

Exhibit A

THE 3RD LEG

Did you know that the elephant is endowed with the largest penis out of any other land animal? It's true. That's why we've given you the opportunity to embrace the elephant and pretend like yours is much more impressive than it is.

STAY WEIRD & STAY HUNG



**BALL
HAMMOCK**



**SUPER
SOFT**



**MOISTURE
WICKING**



**BULGE
ENHANCING**



**ANTI
BUNCHING**

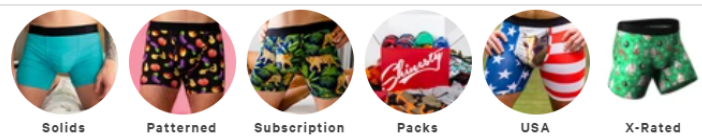


**ROOM TO
BREATHE**

Exhibit B



THEMES MEN WOMEN UNDERWEAR SUBSCRIPTION FREE \$\$\$



Mens Ball Hammock® Pouch Underwear

Men's Health calls them 'The Most Comfortable Underwear You'll Ever Wear' and with over 1000 5-star reviews and counting, they're not alone. The secret to these ball pouch boxer briefs is our proprietary Ball Hammock®

FILTER SORT BY

Ball Hammock of the Month



Subscribe for 38% Off. Cancel Anytime.

Monthly Boxer Subscription

15.99 ★★★★★ 2564 Reviews

BUILD YOUR OWN BOXER PACK

SAVE UP TO 25%

Build A Boxer Pack

Ball Hammock Pouch Underwear Pack Bu...

From 25.99



The Threat Level Midnights

Black Ball Hammock Pouch Underwear

25.99 ★★★★★ 1548 Reviews



The Darkest Night

Black Ball Hammock Boxer 7 Pack

135.99 ~~167.99~~ ★★★★★ 222 Reviews



The Naughty Bears

Gummy Bear Ball Hammock Pouch Underwear

25.99 ★★★★★ 2315 Reviews



The Space Invaders

Vintage Video Game Ball Hammock Boxer...

25.99 ★★★★★ 925 Reviews



The 50 Shades Of Gonads

Frost Grey Ball Hammock Pouch Underwear

25.99 ★★★★★ 1548 Reviews



The Stormy Sky

Grey Ball Hammock Boxer 5 Pack

103.99 ~~129.99~~ ★★★★★ 222 Reviews





The Hammer Time
Father's Day Ball Hammock Boxer Briefs

25.99 ★★★★☆ 1435 Reviews

The Hammer Time
Father's Day Ball Hammock Pouch Under...

25.99 ★★★★☆ 1571 Reviews

The Mascot
American Flag Ball Hammock Pouch Unde...

25.99 ★★★★☆ 1435 Reviews

The Mascot
USA Eagle Ball Hammock Pouch Underwea...

25.99 ★★★★☆ 1186 Reviews



The Mascot
Father and Son Boxer 2 Pack

45.99 ★★★★☆ 5 Reviews



The Canines
Father and Son Boxer 2 Pack

45.99 ★★★★☆ 3 Reviews



The Blow Me...Ups
Ball Hammock Balloon Animal Boxer Bri...

25.99 ★★★★☆ 2315 Reviews



The Blow Me...Ups
Ball Hammock Balloon Animal Boxer Briefs

25.99 ★★★★☆ 2315 Reviews



The Caught Looking
USA Baseball Ball Hammock Pouch Under...

25.99 ★★★★☆ 1571 Reviews



The Caught Looking
Baseball Ball Hammock Pouch Underwear...

25.99 ★★★★☆ 1571 Reviews



The Papa Bear
Father Son Ball Hammock Pouch Underwe...

102.99



The Right Hand Man
Father Son Ball Hammock Pouch Underwe...

45.99



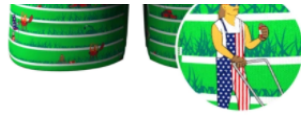
SUBSCRIPTION EXCLUSIVE





The Pinewood Derby
Race Car Father Son Ball Hammock Pouch Underwear

45.99



The Lawn God
Fathers Day Ball Hammock Pouch Underwear

25.99

★★★★☆ 2315 Reviews



The Daytona Drifter
Race Car Ball Hammock Pouch Underwear

25.99

★★★★☆ 925 Reviews



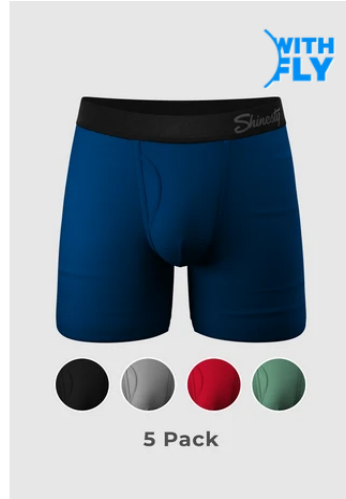
The Big Blue
Dark Blue Ball Hammock Pouch Underwear

25.99

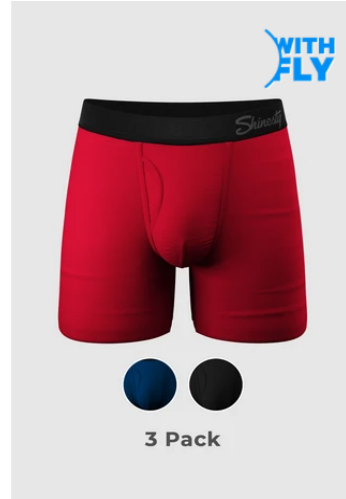
★★★★☆ 1548 Reviews



3 Pack



5 Pack



3 Pack



The Navy Nads
Ball Hammock Boxer Brief 3 Pack

69.99 ~~77.99~~

★★★★☆ 1548 Reviews

The Crayola
Classic Solid Ball Hammock Pouch Underwear

103.99 ~~129.99~~

The 3 Legged Race
Solid Ball Hammock Pouch Underwear

69.99 ~~77.99~~

The Coney Islands
Hot Dog Ball Hammock Pouch Underwear

25.99

★★★★☆ 1571 Reviews



The Coney Islands
Hot Dog Ball Hammock Pouch Underwear

25.99

★★★★☆ 1571 Reviews



The Bomb Popper
Popsicle Ball Hammock Pouch Underwear

25.99



The Shock And Awesome
American Flag Eagle Explosions Ball Hammock Pouch Underwear

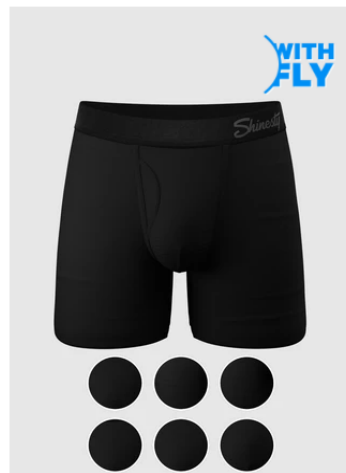
25.99



The Snack Attack
Shark Ball Hammock Pouch Underwear

25.99

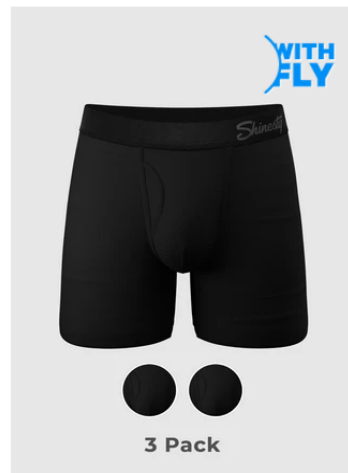
★★★★☆ 1186 Reviews



5 Pack



5 Pack



3 Pack

7 Pack

The Threat Level Midnight
Black Ball Hammock Pouch Underwear WI...

25.99 ★★★★☆ 1548 Reviews



The Darkest Night
Black Ball Hammock Pouch Underwear WI...

135.99 ~~167.99~~

MEN'S GROOMING COLLECTION



KEEP 'EM CLEAN

The Midnight Rider
Black Ball Hammock Boxer 5 Pack

103.99 ~~129.99~~ ★★★★☆ 222 Reviews



The Zero Shades of Grey
Black Ball Hammock Pouch Underwear WI...

69.99 ~~77.99~~



The 009
Black Tuxedo Ball Hammock Pouch Under...

25.99 ★★★★☆ 1186 Reviews



The 009
Black Tuxedo Ball Hammock Pouch Under...

25.99 ★★★★☆ 1571 Reviews



The Big Blue
Dark Blue Ball Hammock Pouch Underwea...

25.99 ★★★★☆ 1548 Reviews



The Blue Man Group
Ball Hammock Pouch Underwear With Fly...

103.99 ~~129.99~~



The 50 Shades Of Gonads
Grey Ball Hammock Pouch Underwear Wit...

25.99 ★★★★☆ 1548 Reviews



The Christian Grey
Grey Ball Hammock Boxer 3 Pack

69.99 ~~77.99~~ ★★★★☆ 1548 Reviews



The Bearly Theres
USA Grizzly Bear Ball Hammock Pouch U...

25.99 ★★★★☆ 1186 Reviews



The Forni Camo
Camouflage Ball Hammock Boxer Briefs ...

25.99 ★★★★☆ 925 Reviews

The Sex On The Beach
Tropical Ball Hammock Pouch Underwear...

25.99

The Gift Wrap
Striped Ball Hammock Boxer Briefs

25.99 ★★★★☆ 925 Reviews

The Gift Wrap
Striped Ball Hammock Pouch Underwear ...

25.99 ★★★★☆ 1571 Reviews

Related Boxer Collections

- ALL BOXERS
- ANIMAL PRINT
- PATTERN
- CHRISTMAS
- SUBSCRIPTION
- AMERICAN FLAG
- PACKS
- FRESH RELEASES
- LAST CHANCE

Why choose Men's Pouch Underwear from Shinesty?

Choosing to wear regular men's boxer briefs instead of Ball Hammocks®, ball supporting underwear is like choosing to adopt a "domesticated" white tiger instead of a miniature Golden Doodle. It sounds like it'll probably be fine, but it's actually kind of dangerous.

Think about men's pouch underwear like this: You wouldn't toss fresh eggs in your shopping cart without an egg carton, all willy nilly. You wouldn't carry a pair of bulging water balloons loose in your pocket with a set of keys, would you? Of course not. So why would you put your delicate happy sacks in anything other than men's sexy underwear with a special pouch for your balls? Your man nuggets will laugh maniacally with delight when you place them in their very own hammock pouch, far away from the sweaty magnetic pull of your upper thigh and safely out of harm's way.

Besides keeping your love spuds cool by cradling them in a moisture-wicking, micro-modal Ball Hammock® pouch, these men's pouch underwear enhance the look of your package by keeping your meat and taters all on the same plate. Common reactions from lucky spectators include comments like "Wow, what size shoe did you say you wear?" and stunned silence.

Moisture Wicking Underwear to stop the SWASS

Moisture wicking underwear: men's most powerful weapon. Ball Hammocks® are moisture wicking underwear which means that your ass sweat won't hangout in your most intimate nooks and crannies. Nope, these moisture wicking boxer briefs work like magic to help release trapped heat and keep you cool and dry all day long.

Chill out in Men's Breathable Underwear

News flash: you should wear breathable underwear. Do I really need to explain why micro modal men's breathable underwear is better than constricting cotton? You wouldn't leave a dog in a hot car, would you? Then why would you subject your boys to stuffy cotton? These are the breathable boxer briefs you've been waiting for.

Men's Support Underwear: Cradle your Balls with Pouch Boxers

Imagine what it would feel like to have your nads cradled by the wings of an angel...now buy some men's support underwear. They're called Ball Hammock® pouch underwear. You deserve support. Underwear like these give you just that. The built in pouch creates a contoured construction providing testicular support. Underwear like these are the future.

Men's Underwear with Pouch: Classic and Funny Patterns you never knew you needed

What more could you want in a pair of boxer briefs other than mind-bogglingly comfortable micro modal fabric and a trusty pouch to cradle your balls and make your total package look bigger than Dennis Rodman when he's standing next to Kim Jong Un? (They totally hang out, you know.) How about a puppy on your privates? You got it. A walrus on your willy? Sure thing. Maybe you're looking to put a little denim on your dong? No problem. From flames to fireworks, we're bringing the heat to take the men's funny boxer game to the next level with hilarious prints and patterns designed with the right kind of fun in mind.

Ball Hammock® Boxer Briefs, definitely the most comfortable underwear on earth

Calling our boxer briefs with a pouch the most comfortable underwear on earth is almost as bold a claim as when Charlie Sheen said he was #winning. We don't shy away from boldness, because even though there are tons of men's sexy underwear competing in the men's boxer brief olympics, our men's pouch underwear takes home the gold in every category. We're talking best in class for ball support, most effective moisture-wicking underwear, and the micro modal fabric is guaranteed to be the second softest place you put your junk all day long. With accolades like that to let you know you've chosen the best of the best in men's funny boxers, you can relax and get back to dating porn stars and raising awareness on sexual health. Guess you could say that's #winning after all.

Emails suck. Ours don't.

merlotmama@shinesty.com

LET'S GET WEIRD

By clicking that button, you'll 1) confirm you're a genius and 2) start getting our award-winning product updates.

- Mission
- Team
- Careers
- Terms
- Privacy Policy
- Accessibility
- Blog
- Scholarships
- In The News
- Custom Orders
- Do Not Sell My Personal Information
- Help
- Exchanges & Returns
- Press Inquiries
- Track My Order
- FAQs
- Account Login
- Free \$\$\$
- Catalogs



If you are using a screen reader to access our website and having difficulties, please contact us at customerservice@shinesty.com

To unsubscribe from all of our future catalogs, please go [here](#)



facebook.com/Shinesty/photos/1895400213958369

Shinesty
March 21 · 🌐

Get colossal support with animal patterned Ball Hammock® pouch underwear:
<https://bit.ly/2Q7fGVQ>

👍👍 14 5 Comments 1 Share

👍 Like 💬 Comment ➦ Share

Most Relevant ▾

Matthew Buhlmann
I love these for their function but you guys need some kind of whole new line of designs for these. None of these are really grabbing my attention other than the plain ones
Like · Reply · 7w

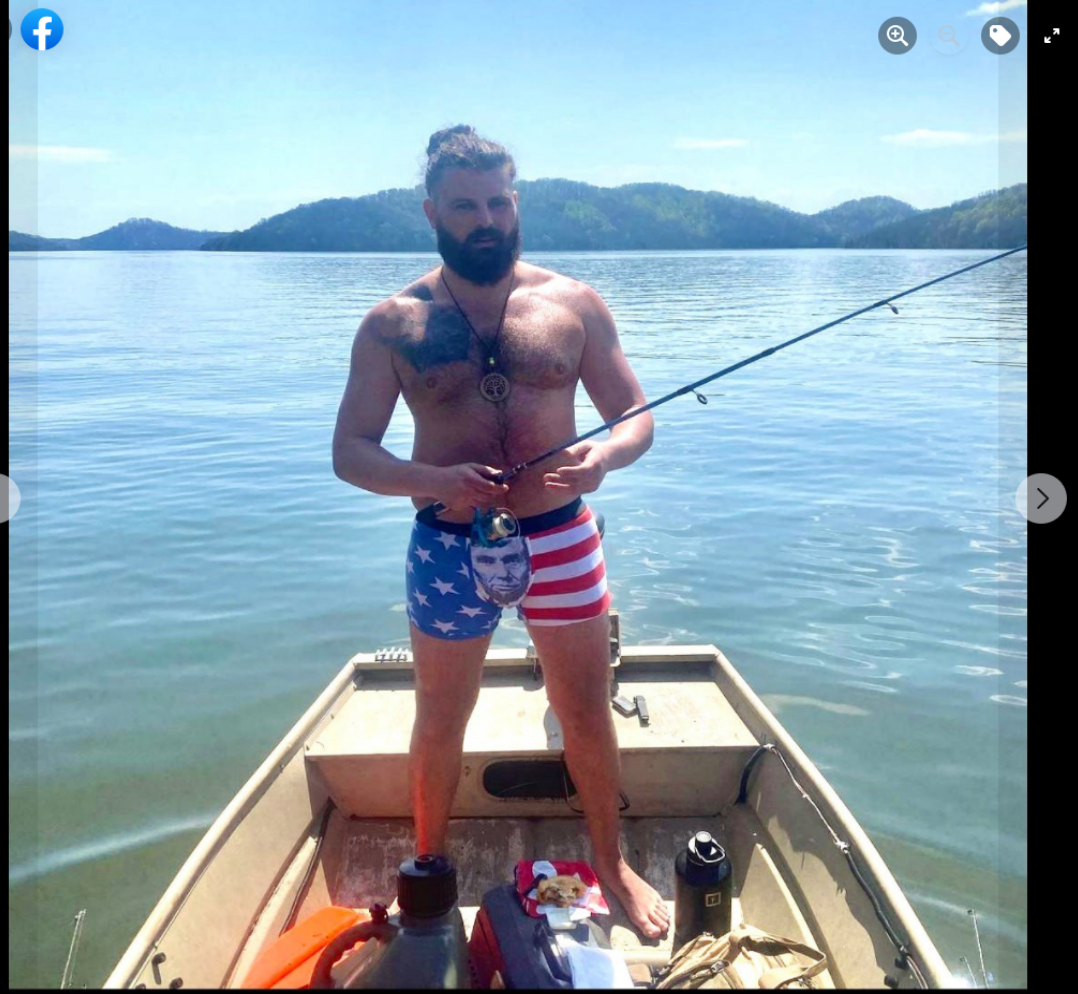
Carl Prins
You guys had the perfect opportunity to call the ones with the elephant "junk in the trunk"..... gotta say, I'm a little disappointed
Like · Reply · 7w
↳ 1 Reply

Rachelle Powell
These are sooo worth the money!! Seriously, my man said no more chaffing!!!!
20% off your order with this link (and we get referral points too!) help me help you ... See More
Like · Reply · 7w

SHINESTY.COM
Get \$20, Try Shinesty

Write a comment...

facebook.com/Shinesty/photos/1920362928128764



Shinesty
April 18 at 5:00 PM · 🌐

First one to tell us how you know this picture wasn't taken on a Sunday gets a free pair of Ball Hammocks. Or buy your own here: <https://bit.ly/3dpcv5f>

👍❤️👍 21 56 Comments

👍 Like 🗨 Comment ➦ Share

Most Relevant ▾

Whitney Schnelle
He has a Chik Fil' A sandwich! They're closed on Sunday!
Like · Reply · 3w 13

Monty Johnson
I mean that could be a leftover chick fil sandwich. I'm gonna go with the fact that no one else is on the water. If it was a Saturday or Sunday there would definitely be more people out there!
Like · Reply · 3w 2

Billy Webster
Definitely a weekday. He called in sick to work cause his arm was in a cast!
Like · Reply · 3w 1

Marc Dolinsky
Could be the chick-fil-a. Could be the fact that the sun hasn't been out in 5 days in the eastern half of the country
Like · Reply · 3w 1

Robby Marie Mead
I bought some for my husband. The

Write a comment... 🗨 📷 📧 📧

facebook.com/Shinesty/photos/1908691785962545

Baskin in the streets...Exotic in the sheets

Shinesty
April 5 · 🌐

Channel your tiger king with animal patterned Ball Hammocks: <https://bit.ly/3w6PAA>

👍❤️ 48 10 Comments 17 Shares

👍 Like 💬 Comment ➦ Share

Most Relevant ▾

Amanda Bennett
Aaron Perlut ...
Like · Reply · 5w
↳ 1 Reply

Philip Garofoli
Douche Bag! ...
Like · Reply · 5w

Isaiah Perez
Sway Melendez 🍻 1 ...
Like · Reply · 4w

Rachelle Travis
Regina Brooke Hart !!!! ...
Like · Reply · 4w 🍻 1
↳ 1 Reply

Stephanie Malone
Gloria S. Allen ...
Like · Reply · 4w

Rob Riley
Joshua Rees ...
Like · Reply · 4w

Most Relevant is selected, so some comments may have been filtered out.

Write a comment... 😊 📷 🗨️ 🤖

Shinesty

facebook.com/Shinesty/photos/1853856994779358

f We'll put those nuts to sleep.



Shinesty
January 26 · 🌐

The coziest place for your nuts is the Ball Hammock: <https://bit.ly/3cek49K>

👍❤️ 288 65 Comments 69 Shares

👍 Like 💬 Comment ➦ Share

Most Relevant ▾

Victoria Morrison
My husband loves how soft the underwear are unfortunately the pouch's are not big enough- was sad they didn't work out
Like · Reply · 15w 🗨️ 3

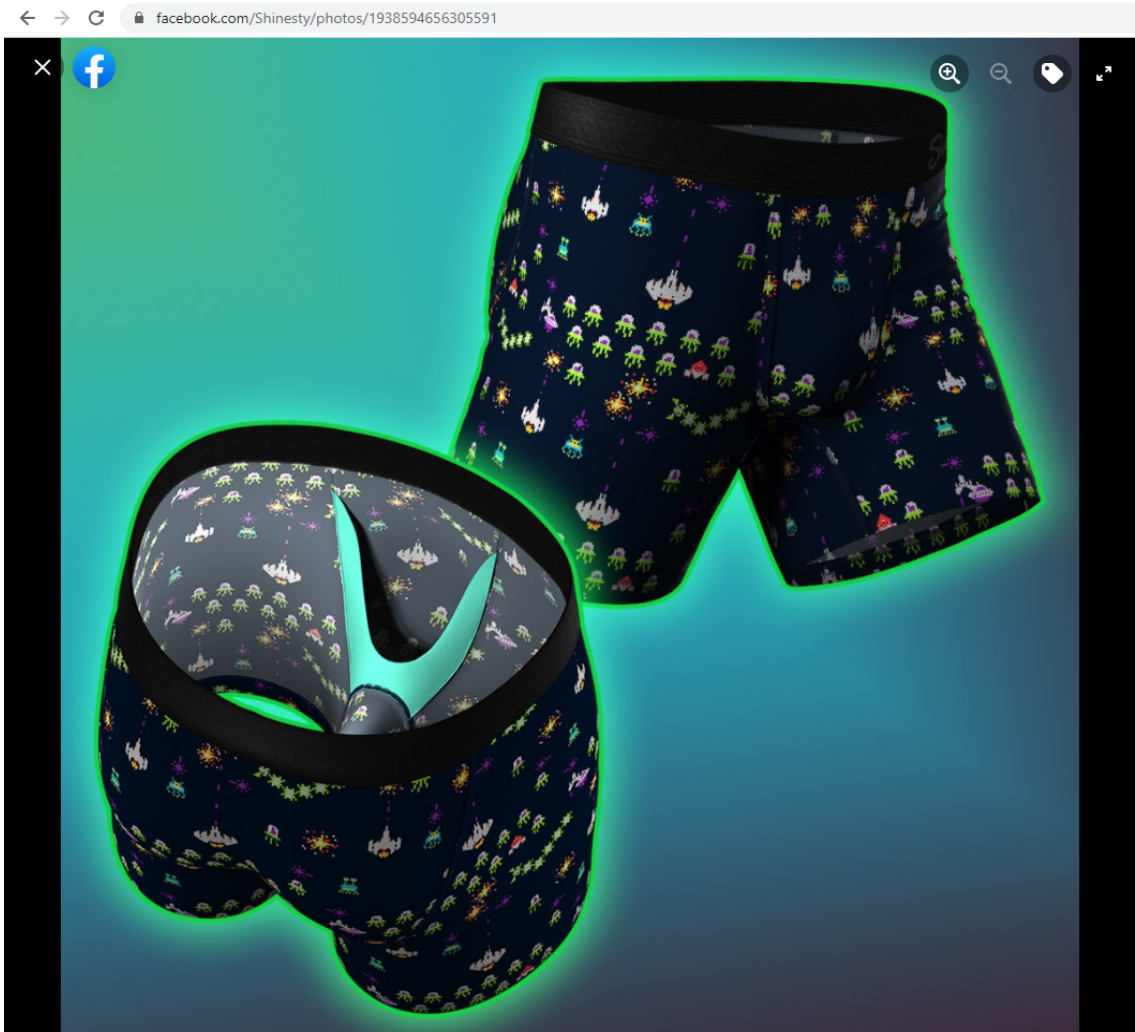
↳ 5 Replies

Gary Salinas
Ehh not quite, was expecting more hammock.
Like · Reply · 12w

Buddy Stillwell
They are comfortable while they last.. But the quality kinda sucks.. They bust at the seams pretty quick.. Its unfortunate.. Because i like em alot.. But not worth the money for 2-3 months tops.. Need a better manufacturer.. Just my opinion
Like · Reply · 15w 🗨️ 5

Randie Lynn
So my husband never wears anything and I was intrigued. But there's only enough room for his balls... theres no room for his dick 🤔 look I see y'all laughing 😂 it's not funny. Yes they support his balls but he has to put his dick

Write a comment... 🗨️ 📷 📄 📧



facebook.com/Shinesty/photos/1938594656305591

Shinesty
May 9 at 4:19 PM · 🌐

Invading your timeline with an intergalactic pattern to protect your package. Getcha self these Ball Hammocks: <https://bit.ly/2PYutT5>

👍🤔 9 1 Comment 1 Share

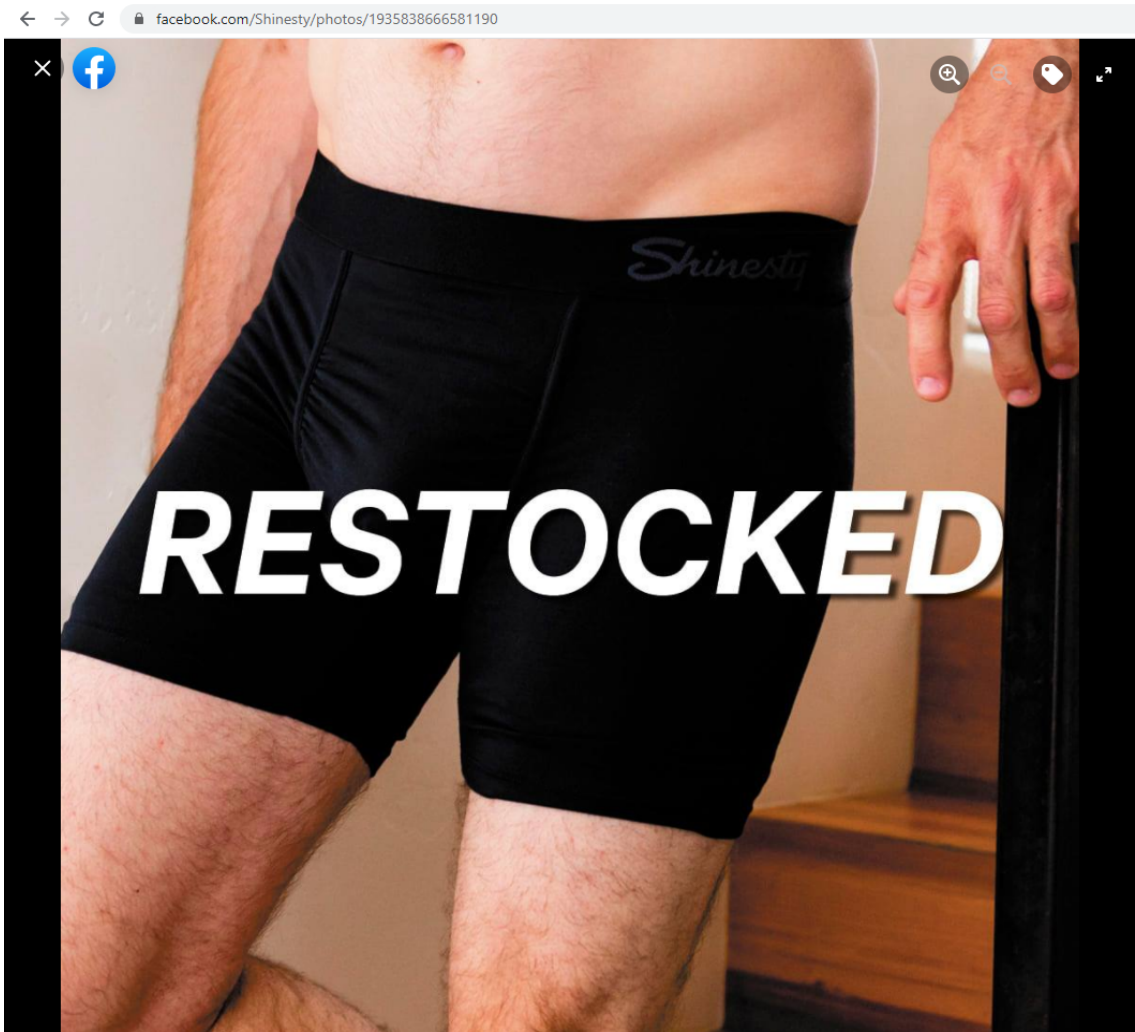
Like Comment Share

Most Relevant ▾

Keili Harris
Do y'all have any traditional boxer types with the hammocks?

Like · Reply · 3d

Write a comment...



A screenshot of a Facebook post from the page 'Shinesty'. The post features a photograph of a man's torso and legs wearing black athletic shorts. The brand name 'Shinesty' is visible on the waistband of the shorts. A large, bold, white text overlay with a black drop shadow reads 'RESTOCKED' across the lower half of the image. The Facebook interface shows the post was made on May 4 at 8:13 AM and has 11 likes. The caption reads: 'Some like it simple. Our best-selling solid black Ball Hammocks just restocked. Get 'em here: <https://bit.ly/3eQL116>'. Below the caption are buttons for 'Like', 'Comment', and 'Share', and a text input field for comments.

Exhibit C

United States of America

United States Patent and Trademark Office

BALL HAMMOCK

Reg. No. 5,882,183

Registered Oct. 15, 2019

Int. Cl.: 25

Trademark

Principal Register

Shinesty, Inc. (DELAWARE CORPORATION)
1990 57th Court, Unit A
Boulder, COLORADO 80301

CLASS 25: Underwear, shorts, men's swimwear

FIRST USE 5-12-2017; IN COMMERCE 5-12-2017

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

SER. NO. 88-103,219, FILED 09-04-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2021-05-13 16:39:27 EDT

Mark: BALL HAMMOCK

BALL HAMMOCK

US Serial Number: 88103219

Application Filing Date: Sep. 04, 2018

US Registration Number: 5882183

Registration Date: Oct. 15, 2019

Filed as TEAS RF: Yes

Currently TEAS RF: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Oct. 15, 2019

Publication Date: Jul. 30, 2019

Mark Information

Mark Literal Elements: BALL HAMMOCK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Underwear, shorts, men's swimwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2017

Use in Commerce: May 12, 2017

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Shinely, Inc.

Owner Address: 1990 57th Court, Unit A
Boulder, COLORADO UNITED STATES 80301

Legal Entity Type: CORPORATION

State or Country DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Carolyn Juarez
Attorney Primary Email Address: carolyn@nodiapl.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: CAROLYN JUAREZ
NEUGEBORN O'DOWD PC
1227 SPRUCE ST., STE. 200
BOULDER, COLORADO UNITED STATES 80302
Phone: 720-536-4904 **Fax:** 7205364910
Correspondent e-mail: carolyn@nodiapl.com rene@nodiapl.com **Correspondent e-mail Authorized:** Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 15, 2019	REGISTERED-PRINCIPAL REGISTER	
Jul. 30, 2019	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Jul. 30, 2019	PUBLISHED FOR OPPOSITION	
Jul. 10, 2019	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jun. 21, 2019	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 20, 2019	TEAS/EMAIL CORRESPONDENCE ENTERED	70633
Jun. 20, 2019	CORRESPONDENCE RECEIVED IN LAW OFFICE	70633
Jun. 19, 2019	ASSIGNED TO LIE	70633
Jun. 13, 2019	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 17, 2018	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 17, 2018	NON-FINAL ACTION E-MAILED	6325
Dec. 17, 2018	NON-FINAL ACTION WRITTEN	92565
Dec. 15, 2018	ASSIGNED TO EXAMINER	92565
Sep. 11, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Sep. 07, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Oct. 15, 2019

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91269293](#) **Filing Date:** May 12, 2021
Status: Pending **Status Date:** May 12, 2021
Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Hammock Dave, LLC

Correspondent Address: COURTNEY M. ALVAREZ
CMA TRADEMARKS, LLC
PO BOX 158
VIENNA VA UNITED STATES , 22183

Correspondent e-mail: courtney@cmatrademarks.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
HAMMOCK DAVE	Opposition Pending	90070382	

Plaintiff(s)

Name: SHINESTY, INC.

Correspondent Address: THOMAS J ROMANO
KOLITCH ROMANO LLP
520 SW YAMHILL STREET, SUITE 200
PORTLAND OR UNITED STATES , 97204

Correspondent e-mail: docketing@kolitchromano.com , tj@kolitchromano.com , chelsea@kolitchromano.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BALL HAMMOCK	Registered	88103219	5882183
HAMMOCK LIFE CLOTHING	Registered	87954692	5674234
BALL HAMMOCK	New Application - Record Initialized Not Assigned to Examiner	90557504	
HAMMOCK	New Application - Record Initialized Not Assigned to Examiner	90557491	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 12, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 12, 2021	Jun 21, 2021
3	INSTITUTED	May 12, 2021	

Exhibit D

United States of America

United States Patent and Trademark Office

Hammock Life Clothing

Reg. No. 5,674,234

White, Robert (UNITED STATES INDIVIDUAL)
3502 Hampshire Ct Apt 201
Palm Harbor, FLORIDA 34685

Registered Feb. 12, 2019

Int. Cl.: 25

CLASS 25: Beach cover-ups; Beach footwear; Beachwear; Bottoms as clothing; Footwear; Hats; Headwear; Sandals and beach shoes; Swim caps; Swim suits; Swimwear; T-shirts; Tops as clothing; Underwear

Trademark

FIRST USE 2-26-2014; IN COMMERCE 2-1-2015

Principal Register

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

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

SER. NO. 87-954,692, FILED 06-08-2018



Andrei Iancu

Director of the United States
Patent and Trademark Office

Generated on: This page was generated by TSDR on 2021-05-13 16:44:34 EDT

Mark: HAMMOCK LIFE CLOTHING

Hammock Life Clothing

US Serial Number: 87954692

Application Filing Date: Jun. 08, 2018

US Registration Number: 5674234

Registration Date: Feb. 12, 2019

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Feb. 12, 2019

Publication Date: Nov. 27, 2018

Mark Information

Mark Literal Elements: HAMMOCK LIFE CLOTHING

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "CLOTHING"

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Beach cover-ups; Beach footwear; Beachwear; Bottoms as clothing; Footwear; Hats; Headwear; Sandals and beach shoes; Swim caps; Swim suits; Swimwear; T-shirts; Tops as clothing; Underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 26, 2014

Use in Commerce: Feb. 01, 2015

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: SHINESTY, INC.
Owner Address: 1990 N 57TH CT, SUITE A
 BOULDER, COLORADO UNITED STATES 80301
Legal Entity Type: CORPORATION **State or Country** DELAWARE
Where Organized:

Attorney/Correspondence Information

Attorney of Record - None
Correspondent

Correspondent Name/Address: WHITE, ROBERT
 3502 HAMPSHIRE CT APT 201
 PALM HARBOR, FLORIDA UNITED STATES 34685
Phone: 727-692-2333

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 12, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 05, 2021	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 12, 2019	REGISTERED-PRINCIPAL REGISTER	
Nov. 27, 2018	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 27, 2018	PUBLISHED FOR OPPOSITION	
Nov. 07, 2018	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Oct. 15, 2018	ASSIGNED TO LIE	68123
Sep. 26, 2018	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 26, 2018	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 26, 2018	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 26, 2018	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 26, 2018	EXAMINERS AMENDMENT -WRITTEN	78449
Sep. 25, 2018	ASSIGNED TO EXAMINER	78449
Jun. 15, 2018	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 12, 2018	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None
File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Feb. 12, 2019

Assignment Abstract Of Title Information

Summary

Total Assignments: 2 **Registrant:** White, Robert

Assignment 1 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [7269/0593](#) **Pages:** 2
Date Recorded: Apr. 13, 2021
Supporting Documents: [assignment-tm-7269-0593.pdf](#)

Assignor

Name: [WHITE, ROBERT](#) **Execution Date:** Mar. 25, 2021
Legal Entity Type: INDIVIDUAL **Citizenship:** UNITED STATES

Assignee

Name: [WALDEN-HAYS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK
Address: PO BOX 1514
 NEW YORK, NEW YORK 10276

Correspondent

Correspondent Name: THOMAS J. ROMANO
Correspondent Address: 520 SW YAMHILL ST., SUITE 200
 PORTLAND, OR 97204

Domestic Representative - Not Found

Assignment 2 of 2

Conveyance: ASSIGNS THE ENTIRE INTEREST
Reel/Frame: [7277/0579](#) **Pages:** 2
Date Recorded: May 03, 2021
Supporting Documents: No Supporting Documents Available

Assignor

Name: [WALDEN-HAYS, INC.](#) **Execution Date:** Apr. 07, 2021
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW YORK

Assignee

Name: [SHINESTY, INC.](#) **State or Country Where Organized:** DELAWARE
Legal Entity Type: CORPORATION
Address: 1990 N 57TH CT, SUITE A
 BOULDER, COLORADO 80301

Correspondent

Correspondent Name: THOMAS J. ROMANO
Correspondent Address: 520 SW YAMHILL ST., SUITE 200
 PORTLAND, OR 97204

Domestic Representative - Not Found

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: [91269293](#) **Filing Date:** May 12, 2021
Status: Pending **Status Date:** May 12, 2021
Interlocutory Attorney: ANDREW P BAXLEY

Defendant

Name: Hammock Dave, LLC
Correspondent Address: COURTNEY M. ALVAREZ
 CMA TRADEMARKS, LLC
 PO BOX 158
 VIENNA VA UNITED STATES , 22183
Correspondent e-mail: courtney@cmatrademarks.com

Associated marks

Serial	Registration
--------	--------------

Mark	Application Status	Number	Number
HAMMOCK DAVE	Opposition Pending	90070382	

Plaintiff(s)

Name: SHINESTY, INC.

Correspondent Address: THOMAS J ROMANO
KOLITCH ROMANO LLP
520 SW YAMHILL STREET, SUITE 200
PORTLAND OR UNITED STATES , 97204

Correspondent e-mail: docketing@kolitchromano.com , tj@kolitchromano.com , chelsea@kolitchromano.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
BALL HAMMOCK	Registered	88103219	5882183
HAMMOCK LIFE CLOTHING	Registered	87954692	5674234
BALL HAMMOCK	New Application - Record Initialized Not Assigned to Examiner	90557504	
HAMMOCK	New Application - Record Initialized Not Assigned to Examiner	90557491	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	May 12, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	May 12, 2021	Jun 21, 2021
3	INSTITUTED	May 12, 2021	



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Your assignment has been received by the USPTO.
The coversheet of the assignment is displayed below:

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Walden-Hays, Inc.		04/07/2021	Corporation: NEW YORK
RECEIVING PARTY DATA			
Name:	Shinesty, Inc.		
Street Address:	1990 N 57th Ct, Suite A		
City:	Boulder		
State/Country:	COLORADO		
Postal Code:	80301		
Entity Type:	Corporation: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	5674234	HAMMOCK LIFE CLOTHING	
CORRESPONDENCE DATA			
Fax Number:	9712794549		
Phone:	5039941650		
Email:	chelsea@kolitchromano.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Thomas J. Romano		
Address Line 1:	520 SW Yamhill St., Suite 200		
Address Line 4:	Portland, OREGON 97204		
ATTORNEY DOCKET NUMBER:	SHY404		
NAME OF SUBMITTER:	Thomas J. Romano		
Signature:	/Thomas J. Romano/		
Date:	05/03/2021		
Total Attachments: 1 source=20210407_EXECUTED_Trademark_Assignment_to_Shinesty_SHY404#page1.tif			
RECEIPT INFORMATION			
ETAS ID:	TM643850		
Receipt Date:	05/03/2021		
Fee Amount:	\$40		

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TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT is made by and between **Walden-Hays, Inc.**, a New York corporation, with a mailing address at PO Box 1514, New York, NY 10276 (“Assignor”), and **Shinesty, Inc.**, a Delaware corporation, with a mailing address at 1990 N 57th Ct, Suite A, Boulder COLORADO 80301 (“Assignee”) (collectively, the “Parties”).

WHEREAS, Assignor is the owner of all trademarks, service marks, and associated applications and registrations listed below, hereinafter collectively the “Trademark Rights”:

Mark	Country	Registration No.
Hammock Life Clothing	USA	5,674,234

WHEREAS, the Parties have agreed to the assignment of the Trademark Rights together with all applications therefor and registrations thereof in favor of Assignee.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Assignor hereby conveys, assigns, and transfers to Assignee all right, title, and interest in and to the Trademark Rights, together with the goodwill of the business symbolized by the Trademark Rights; all income, royalties, and damages hereafter due or payable to Assignor with respect to the Trademark Rights, including without limitation, damages and payments for past or future infringements and misappropriations of the Trademark Rights; all rights to sue for past, present, and future infringement or misappropriations of the Trademark Rights; and all related and corresponding rights and privileges related to the Trademark Rights.

IN TESTIMONY WHEREOF, Assignor and Assignee hereby enter into this Trademark Assignment as of the date below (the “Effective Date”):

Effective Date (month, day, year): 4/7/2021

ASSIGNOR:

WALDEN-HAYS, INC.

By:

Name:

Title:

Date:

[Signature]
WALTER J. BARBOUR
VICE PRESIDENT
4.7.2021

ASSIGNEE:

SHINESTY, INC.

By:

Name:

Title:

Date:

Laura A. Sanchez
Laura A. Sanchez
COO
4/7/2021

Exhibit E

Generated on: This page was generated by TSDR on 2021-05-13 16:47:59 EDT

Mark: BALL HAMMOCK

BALL HAMMOCK

US Serial Number: 90557504

Application Filing Date: Mar. 03, 2021

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Awaiting Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.

Status: New application will be assigned to an examining attorney approximately 3 months after filing date.

Status Date: Mar. 06, 2021

Mark Information

Mark Literal Elements: BALL HAMMOCK

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 5882183

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Underwear; Boxer briefs; Boxer shorts; Men's underwear

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: May 12, 2017

Use in Commerce: May 12, 2017

For: On-line retail store services featuring subscription boxes containing underwear or socks; On-line retail store services featuring clothing, underwear, men's underwear, boxer briefs, boxer shorts, kimonos, robes, non-medicated lotions for intimate personal hygiene purposes; Wholesale store services featuring clothing, underwear, men's underwear, boxer briefs, boxer shorts, kimonos, robes, non-medicated lotions for intimate personal hygiene purposes; Wholesale store services featuring subscription boxes containing underwear or socks

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes
Filed ITU: Yes	Currently ITU: Yes
Filed 44D: No	Currently 44E: No
Filed 44E: No	Currently 66A: No
Filed 66A: No	Currently No Basis: No
Filed No Basis: No	

Current Owner(s) Information

Owner Name: Shinessy, Inc.
Owner Address: 1990 N 57th Ct Suite A
 Boulder, COLORADO UNITED STATES 80301
Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Thomas J. Romano	Docket Number: SHY402
Attorney Primary Email Address: docketing@kolitchromano.com	Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: Thomas J. Romano KOLITCH ROMANO LLP 520 SW YAMHILL ST., SUITE 200 PORTLAND, OREGON UNITED STATES 97204	Phone: 503-994-1650	Fax: 971-279-4549
Correspondent e-mail: docketing@kolitchromano.com	Correspondent e-mail Authorized: Yes	

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
May 12, 2021	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
May 12, 2021	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 12, 2021	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 06, 2021	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: NEW APPLICATION PROCESSING
Date in Location: Mar. 06, 2021

Proceedings

Summary

Number of Proceedings: 1

Type of Proceeding: Opposition

Proceeding Number: 91269293	Filing Date: May 12, 2021
Status: Pending	Status Date: May 12, 2021
Interlocutory Attorney: ANDREW P BAXLEY	

Defendant

Name: Hammock Dave, LLC

Correspondent Address: COURTNEY M. ALVAREZ
CMA TRADEMARKS, LLC
PO BOX 158
VIENNA VA UNITED STATES , 22183

Correspondent e-mail: courtney@cmatrademarks.com

Associated marks

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