



Provided by:  
Overhauser Law Offices LLC  
www.iniplaw.org  
www.overhauser.com

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

CLERK OF COURT  
INDIANAPOLIS DIVISION  
2013 JUL 10 AM 11:45  
SOUTHERN DISTRICT  
OF INDIANA  
LAURA S. HARRIS  
CLERK

ROYAL PURPLE, LLC, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
COMPRESSOR PARTS, MICHAEL )  
KLIPSTEIN, and SOUTHERN PARTS & )  
ENGINEERING COMPANY, LLC, )  
 )  
Defendants. )

**1 : 1 3 -cv- 1 1 0 0 JMS -TAB**  
CASE NO.  
JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, ROYAL PURPLE, LLC (“Royal Purple” or “Plaintiff”), files this Complaint against Defendants, COMPRESSOR PARTS, MICHAEL KLIPSTEIN, and SOUTHERN PARTS & ENGINEERING COMPANY, LLC, (“Defendants”) as set forth below. In support of this Complaint, Royal Purple alleges as follows:

**I. PARTIES**

1. Royal Purple is a limited liability company organized and existing under the laws of the State of Delaware, and has a principal place of business at 2780 Waterfront Parkway E. Drive, Suite 200, Indianapolis, Indiana 46214.

2. Upon information and belief, Compressor Parts’ principal place of business is at 10349 Industrial Rd., Holland, Ohio 43528.

3. Upon information and belief, Michael Klipstein is the corporate executive officer of Compressor Parts, and Compressor Parts acts under Mr. Klipstein’s direction.

4. Upon information and belief, SOUTHERN PARTS & ENGINEERING

COMPANY, LLC is a limited liability company having a principal place of business at 3200 Engineering Parkway, Alpharetta, Georgia 30004.

## II. JURISDICTION AND VENUE

5. This action arises under the trademark laws of the United States, the laws of unfair competition, false designation, and false advertising. It is brought pursuant to Sections 32(1) and 43(a) of the Lanham Act, 15 U.S.C. §§1114(1) and 1125(a), and the common law.

6. This Court has original jurisdiction over the subject matter of this action under 15 U.S.C. §§ 1121 and 1125 and 28 U.S.C. §§ 1331, 1338 for claims arising under the Lanham Act. This Court further has original jurisdiction over the subject matter of this action under 28 U.S.C. § 1367 for claims so related to the Lanham Act claims that they form part of the same case or controversy under Article III of the United States Constitution.

7. Within this Judicial District, Compressor Parts has been and is engaged in distributing, offering to sell, and selling products that infringe Royal Purple's trademarks and in acts that constitute unfair competition, false advertising, and dilution. For at least these reasons, Compressor Parts is subject to the personal jurisdiction of this Court.

8. Within this Judicial District, Michael Klipstein has been and is engaged in distributing, offering to sell, and selling products that infringe Royal Purple's trademarks and in acts that constitute unfair competition, false advertising, and dilution. For at least these reasons, Michael Klipstein is subject to the personal jurisdiction of this Court.

9. Within this Judicial District, Southern Parts & Engineering Company has been and is engaged in distributing, offering to sell, and selling products that infringe Royal Purple's trademarks and in acts that constitute unfair competition, false advertising, and dilution. For at least these reasons, Southern Parts & Engineering Company, LLC is subject to the personal

jurisdiction of this Court.

10. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1391 (b) and (c) because a substantial part of the events or omissions giving rise to the claims stated herein occurred in this Judicial District.

### **III. ROYAL PURPLE AND ITS TRADEMARKS**

11. For more than two decades, Royal Purple has engaged in the business of providing high-performance lubricants for automobiles, off-road vehicles, motorcycles, and marine and racing applications. In association with such products, Royal Purple adopted and has used the color purple, ROYAL PURPLE, and SYNFILM as trademarks, (the “Marks” or the “Royal Purple Marks”) in interstate and intrastate commerce since at least as early as 1985.

12. Royal Purple is the owner of several U.S. federal trademark registrations for “ROYAL PURPLE” as applied to various goods, including U.S. Registration Nos. 2,125,544 for ROYAL PURPLE, with a registration that issued on December 30, 1997; 2,223,271 for ROYAL PURPLE SYNTHETIC MOTOR OIL & Design, with a registration that issued on February 9, 1999; 2,335,522 for ROYAL PURPLE & Design, with a registration that issued on March 28, 2000; 2,369,880 for ROYAL PURPLE ULTRA PERFORMANCE & Design, with a registration that issued on July 25, 2000, and; 3,689,740 for ROYAL PURPLE, with a registration that issued on September 29, 2009.

13. U.S. Trademark Registration Nos. 2,125,544, 2,223,271, 2,335,522, and 2,369,880 are incontestable, and are prima facie evidence of Royal Purple’s exclusive right to use ROYAL PURPLE in commerce throughout the United States for the goods specified in the registrations. True and correct copies of the above-identified federal registrations are attached

hereto as Exhibit A.

14. Royal Purple is also the owner of the color purple as a trademark. Since adopting the color purple as its trademark, Royal Purple has continuously used the color purple as a trademark in interstate and intrastate commerce in connection with the advertising, promotion, and sales of its lubricant products. Royal Purple has used the color purple as a trademark on product packaging, labels, and containers, and has incorporated the color purple as a trademark into its lubricant products themselves. Royal Purple has extensively used and promoted the color purple as its trademark such that the color purple is closely identified with Royal Purple's products, and has gained widespread public recognition.

15. The color purple was chosen to symbolize the extraordinarily high quality of Royal Purple's products given that, historically, the color purple was so expensive to produce that it was a color used only by royalty. The awareness of the outstanding quality of Royal Purple's lubricants rapidly spread among industrial users and racing enthusiasts to such an extent that there are now over 20,000 retailers in the United States selling Royal Purple's lubricants.

16. Royal Purple is the owner of several federal trademark registrations for the color purple as applied to lubricants, and additives for lubricants and fuels, including:

U.S. Registration No. 2,691,774 for lubricating oils for automotive uses and lubricants for industrial and household uses in International Class 4;

U.S. Registration No. 2,953,996 for lubricants oils for automotive uses and lubricants for industrial and household uses in International Class 4.

True and correct copies of the above-identified federal registrations are attached hereto as Exhibit B.

17. U.S. Trademark Registration Nos. 2,953,996 and 2,691,774 are incontestable and

are prima facie evidence of Royal Purple's exclusive right to use the color purple in commerce throughout the United States on the goods specified in the registrations.

18. Royal Purple is the owner of federal trademark registrations for the color purple as applied to related goods, including U.S. Registration No. 3,819,988. A true and correct copy of the above-identified federal registration is attached hereto as Exhibit C.

19. Royal Purple is also the owner of U.S. Registration No. 1721326 for SYNFILM for synthetic, para-synthetic and hydrocarbon lubricants for industrial uses; namely, lubricants for compressors, pumps, gas and steam turbines, gear boxes, motor bearings, and air tools in International Class 4. This registration was issued on October 6, 1992, is incontestable, and is prima facie evidence of Royal Purple's exclusive right to use SYNFILM in commerce throughout the United States for the goods specified in the registration. A true and correct copy of the above-identified federal registration is attached hereto as Exhibit D.

20. As a result of the care and skill exercised by Royal Purple in the conduct of its business, and the high quality of Royal Purple's products offered under its Marks, as well as the long-running, extensive advertising, promotion and sale of the Royal Purple products associated with the Marks, Royal Purple's Marks have acquired strong secondary meaning such that the consuming public throughout the United States widely recognizes and associates the Marks with the Plaintiff, Royal Purple.

21. As a further result of Royal Purple's longstanding, widespread, and continuous use of the Royal Purple Marks, and as a result of the substantial investments made via significant advertising and promotional activities, and widespread distribution of its superior products, Royal Purple's Marks have become famous among those in the trade as well as the consuming public, and Royal Purple's Marks have come to serve to identify Royal Purple's popular

lubricants and related goods, and to distinguish Royal Purple's goods from those of others.

22. Royal Purple has acquired and now enjoys substantial goodwill and a valuable reputation through the Royal Purple Marks among consumers nationally as well as internationally. The maintenance of high standards of quality and excellence for Royal Purple's goods and services has contributed to this valuable goodwill and reputation, and the Royal Purple Marks and the goodwill of the business associated therewith are of inestimable value to Royal Purple.

23. The goodwill embodied in Royal Purple's Marks, and consequently Royal Purple's valuable reputation and credibility in the industry, depend on the integrity of Royal Purple's Marks being identifications exclusively of Royal Purple products, and not of any other source.

24. Further, Royal Purple displays the Royal Purple Marks on its products and in its advertising in order to assure customers that they are buying Royal Purple's products, which customers have come to recognize as representative of Royal Purple's high-performance lubricants for automobiles, off-road vehicles, motorcycles, and marine and racing applications.

**COUNT I**  
**FEDERAL TRADEMARK INFRINGEMENT**

25. Royal Purple realleges and incorporates paragraphs 1 through 24 as if fully set forth in this paragraph.

26. Upon information and belief, the Defendants are manufacturers and suppliers of compressor parts and compressor oils. The Defendants operate a website, [www.compressorparts.com](http://www.compressorparts.com), whereby Defendants use the Royal Purple Marks to sell and promote their products. The Defendants are not endorsed, sponsored by, or affiliated with Royal Purple in any way.

27. The Defendants offer goods on the compressorparts.com website using the Royal Purple Marks in a manner that is likely to cause a substantial number of ordinary consumers to be mistaken, confused, or deceived into thinking that Defendants' goods are offered by, endorsed by, sponsored by, or affiliated with Royal Purple.

28. The Defendants' unauthorized use in commerce of the Royal Purple Marks is likely to cause confusion, mistake, or deception as to origin, sponsorship, or approval and therefore constitutes federal trademark infringement, in violation of 15 U.S.C. § 1114(1). By reason of the Defendants' bad faith and willful infringement, Royal Purple is entitled to recover actual damages, treble damages, an accounting for Defendants' profits, attorneys' fees, and the cost of this litigation pursuant to 15 U.S.C. § 1117 and injunctive relief pursuant to 15 U.S.C. § 1116.

29. As a result of the Defendants' acts, Royal Purple has already suffered damage and will continue to suffer damage, while the Defendants profit at Royal Purple's expense. Unless the Defendants are enjoined, Royal Purple has no adequate remedy at law and will be irreparably harmed.

**COUNT II**  
**FALSE DESIGNATION OF ORIGIN/FALSE ADVERTISING**

30. Royal Purple realleges and incorporates paragraphs 1 through 29 as if fully set forth in this paragraph.

31. The Defendants intentional, unlawful, and unauthorized use in commerce of the Royal Purple Marks, and Defendants' false and misleading use of the terms ROYAL PURPLE, SYNFILM, and of the color purple in commerce, is likely to cause confusion, mistake, or deception as to origin, sponsorship, or approval of Defendants' goods and therefore constitutes false designation of origin and false advertising, in violation of 15 U.S.C. § 1125(a). Royal

Purple is entitled to recover actual and treble damages, reasonable attorneys' fees, and the cost of this litigation pursuant to 15 U.S.C. § 1117, and injunctive relief pursuant to 15 U.S.C. § 1116.

32. As a result of the Defendants' acts, Royal Purple has already suffered damage and will continue to suffer damage, while the Defendants profit at Royal Purple's expense. Unless the Defendants are enjoined, Royal Purple has no adequate remedy at law and will be irreparably harmed.

**COUNT III**  
**UNFAIR COMPETITION UNDER INDIANA COMMON LAW**

33. Royal Purple realleges and incorporates paragraphs 1 through 32 above, as if fully set forth in this paragraph.

34. By engaging in the foregoing acts, the Defendants have knowingly engaged in unlawful passing off and competed unfairly with Royal Purple in violation of the common law of unfair competition in the state of Indiana.

35. As a result of the Defendants' acts, Royal Purple has already suffered damage and will continue to suffer damage, while the Defendants profit at Royal Purple's expense. Unless the Defendants are enjoined, Royal Purple has no adequate remedy at law and will be irreparably harmed.

36. Royal Purple is entitled to recover actual and punitive damages for the Defendants' unfair competition.

**COUNT IV**  
**COMMON LAW TRADEMARK INFRINGEMENT**

37. Royal Purple realleges and incorporates paragraphs 1 through 36, as if fully set forth in this paragraph.

38. Defendant has violated and infringed Royal Purple's common law rights in the



Royal Purple Marks, in violation of the common law of the state of Indiana.

39. As a result of the Defendants' acts, Royal Purple has already suffered damage and will continue to suffer damage, while the Defendants profit at Royal Purple's expense. Unless the Defendants are enjoined, Royal Purple has no adequate remedy at law and will be irreparably harmed.

WHEREFORE, Royal Purple respectfully requests:

- A. That Defendants be permanently enjoined from committing any acts likely to cause the public to believe that any of the Defendants' products and services are Royal Purple's products and services, or are authorized by, sponsored by, or in any way associated with Royal Purple, in whole or in part;
- B. That Defendants, their officers, agents, servants, employees, attorneys, and all others (including subsidiaries) in active concert or participation with them be permanently enjoined from using the Royal Purple Marks or any other confusingly similar trademark;
- C. That Defendants, their officers, agents, servants, employees, attorneys, and all others (including subsidiaries) in active concert or participation with them be enjoined from misrepresenting the nature, characteristics, and qualities of Defendants' goods;
- D. That Defendants and all others acting in concert with them, be directed to account and pay over to Royal Purple all revenues realized by them and others acting with them from the Defendants' infringing acts;
- E. That Defendants and all others acting in concert with them, be directed to pay to Royal Purple all compensatory damages suffered by Royal Purple due to Defendants' trademark infringement, unfair competition, and false advertising;

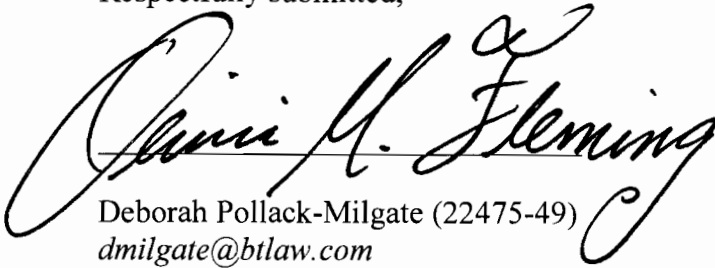
- F. That Defendants and all others acting in concert with them, be directed to pay punitive damages to deter Defendants and all others similarly situated from like unlawful conduct in the future due to Defendants' false advertising and unfair competition;
- G. That Defendants pay interest on the damages awarded to Royal Purple;
- H. That Defendants pay Royal Purple costs of this action and reasonable attorneys' fees, with interest; and
- I. All other just and proper relief.

**JURY DEMAND**

Royal Purple respectfully demands a trial by jury of all issues so triable.

Respectfully submitted,

Dated: July 9, 2013



Deborah Pollack-Milgate (22475-49)  
*dmilgate@btlaw.com*  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
(317) 236-1313  
(317) 231-7433 (Facsimile)

Olivia M. Fleming (29248-49)  
*ofleming@btlaw.com*  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
(317) 236-1313  
(317) 231-7433 (Facsimile)

*Attorneys for Royal Purple, LLC*

JS 44 (Rev 09/10)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

**CIVIL COVER SHEET**

2013 JUL 10 AM 11:45  
SOUTHERN DISTRICT  
OF INDIANA  
LAUREL

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law.

**1:13-cv-1100-JMS-TAB**

**Plaintiff(s):**

First Listed Plaintiff:  
Royal Purple, LLC ;  
**County of Residence:** Marion County

**Defendant(s):**

First Listed Defendant:  
Compressor Parts ;  
**County of Residence:** Outside This District

Additional Defendants(s):  
Michael Klipstein ;  
Southern Parts & Engineering Company, LLC ;

**County Where Claim For Relief Arose:** Marion County

**Plaintiff's Attorney(s):**

Deborah Pollack-Milgate ( Royal Purple LLC)  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, Indiana  
**Phone:** 317-236-1313  
**Fax:** 317-231-7433  
**Email:** dpollackmilgate@btlaw.com

**Defendant's Attorney(s):**

Olivia M. Fleming  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204  
**Phone:** 317-236-1313  
**Fax:** 317-231-7433  
**Email:** ofleming@btlaw.com

**Basis of Jurisdiction:** 3. Federal Question (U.S. not a party)

**Citizenship of Principal Parties (Diversity Cases Only)**

**Plaintiff:** N/A  
**Defendant:** N/A

**Origin:** 1. Original Proceeding

**Nature of Suit:** 840 Trademark

**Cause of Action:** 15 U.S.C. §1114(1) and 1125(a) Trademark Infringment

**Requested in Complaint**

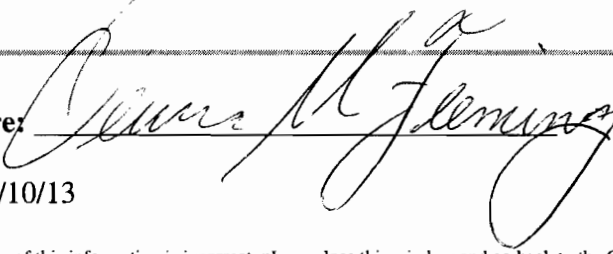
**Class Action:** Not filed as a Class Action

**Monetary Demand (in Thousands):**

**Jury Demand:** Yes

**Related Cases:** Is NOT a refiling of a previously dismissed action

**Signature:**



**Date:** 7/10/13

If any of this information is incorrect, please close this window and go back to the Civil Cover Sheet Input form to make the correction and generate the updated JS44. Once corrected, print this form, sign and date it, and submit it with your new civil action.

# EXHIBIT A

Int. Cl.: 4

Prior U.S. Cls.: 1, 6 and 15

Reg. No. 2,125,544

**United States Patent and Trademark Office**

Registered Dec. 30, 1997

**TRADEMARK  
PRINCIPAL REGISTER**

**ROYAL PURPLE**

ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: SYNTHETIC, PARA-SYNTHETIC AND HYDROCARBON LUBRICANTS FOR AUTOMOBILES, NAMELY, CRANKCASE LUBRICANTS, GEAR OILS AND GREASES; AND INDUSTRIAL USES, NAMELY, LUBRICANTS FOR COMPRESSORS, PUMPS, GAS AND STEAM TURBINES, GEAR BOXES, MOTOR

BEARINGS, GAS AND DIESEL ENGINES, TRANSMISSIONS, BEARINGS, GEARS, CHAINS, AND AIR TOOLS, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 8-0-1985; IN COMMERCE 8-0-1985.

SER. NO. 75-217,411, FILED 12-23-1996.

JULIA HARDY COFIELD, EXAMINING ATTORNEY

Int. Cl.: 4

Prior U.S. Cls.: 1, 6, and 15

Reg. No. 2,223,271

**United States Patent and Trademark Office**

Registered Feb. 9, 1999

**TRADEMARK  
PRINCIPAL REGISTER**



ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: SYNTHETIC, PARA-SYNTHETIC AND HYDROCARBON LUBRICANTS FOR - AUTOMOBILES, NAMELY, CRANKCASE LUBRICANTS, GEAR OILS; AND INDUSTRIAL USES, NAMELY, LUBRICANTS FOR COMPRESSORS, PUMPS, GAS AND STEAM TURBINES, GEAR BOXES, MOTOR BEARINGS, GAS AND DIESEL ENGINES, TRANSMISSIONS, BEARINGS, GEARS, CHAINS, AND AIR TOOLS, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 10-1-1997; IN COMMERCE 10-0-1997.

OWNER OF U.S. REG. NOS. 1,891,914 AND 2,125,544.

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

THE MARK IS LINED FOR THE COLORS PURPLE AND GOLD AND THE "CHECKERED FLAG" IS FADED TO THE LEFT. THE "U" IN THE WORD PURPLE IS GOLD HAVING A PURPLE DROP EXTENDING DOWNWARD FROM THE GOLDEN CROWN. ALL OF THE PURPLE LETTERS ARE OUTLINED IN GOLD. THE COLORS ARE NOT CLAIMED AS A FEATURE OF THE MARK.

SN 75-327,220, FILED 7-18-1997.

TINA L. SNAPP, EXAMINING ATTORNEY

**Int. Cls.: 1 and 4**

**Prior U.S. Cls.: 1, 5, 6, 10, 15, 26 and 46**

**Reg. No. 2,335,522**

**United States Patent and Trademark Office**

**Registered Mar. 28, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**



ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: CHEMICAL ADDITIVES FOR LUBRICANTS AND FUELS, IN CLASS 1 (U.S. CLS. 1, 5, 6, 10, 26 AND 46).

FIRST USE 8-1-1994; IN COMMERCE 8-1-1994.

FOR: SYNTHETIC, PARA-SYNTHETIC AND HYDROCARBON LUBRICANTS FOR AUTOMOBILES - NAMELY CRANKCASE LUBRICANTS, GEAR OILS; AND INDUSTRIAL USES

- NAMELY, LUBRICANTS FOR COMPRESSORS, PUMPS, GAS AND STEAM TURBINES, GEAR BOXES, MOTOR BEARINGS, GAS AND DIESEL ENGINES, TRANSMISSIONS, BEARINGS, GEARS, CHAINS, AND AIR TOOLS, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 8-1-1994; IN COMMERCE 8-1-1994.

SER. NO. 75-665,804, FILED 3-22-1999.

HOWARD B. LEVINE, EXAMINING ATTORNEY



**Int. Cl.: 4**

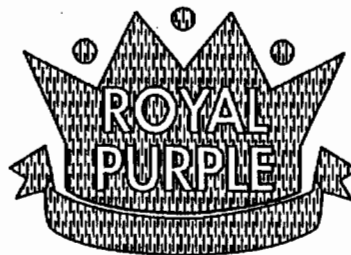
**Prior U.S. Cls.: 1, 6 and 15**

**Reg. No. 2,369,880**

**United States Patent and Trademark Office**

**Registered July 25, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**



**ULTRA  
PERFORMANCE**

ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: AUTOMOTIVE AND GENERAL PURPOSE  
GREASES, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FIRST USE 2-15-1996; IN COMMERCE 2-15-1996.

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

THE DRAWING IS LINED FOR THE COLOR PUR-  
PLE WHICH IS A FEATURE OF THE MARK.

SER. NO. 75-494,079, FILED 6-1-1998.

DERRICK PHILLIPS, EXAMINING ATTORNEY

# United States of America

United States Patent and Trademark Office

## ROYAL PURPLE

**Reg. No. 3,689,740** ROYAL PURPLE, INC. (TEXAS CORPORATION)  
Registered Sep. 29, 2009 1 ROYAL PURPLE LANE  
PORTER, TX 77396

**Int. Cl.: 7** FOR: AUTOMOBILE AND MOTORCYCLE FILTERS, NAMELY, OIL FILTERS, IN CLASS  
7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

**TRADEMARK** FIRST USE 11-20-2008; IN COMMERCE 11-20-2008.  
**PRINCIPAL REGISTER**

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

OWNER OF U.S. REG. NOS. 1,891,914, 2,999,992, AND OTHERS.

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

SN 76-692,815, FILED 9-12-2008.

BENJAMIN OKEKE, EXAMINING ATTORNEY



*David J. Kappas*

Director of the United States Patent and Trademark Office

# EXHIBIT B

**Int. Cl.: 4**

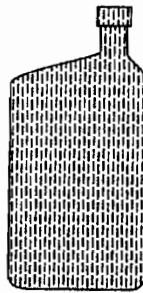
**Prior U.S. Cls.: 1, 6 and 15**

**United States Patent and Trademark Office**

**Reg. No. 2,691,774**

**Registered Mar. 4, 2003**

**TRADEMARK  
PRINCIPAL REGISTER**



ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: LUBRICATING OILS FOR AUTOMOTIVE  
USES AND LUBRICANTS FOR INDUSTRIAL AND  
HOUSEHOLD USES, IN CLASS 4 (U.S. CLS. 1, 6 AND  
15).

FIRST USE 6-0-1985; IN COMMERCE 6-0-1985.

THE DRAWING IS LINED FOR THE COLOR  
PURPLE.

THE MARK CONSISTS OF THE COLOR PURPLE  
AS APPLIED TO THE ENTIRETY OF GOODS. THE  
DOTTED OUTLINE OF THE CONTAINER IS IN-  
TENDED TO SHOW THE POSITION OF THE MARK  
ON THE CONTAINER AND IS NOT PART OF THE  
MARK.

SEC. 2(F).

SER. NO. 75-331,978, FILED 7-28-1997.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

**Int. Cl.: 4**

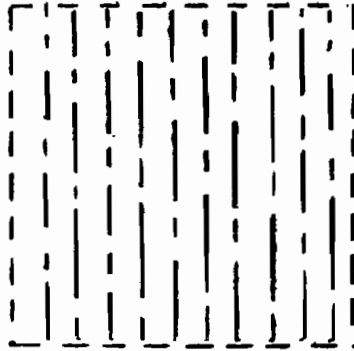
**Prior U.S. Cls.: 1, 6 and 15**

**Reg. No. 2,953,996**

**United States Patent and Trademark Office**

**Registered May 24, 2005**

**TRADEMARK  
PRINCIPAL REGISTER**



ROYAL PURPLE, INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: LUBRICANTS OILS FOR AUTOMOTIVE  
USES AND LUBRICANTS FOR INDUSTRIAL AND  
HOUSEHOLD USES, IN CLASS 4 (U.S. CLS. 1, 6 AND  
15).

FIRST USE 6-0-1985; IN COMMERCE 6-0-1985.

OWNER OF U.S. REG. NO. 1,891,914.

THE DRAWING IS LINED FOR THE COLOR  
PURPLE.

THE MARK CONSISTS OF THE COLOR PURPLE  
AS APPLIED TO THE ENTIRETY OF GOODS. THE  
DOTTED OUTLINE IS INTENDED TO SHOW THAT  
THE GOODS ARE IN LIQUID FORM AND OF  
INDETERMINATE SHAPE AND IS NOT A PART  
OF THE MARK.

SEC. 2(F).

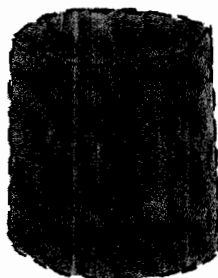
SER. NO. 75-005,969, FILED 10-16-1995.

JENNIFER CHICOSKI, EXAMINING ATTORNEY

# EXHIBIT C

# United States of America

United States Patent and Trademark Office



**Reg. No. 3,819,988**

**Registered July 20, 2010**

**Int. Cl.: 7**

**TRADEMARK**

**PRINCIPAL REGISTER**

ROYAL PURPLE, INC. (TEXAS CORPORATION)  
1 ROYAL PURPLE LANE  
PORTER, TX 77396

FOR: OIL FILTERS FOR AUTOMOTIVE AND MOTORCYCLE ENGINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 11-20-2008; IN COMMERCE 11-20-2008.

OWNER OF U.S. REG. NOS. 2,691,774, 3,203,213 AND OTHERS.

THE COLOR(S) PURPLE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE COLOR PURPLE AS APPLIED TO THE ENTIRE OUTER SURFACE OF OIL FILTERS, WITH THE EXCEPTION OF THE BOTTOM WHICH ATTACHES TO THE AUTOMOBILE OR MOTOR CYCLE ENGINE. THE DOTTED LINES INDICATE THE PLACEMENT OF THE MARK ON THE GOODS AND ARE NOT A PART OF THE MARK.

SEC. 2(F).

SER. NO. 76-692,819, FILED 9-12-2008.

VERNA BETH RIRIE, EXAMINING ATTORNEY



*David J. Kyffes*

Director of the United States Patent and Trademark Office

# EXHIBIT D



**Int. Cl.: 4**

**Prior U.S. Cl.: 15**

**United States Patent and Trademark Office**

**Reg. No. 1,721,326**

**Registered Oct. 6, 1992**

**TRADEMARK  
PRINCIPAL REGISTER**

**SYNFILM**

ROYAL PURPLE SYNTHETIC LUBRICANTS,  
INC. (TEXAS CORPORATION)  
2006 WILSON ROAD  
HUMBLE, TX 77396

FOR: SYNTHETIC, PARA-SYNTHETIC AND  
HYDROCARBON LUBRICANTS FOR INDUS-  
TRIAL USES; NAMELY, LUBRICANTS FOR  
COMPRESSORS, PUMPS, GAS AND STEAM

TURBINES, GEAR BOXES, MOTOR BEAR-  
INGS, AND AIR TOOLS, IN CLASS 4 (U.S. CL.  
15).

FIRST USE 8-0-1985; IN COMMERCE  
8-0-1985.

SER. NO. 74-163,770, FILED 5-6-1991.

JYLL A. SMITH, EXAMINING ATTORNEY