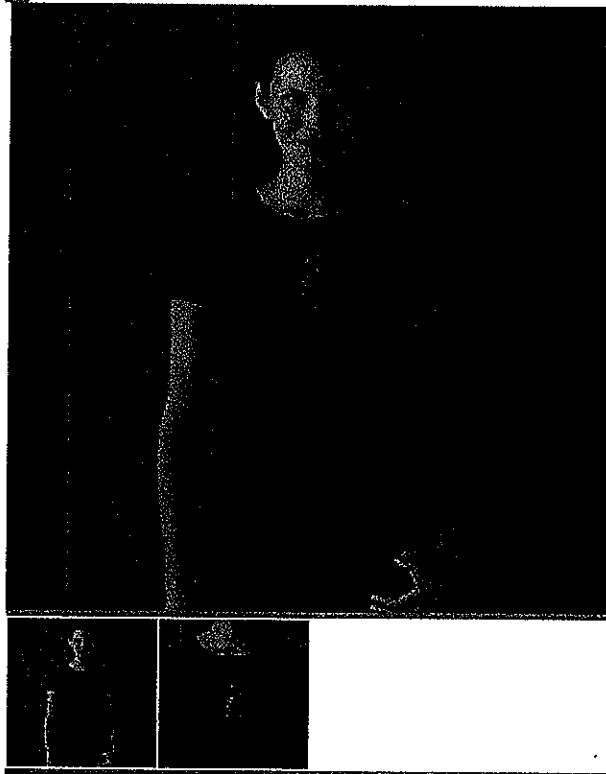
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the women's shop

- [new arrivals](#)
- [shop our looks](#)
- [J.Crew Collection](#)
- [J.Crew cashmere](#)
- [catalog/jcrew.com exclusives](#)

- [sweaters](#)
- knits & tees**
 - [see all](#)
 - [perfect-weight tees](#)
 - featherweight tees**
 - [textured knits](#)
 - [hoodies](#)
 - [tanks & camis](#)
 - [pique polos](#)
 - [shirts & tops](#)
 - [dresses](#)
 - [jackets](#)
 - [outerwear](#)
 - [pants & shorts](#)
 - [denim](#)
 - [skirts](#)
 - [suiting](#)
 - [swim](#)
 - [sleepwear & lounge](#)
 - [shoes](#)
 - [accessories](#)
 - [hats, scarves & gloves](#)

[previous](#) 1 2 3 4 5 **6** 7 8 [next](#)



FEATURE COLOR: BLACK



\$39.50 now
\$24.99

[CLICK TO VIEW ANOTHER COLOR](#)

Sequin critter tissue tee

was \$39.50 Item 80401

now \$24.99

Lightweight cotton crewneck with sequin g
Fitted. Short sleeves. Hits at low hip. Imp

STEP 1: choose options

First, choose size: [size charts](#)

Then, choose color:

(colors and sizes not listed are sold o

Qty

STEP 2: ship to

[My Shipping](#)

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ADD TO SHOPPING BAG

- [the greatgiftfinder](#)
- [little black dress shop](#)
- [weddings & parties](#)
- [J.Crew at the beach](#)
- [crewcuts for kids](#)
- [monogramming](#)

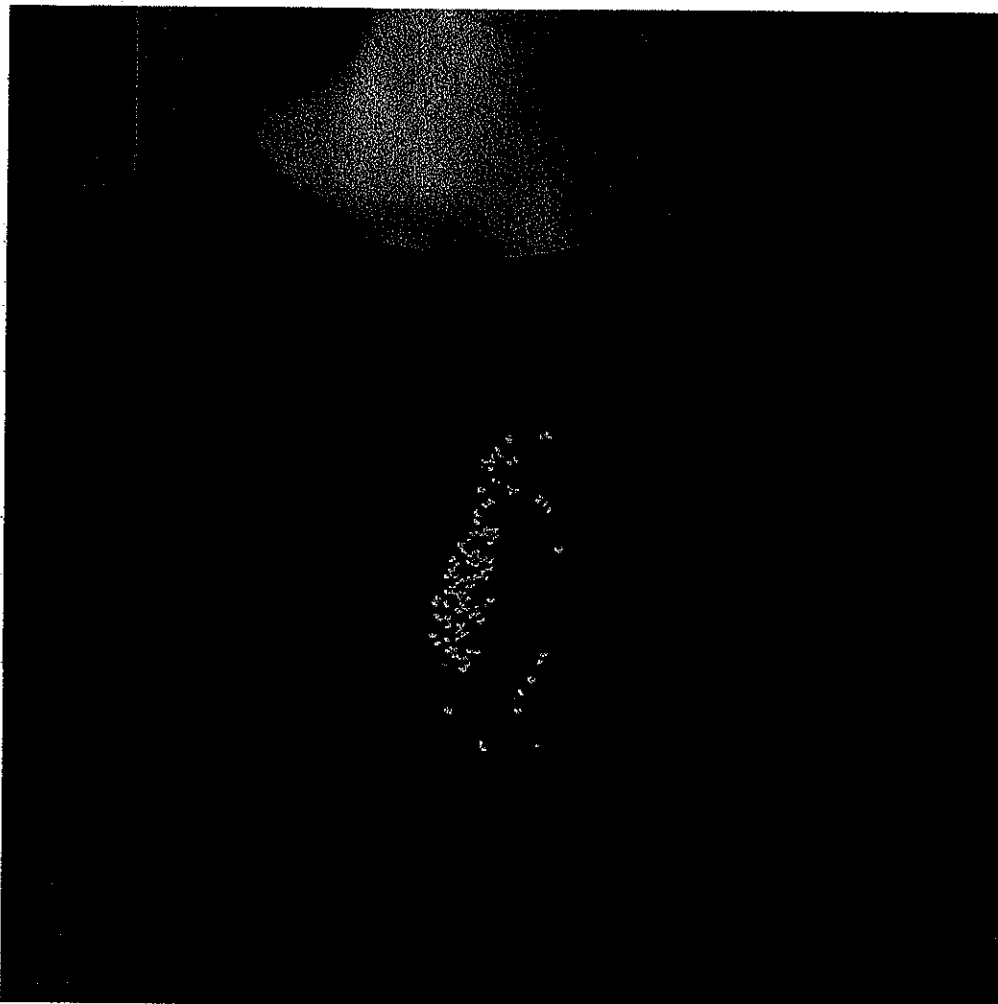
- [petite](#)
- [tall](#)
- [size 16](#)
- [special swim sizes](#)
- [size 5 & 12 shoes](#)

[holiday sale](#)



JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

LOOKS GREAT WITH:



FEATURE COLOR: BLACK



\$39.50 now \$24.99

[CLICK TO VIEW ANOTHER COLOR](#)

J. CREW

HELP · CHECK ORDER STATUS · YOUR ACCOUNT · FIND A STORE NEAR YOU · SHOP BY ITEM#
men | women | crewcuts | gifts | accessories | shoes | sale | shopping bag

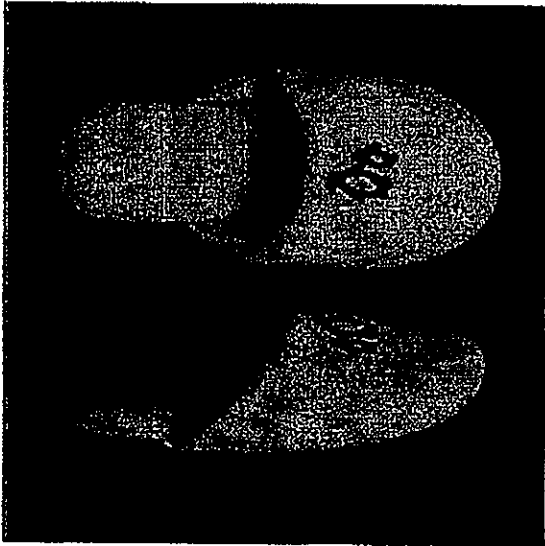
previous 1 2 3 4 5 6 next

the women's shop

new arrivals
J.Crew Collection
J.Crew cashmere
catalog/jcrew.com exclusives

- sweaters
- knits & tees
- shirts & tops
- dresses
- jackets & vests
- outerwear
- pants
- denim
- skirts
- suiting
- swim
- sleepwear & lounge
- shoes
- see all
- flats & moccasins
- heels
- boots
- sandals
- flip-flops
- sneakers
- wellies
- slippers
- accessories
- hats, scarves & gloves

J.Crew at the beach
little black dress shop
holiday parties & weddings



FEATURE COLOR: Ivory

CLICK TO VIEW ANOTHER COLOR

JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

Critter slippers

Regular \$39.50 Item 81251

Lambswool upper and lining. Embellished with an embroidered critter. Suede sole. Import.

STEP 1: choose options

First, choose size size charts

Then, choose color

(colors and sizes not listed are sold out)
Qty

STEP 2: ship to

My Shipping

sign in, for saved addresses

ADD TO SHOPPING BAG

J.CREW

[HELP](#) • [CHECK ORDER STATUS](#) • [YOUR ACCOUNT](#) • [FIND A STORE NEAR YOU](#) • [SHOP BY ITEM#](#)

[men](#) | [women](#) | [crewcuts](#) | [gifts](#) | [accessories](#) | [shoes](#) | [sale](#) | [shopping](#)

[previous](#) 1 2 3 4 5 6 7 8 9 10 [next](#)

the men's shop

- [new arrivals](#)
- [broken-in chino](#)
- [catalog/jcrew.com exclusives](#)

casual

- [sweaters](#)
- [polos & tees](#)
- [casual shirts](#)
- [dress shirts](#)
- [ties](#)
- [pants](#)
- [denim](#)
- [shorts & swim](#)
- [sportcoats](#)
- [outerwear](#)
- [suits & formalwear](#)
- [sweats](#)

sleepwear & underwear

- [see all](#)
- sleepwear**
 - [knit boxers & tees](#)
 - [woven boxers](#)
 - [shoes](#)
 - [accessories](#)
 - [hats, scarves & gloves](#)

special occasions

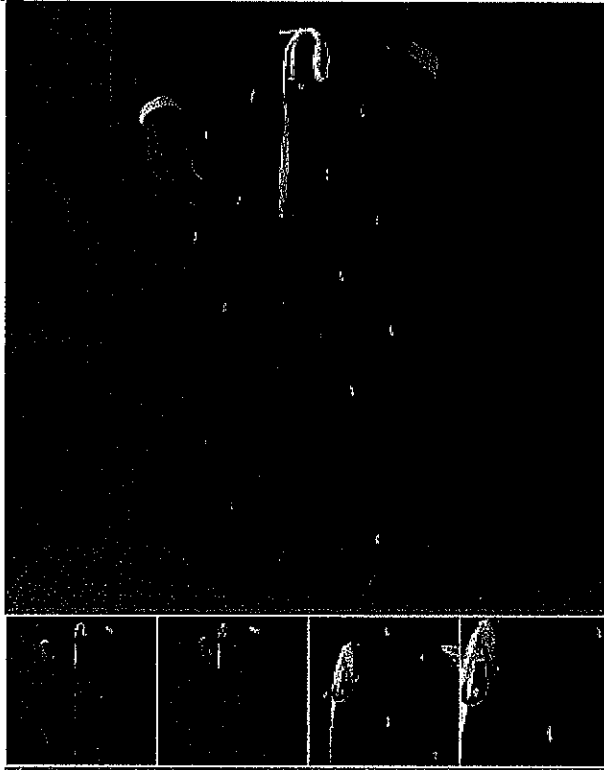
- [the greatgiftfinder](#)
- [J.Crew at the beach](#)
- [weddings & parties](#)
- [crewcuts for kids](#)
- [monogramming](#)

fitting

[tall](#)

seasonal

[holiday sale](#)



FEATURE COLOR: NAVY



[CLICK TO VIEW ANOTHER COLOR](#)



**JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.**

LOOKS GREAT WITH:

Black Watch critter lounge p...

\$49.50 Item 80802

Cotton flannel. Elastic waistband with draw locker loop, 31" inseam. Import. Machine (penguin).

STEP 1: choose options

First, choose size [size charts](#)

Then, choose color

(colors and sizes not listed are sold o

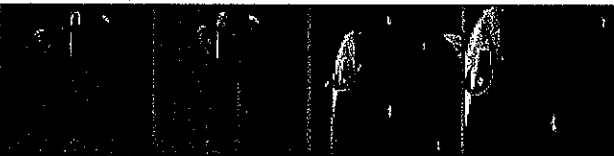
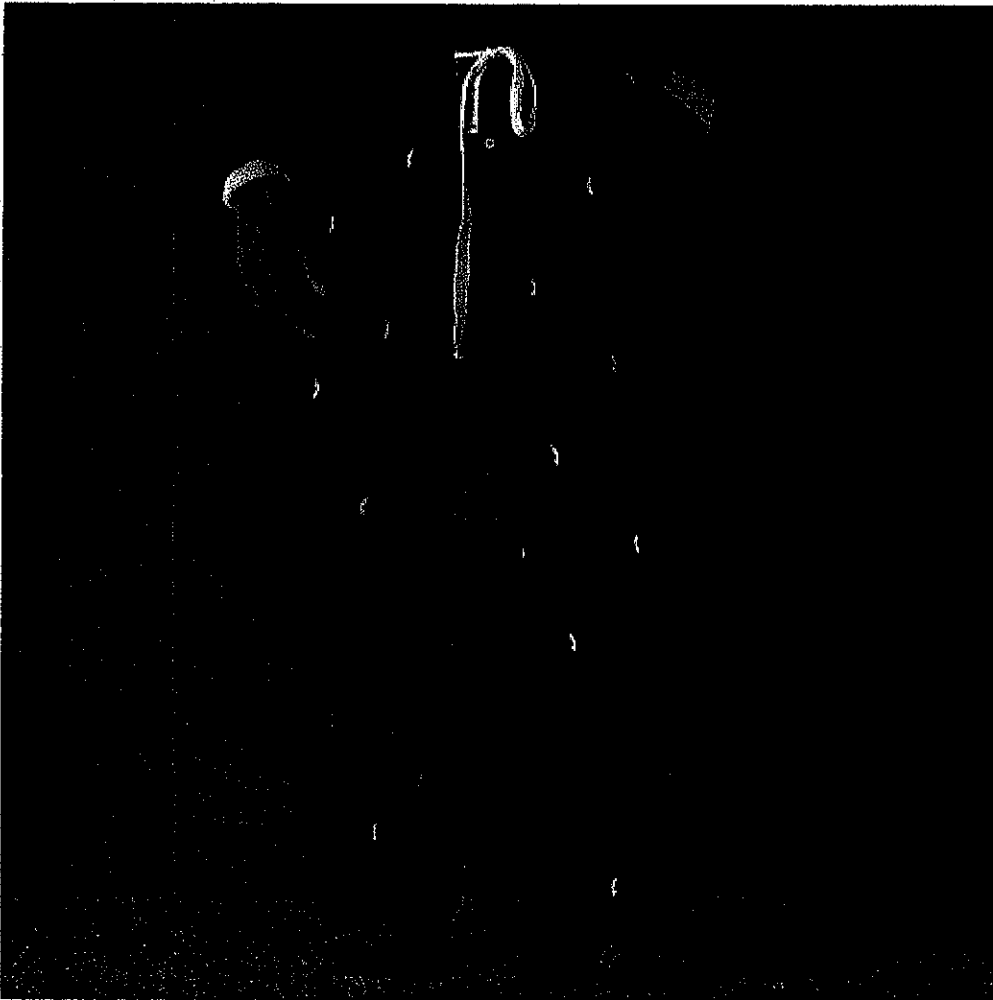
Qty

STEP 2: ship to

My Shipping

[sign in for saved addresses](#)

ADD TO SHOPPING BAG



FEATURE COLOR: NAVY



[CLICK TO VIEW ANOTHER COLOR](#)

J.CREW

HELP • CHECK ORDER STATUS • YOUR ACCOUNT • FIND A STORE NEAR YOU • SHOP BY ITEM#
men | women | crewcuts | gifts | accessories | shoes | sale | shopping bag

previous 1 2 3 4 5 6 7 8 9 10 ... next

the men's shop

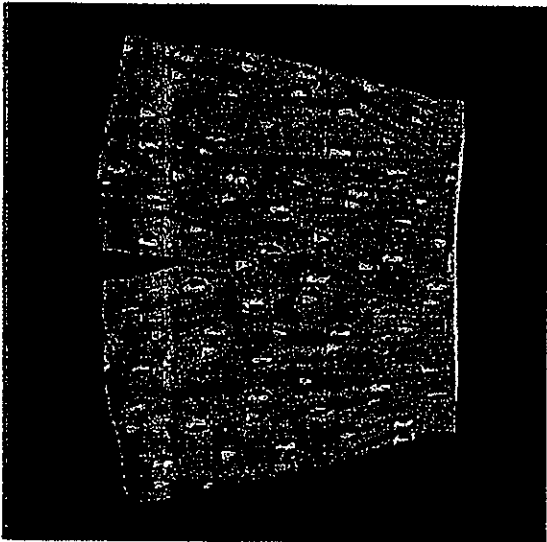
new arrivals
broken-in chino
catalog/jcrew.com exclusives

- sweaters
- polos & tees
- casual shirts
- dress shirts
- ties
- pants
- denim
- shorts
- sportcoats & vests
- outerwear
- suits & formalwear
- sleepwear & underwear

- see all
- sleepwear
- knit boxers & tees
- woven boxers
- shoes
- accessories

J.Crew at the beach
holiday parties & weddings
monogramming
crewcuts for kids

tail



FEATURE COLOR: WATERFALL

CLICK TO VIEW ANOTHER COLOR

JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

Penguin favorite boxers

Regular \$16.50 Item 80778

Lightweight cotton, washed for softness. J.Crew logo elastic waistband. Fly front. Bubble back. 4 1/2" inseam. Import. Machine wash. 2 for \$28

STEP 1: choose options

First, choose size size charts

Then, choose color (colors and sizes not listed are sold out)

Qty

choose another color (optional)

First Choose Size

Then, choose color

(colors and sizes not listed are sold out)

Qty

STEP 2: ship to

My Shipping

sign in for saved addresses

ADD TO SHOPPING BAG

J.CREW

HELP • CHECK ORDER STATUS • YOUR ACCOUNT • FIND A STORE NEAR YOU • SHOP BY ITEM
men | women | crewcuts | gifts | accessories | shoes | sale | shopping bag

the men's shop

new arrivals
broken-in chino
catalog/crew.com/exclusives

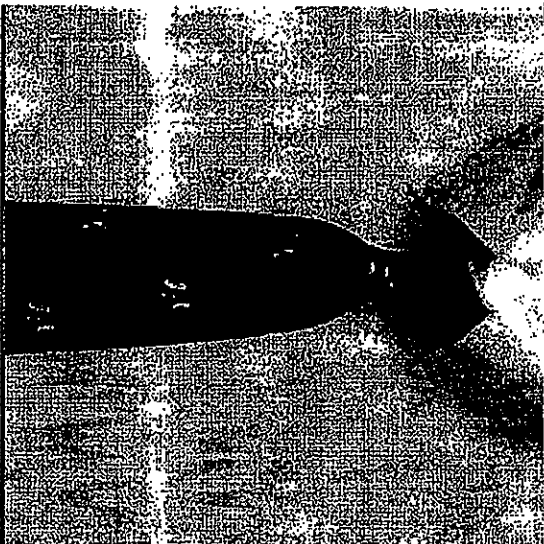
sweaters
polos & tees
sweats
casual shirts
dress shirts
ties

see all
Cambridge ties
knit ties
haberdashery ties
black tie
pants
denim
shorts
sportcoats & vests
outerwear
suits & formalwear
sleepwear & underwear
shoes
accessories

J.Crew at the beach
holiday parties & weddings
monogramming
crewcuts for kids

tall

previous ... 11 12 13 14 15 16 17 18 19 20 ... next



FEATURE COLOR: RED

31

CLICK TO VIEW ANOTHER COLOR

JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

Penguin Cambridge tie

Regular \$49.50 Item 81590

Our new Cambridge ties have a new width: 3 1/4" across—narrower than our traditional dress ties and just the right width for a wardrobe update. Expertly hand-finished English silk. Bemberg J.Crew tipping at both ends. 3 1/4" at widest point. USA.

STEP 1: choose options

First, choose size size charts

Then, choose color

(colors and sizes not listed are sold out)

1 Qty

STEP 2: ship to

My Shipping

sign in for saved addresses

ADD TO SHOPPING BAG

J. CREW

HELP · CHECK ORDER STATUS · YOUR ACCOUNT · FIND A STORE NEAR YOU · SHOP BY ITEM
men | women | crewcuts | gifts | accessories | shoes | sale | shopping bag

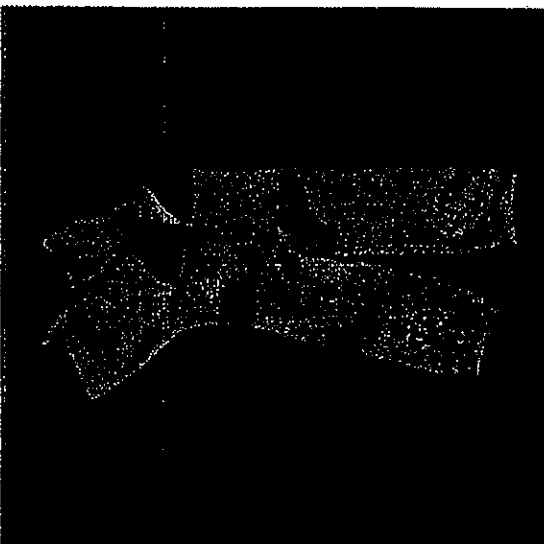
previous 1 2 3 4 5 6 7 8 9 10 ... next

the women's shop

new arrivals
J.Crew Collection
J.Crew cashmere
catalog/jcrew.com exclusives

- sweaters
- knits & tees
- shirts & tops
- dresses
- coats & jackets
- outerwear
- pants
- denim
- skirts
- suiting
- swim
- sleepwear & lounge
- shoes
- accessories
- bags
- belts
- jewelry
- hair accessories
- small accessories
- socks & tights
- hats, scarves & gloves

J.Crew at the beach
little black dress shop
holiday parties & weddings
monogramming
crewcuts for kids



FEATURE COLOR: ivory



CLICK TO VIEW ANOTHER COLOR

JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

Critter knee-highs

Regular \$16.50 Item 81279

A classic sock with critters knit in. Comfort band hits below the knee. Lambswool/cashmere/poly/spandex. Import. Machine wash. 20% off 3 or more

STEP 1: choose options

First, choose size size charts

Then, choose color (colors and sizes not listed are sold out)

Qty

choose another color (optional)

First Choose Size

Then, choose color

(colors and sizes not listed are sold out)

Qty

STEP 2: ship to

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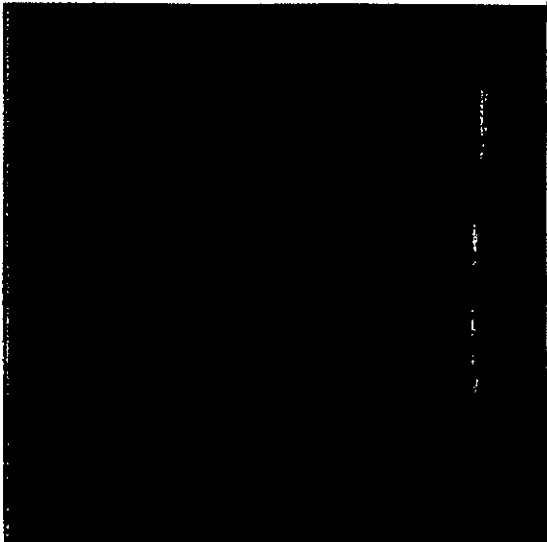
J.CREW

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men | women | crewcuts | gifts | accessories | shoes | sale | shopping bag

the women's shop

new arrivals
J.Crew Collection
J.Crew cashmere
catalog/jcrew.com exclusives

previous 1 2 3 4 5 next



Sherpa-lined wellies

Regular \$78.00 Item 81320

Allowor rubber with printed critters on the shaft of the boot. Lined with acrylic sherpa. Import.

STEP 1: choose options

First, choose size size charts

Then, choose color

(colors and sizes not listed are sold out)

Qty

STEP 2: ship to

My Shipping

sign in for saved addresses

ADD TO SHOPPING BAG

FEATURE COLOR: POPPY

CLICK TO VIEW ANOTHER COLOR

 JUST WHAT I WANTED...
CLICK HERE TO LET SOMEONE KNOW.

J.Crew at the beach
little black dress shop
holiday parties & weddings