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7 Attorneys for Plaintiff,
 CHRISTOPHER GORDON

8
 9 **UNITED STATES DISTRICT COURT**
 10 **CENTRAL DISTRICT OF CALIFORNIA**

11
 12 CHRISTOPHER GORDON, an
 individual,

13 Plaintiff,

14 vs.

15 DRAPE CREATIVE, INC., a Missouri
 16 corporation; POPYRUS-RECYCLED
 GREETINGS, INC., an Illinois
 17 corporation; and DOES 1 to 10,
 inclusive,

18 Defendants.

Case No. CV 15-04905 JFW (PLAx)

Hon. John F. Walter, presiding

**FIRST AMENDED COMPLAINT
 FOR:**

1. **TRADEMARK INFRINGEMENT** [15 U.S.C. §1114 *et seq.*];
2. **TRADEMARK INFRINGEMENT** [California law];
3. **FEDERAL UNFAIR COMPETITION AND FALSE DESIGNATION OF ORIGIN** [15 U.S.C. §1125(a)]; and
4. **UNFAIR COMPETITION** [California law]

DEMAND FOR JURY TRIAL

1 Plaintiff CHRISTOPHER GORDON (“Plaintiff”) alleges as follows:

2 **INTRODUCTION**

3 Plaintiff is a comedic narrator who, on January 18, 2011, published a video on
4 YouTube that consisted of his original narration humorously describing the traits of a
5 honey badger. The video went “viral” and has generated more than *76 million* views
6 on YouTube. In the video, Plaintiff’s original expressions and jokes include the
7 phrases “Honey Badger Don’t Care,” and “Honey Badger Don’t Give a Shit”, among
8 others. Plaintiff’s original expressions have gained a tremendous amount of notoriety,
9 and his expressions have been referred to in commercials, television shows,
10 magazines, and throughout the internet, and by numerous celebrities. Plaintiff
11 copyrighted his narration and trademarked “HONEY BADGER DON’T CARE” under
12 four separate registration numbers for various classes of goods, including, *inter alia*, t-
13 shirts, audio books, computer application software and plush toys. Plaintiff has also
14 produced, advertised, and sold merchandise, including greeting cards, bearing his
15 expressions and trademarks of “Honey Badger Don’t Care” and “Honey Badger Don’t
16 Give a Shit” since soon after the video was published, and he continues to sell and
17 license greeting cards bearing his expressions and marks today.

18
19 Upon information and belief, Defendant Drape Creative, Inc. and Defendant
20 Papyrus-Recycled Greetings, Inc. collaborated to manufacture, distribute, sell and
21 advertise several different greeting cards that copied Plaintiff’s expression and
22 trademark, “Honey Badger Don’t Give a Shit.” Defendants’ unauthorized sales of
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1 greeting cards bearing Plaintiff's trademark and expressions, coupled with their
2 intentional deceptive business practices to create customer confusion, which actually
3 happened here, constitute, *inter alia*, willful trademark infringement and unfair
4 competition.
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6 **JURISDICTION AND VENUE**
7

8 1. This is a civil action arising under the Trademark Laws of the United
9 States, 15 U.S.C. §§1051, *et seq.* This Court has subject matter jurisdiction pursuant
10 to 28 U.S.C. §§1331 and 1338.
11

12 2. This Court has supplemental jurisdiction over the claims in this
13 Complaint that arise under California law pursuant to 28 U.S.C. §1367(a) because the
14 state law claims are so related to the federal claims that they form part of the same
15 case or controversy and derive from a common nucleus of operative facts.
16

17 3. Venue is proper in this Court pursuant to 28 U.S.C. §§1391(b) and
18 1400(a). At all times relevant hereto, Plaintiff has been a resident of Los Angeles,
19 California. The infringing products which are the subject of this litigation have been
20 distributed and offered for distribution in the Central District of California, and the
21 Defendants transact business in the Central District of California. Defendants have
22 extensive contacts with, and conduct business within, this District; have placed
23 products into the stream of commerce in this District; and have caused tortious injury
24 to Plaintiff in this District.
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PARTIES

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2 4. Plaintiff is an individual residing in Los Angeles, California.

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4 5. Plaintiff is informed and believes, and thereon alleges, that Defendant
5 Drape Creative, Inc. (“DCI”) is a Missouri corporation that is subject to the
6 jurisdiction of this Court. DCI, which does business as Tomato Cards, designs
7 greeting cards and conducts its business on the internet at dcistudios.com.

8
9 6. Plaintiff is informed and believes, and thereon alleges, that Defendant
10 Papyrus-Recycled Greetings, Inc. (“Recycled Greetings”) is an Illinois corporation
11 that is subject to the jurisdiction of this Court. Recycled Greetings produces and sells
12 greeting cards and conducts its business on the internet at prgreetings.com.

13
14 7. According to its website, DCI is “[k]nown for their clever humor and
15 depth of design” and more than 20,000,000 of their cards are sold annually, making
16 DCI the “largest contributor” to Defendant Recycled Greetings. Plaintiff is informed
17 and believes, and thereon alleges, that Defendant DCI and Defendant Recycled
18 Greetings (collectively, “Defendants”) authorized, directed, participated in,
19 contributed to, ratified, and/or accepted the benefits of the wrongful acts as alleged
20 herein.
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24 8. The true names and capacities, whether individual, corporate, associate or
25 otherwise of defendants DOES 1 through 10, inclusive, are unknown to Plaintiff who
26 therefore sues said defendants by such fictitious names. Plaintiff is informed and
27 believes and based thereon alleges that each of the fictitiously named defendants is
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1 responsible in some manner for the events, acts, occurrences and liabilities alleged and
2 referred to herein. Some of the DOE defendants include the retailers who sold the
3 infringing greeting cards, however, Plaintiff currently does not know their identities.
4 Plaintiff will seek leave to amend this Complaint to allege the true names and
5 capacities of these DOE defendants when the same are ascertained.
6

7 8 **SUBSTANTIVE ALLEGATIONS**

9 ***Plaintiff and His Video, Copyright and Trademark***

10 9. Plaintiff is a comedian, narrator, writer, and actor, and is commonly
11 known by his alias, "Randall."

12
13 10. On January 18, 2011, Plaintiff published a video (the "Video") on
14 YouTube that consisted of his original narration humorously describing the traits of a
15 honey badger.¹ The Video, titled *The Crazy Nastyass Honey Badger (original*
16 *narration by Randall)*, became an instant hit. The Video went "viral" and is one of
17 the most popular videos ever uploaded onto YouTube. To date, the Video has
18 generated more than 76 million views on YouTube. The Video and subsequent
19 phenomenon have been covered by internet blogs such as the *Huffington Post* (which
20 proclaimed "Honey Badger Don't Care [as] the best nature video of all time") as well
21 as by entertainment and news outlets from *Forbes* to the *New York Observer* to *TMZ*.
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25 11. In the Video, among Plaintiff's original expressions and jokes are that
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28 ¹The Video is available at <https://www.youtube.com/watch?v=4r7wHMg5Yjg>

1 the “HONEY BADGER DON’T CARE” and the “HONEY BADGER DON’T GIVE
2 A SHIT.” Specifically regarding the phrase “Honey Badger Don’t Give a Shit”
3 (“HBDGS”), Plaintiff recites that expression verbatim or similarly four (4) different
4 times in the Video. (Video at 0:24; 0:35; 1:18; and 1:30.) Plaintiff’s original
5 expressions (and others contained in the Video) have gained a tremendous amount of
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8 notoriety, and his expressions have been referred to in commercials, television shows,
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12. Plaintiff is the owner of trademark registrations for HONEY BADGER
DON’T CARE (the “Mark”). Plaintiff registered the Mark with the United States
Patent and Trademark Office (“USPTO”) for various classes of goods under the
following Registration Numbers: 4,505,781; 4,419,079; 4,419,081; and 4,281,472.
Attached hereto as **Exhibit A** are true and correct copies of the Trademark
Registrations.

13. Initially, the USPTO rejected Plaintiff’s trademark application on the
grounds that Plaintiff’s usage of the Mark was ornamental and did not function as a
trademark to identify Plaintiff as the source of his goods. Plaintiff responded to the
USPTO, detailing why the Mark was an indicator of source. In his Response to Office
Action sent to the USPTO, Plaintiff included screenshots of his Video and website,
provided specimens showing the various goods he sold using the Mark, and cited law
in support of his argument that the Mark was not merely ornamental but served as a
source identifier. Attached hereto as **Exhibit B** is a true and correct copy of Plaintiff’s

1 Response to Office Action sent to the USPTO. The USPTO considered the evidence,
2 reversed its initial decision, and issued Plaintiff the trademark registrations.
3

4 14. After the Video was published, Plaintiff produced and sold goods,
5 including, *inter alia*, t-shirts, sweatshirts, bumper stickers, hats, mugs and plush dolls
6 that displayed his Mark and expressions. Plaintiff has also selectively licensed his
7 intellectual property rights to third parties in order to monetize the profitability of his
8 Marks.
9

10 15. In about February 2011, since soon after the Video was made, Plaintiff
11 began using the HBDGS mark as a trademark on goods. Plaintiff used, and uses, the
12 HBDGS mark as a source identifier on numerous products, including: men's t-shirts;
13 women's t-shirts; women's tank tops; baby bodysuits; infant t-shirts; hats; coffee
14 mugs; keychains; magnets; stickers; mugs; plates; aprons; buttons; mouse pads; and
15 posters. Attached hereto as **Exhibit C** are true and correct copies of advertisements
16 for some of Plaintiff's authorized goods bearing his HBDGS mark.
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19 16. Specifically, Plaintiff also produced and sold greeting cards and
20 postcards that displayed both his trademarks and expressions of "Honey Badger Don't
21 Care" and HBDGS. For example, attached hereto as **Exhibit D** is a true and correct
22 copy of an advertisement for one of Plaintiff's authorized postcards bearing his
23 HBDGS mark. In addition, attached hereto as **Exhibit E** are true and correct copies of
24 some of Plaintiff's authorized greeting cards bearing his Mark. Some of Plaintiff's
25 authorized greeting cards state, "Honey Badger Don't Care!!! About Christmas" and
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1 “Honey badger don’t care about St. Patrick’s Day.” (Ex. E.) As alleged herein,
2 Defendants’ unauthorized greeting cards are confusingly similar to Plaintiff’s
3 authorized greeting cards. Plaintiff continues to sell such greeting cards and postcards
4 today.
5

6 17. Plaintiff primarily advertises his goods bearing his Marks, including
7 greeting cards, on the internet. Sales of Plaintiff’s merchandise bearing his Marks
8 have been substantial, with a majority of the sales occurring via the internet.
9

10 18. Plaintiff’s trademark is inherently distinctive and/or has acquired
11 secondary meaning as to the source of all products advertised, marketed, sold, or used
12 in connection with his trademark and derivations thereof. The Mark and its
13 derivations are instantly recognizable as being associated with Plaintiff (i.e. Randall).
14 The Mark and/or its derivations have appeared in Plaintiff’s Video, and have since
15 been displayed on numerous advertisements and goods that Plaintiff promotes.
16 Plaintiff even authored a book titled *Honey Badger Don’t Care: Randall’s Guide to*
17 *Crazy Nastyass Animals*, and launched a mobile “app” titled *The Honey Badger Don’t*
18 *Care*.
19

20 19. Plaintiff has expended a significant amount of time and effort in making
21 his Marks well-known to the public. Plaintiff has promoted his Marks by, *inter alia*,
22 advertising it in connection with his products, making guest appearances in media
23 outlets, and publicizing the Marks through social media platforms.
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25 20. As a result of the foregoing, including, but not limited to, the extensive
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1 advertisements, promotions, sales, and enormous popularity of the Marks, the public
2 has come to exclusively identify the Mark and its derivations with Plaintiff. Among
3 other things, Plaintiff, his expressions, and/or his Mark have appeared or been alluded
4 to in a Wonderful Pistachios commercial during *Dancing with the Stars*, in an episode
5 of the popular television show *America's Got Talent*, in an episode of the hit
6 television series *Glee* by the show's famous cheerleading coach Sue Sylvester (Jane
7 Lynch), in a *Vogue* profile of celebrity recording artist Taylor Swift, and on the
8 *Howard Stern* radio show (Baba Booney). Plaintiff's expressions and Mark are famous
9 and distinctive under applicable law, including within the meaning of 15 U.S.C. §§
10 1125(c)(1) and 1127.

14 ***Defendants' Unlawful Activities and Willful Infringement***

15
16 21. Defendants are competitors of Plaintiff, as they also produce and sell
17 greeting cards.

18
19 22. Defendants created, produced, distributed and sold greeting cards that
20 bore: Plaintiff's expressions that were copied verbatim from Plaintiff's Video;
21 derivations of Plaintiff's Mark; and phrases confusingly similar to Plaintiff's Mark.
22 For instance, Defendants sold multiple variations of greeting cards that stated, "Honey
23 Badger don't give a shit," a clear reference to, and improper use and trading off of,
24 Plaintiff's Mark. Defendants' greeting cards are confusingly similar to Plaintiff's
25 authorized cards. For instance, some of Defendants' greeting cards state, "Halloween
26 is Here. Honey Badger don't give a shit." and "It's Your Birthday! Honey Badger
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1 Don't Give A Sh*T." Attached hereto as **Exhibit F** are true and correct copies of
2 some of Defendants' infringing greeting cards. Defendants produced and sold these
3 greeting cards throughout the United States, including California. Defendants began
4 selling the infringing greeting cards after Plaintiff used the Honey Badger Don't Care
5 and HBDGS marks in commerce.
6

7
8 23. Defendants' unlawful use of Plaintiff's trademark and their unfair
9 competition enabled them to reap financial success, as Defendants produced and sold
10 greeting cards in various formats, all with derivations of Plaintiff's trademark.
11 Defendants' sales of the infringing cards were substantial, as the cards were sold in
12 numerous retail stores throughout the country.
13

14 24. In producing and selling the infringing cards, Defendants intended to
15 capitalize on Plaintiff's Mark, trample upon his intellectual property rights, and cause
16 customer confusion in the process. Actual customer confusion occurred, as Plaintiff
17 (i.e., Randall) received inquiries from his admirers who asked Plaintiff whether the
18 greeting cards were his own and customers believed Defendants' cards were affiliated
19 with Plaintiff. Consumers actually inferred a connection between Defendants'
20 greeting cards and Plaintiff. Some examples include one of Plaintiff's admirers
21 "tweeting" he saw a line of Defendants' greeting cards and stating Defendants were
22 "riding off your name", and another admirer who sent Plaintiff photocopies of
23 Defendants' cards and said, "I hope you're getting royalties from this stuff." Another
24 consumer bought Defendants' cards, tweeted to Plaintiff a photo of Defendants' cards
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1 and stated, “@Randallsanimals look what we found” in belief the consumer purchased
2 one of Plaintiff’s authorized greeting cards. Attached hereto as **Exhibit G** is a true
3 and correct copy of one of the tweets received by Plaintiff concerning Defendants’
4 cards. The cards were not authorized by Plaintiff, though they misleadingly appeared
5 to be.
6

7
8 25. Defendants’ intentional and deceitful acts of unfair competition and use
9 of the Marks have caused confusion, and are likely to do so in the future, and have
10 caused mistake and deception as to the affiliation or association of the Defendants
11 with Plaintiff, and as to the origin, sponsorship, or approval of the Defendants’ goods
12 by Plaintiff. Plaintiff has neither authorized nor consented to the use by Defendants of
13 the Mark, any colorable imitation of it, or any mark confusingly similar to it.
14

15
16 26. Plaintiff is informed and believes, and thereon alleges, the Defendants’
17 purpose in utilizing the Marks is an attempt to benefit unfairly from the valuable
18 goodwill and extreme popularity of the Marks, which was established at great expense
19 and effort by Plaintiff. Defendants’ use of Plaintiff’s HBDGS mark was a clear
20 attempt to steer customers its way and confuse them as to the source of the goods, for
21 commercial gain. Defendants unlawfully capitalized off Plaintiff’s goodwill and
22 intellectual property rights.
23

24
25 27. On information and belief, notwithstanding Plaintiff’s written demand
26 that Defendant cease and desist from selling the infringing cards, Defendant continued
27 to sell the infringing cards in intentional disregard of Plaintiff’s rights.
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FIRST CLAIM

(Trademark Infringement under 15 U.S.C. §1114 *et seq.* Against All Defendants)

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5 28. Plaintiff repeats, repleads and realleges the allegations contained in
6 Paragraphs 1 through 27, as though fully set forth herein.

7
8 29. The aforesaid acts of Defendants constitute infringement of the Mark
9 under 15 U.S.C. §1114 *et seq.*

10 30. As a direct and proximate result of Defendants' wrongful acts, Plaintiff
11 has suffered and continues to suffer and/or is likely to suffer damage to his trademark,
12 reputation, and goodwill. Defendants will continue to use the Mark and will cause
13 irreparable damage to Plaintiff. Plaintiff has no adequate remedy at law and is entitled
14 to an injunction restraining Defendants and their officers, agents, employees, and all
15 persons acting in concert with them, from engaging in further acts of infringement.
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18 31. Plaintiff is further entitled to recover from Defendants the actual damages
19 that he sustained and/or is likely to sustain as a result of Defendants' wrongful acts.
20 Plaintiff is presently unable to ascertain the full extent of the monetary damages that
21 he has sustained and/or is likely to sustain by reason of Defendants' acts of trademark
22 infringement.
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25 32. Plaintiff is further entitled to recover from Defendants the gains, profits,
26 and advantages that Defendants have obtained as a result of their wrongful acts.
27 Plaintiff is presently unable to ascertain the extent of the gains, profits, and advantages
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1 that Defendants have realized by reason of their acts of trademark infringement.

2 33. Because of the willful nature of the wrongful acts of Defendants, Plaintiff
3 is entitled to all remedies available under 15 U.S.C. §§1117 and 1118, including but
4 not limited to an award of treble damages and increased profits pursuant to 15 U.S.C.
5 §1117.
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7
8 34. Plaintiff also is entitled to recover his attorneys' fees and costs of suit
9 pursuant to 15 U.S.C. §1117.

10 **SECOND CLAIM**

11 **(Trademark Infringement under California Common Law Against All**
12 **Defendants)**

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14 35. Plaintiff repeats, repleads and realleges paragraphs 1 through 34,
15 inclusive, of this Complaint and incorporates the same herein by the reference as
16 though set forth in full.
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18 36. Defendants' use of the Marks without Plaintiff's consent constitutes
19 trademark infringement and unfair competition in violation of California common law
20 in that, among other things, such use is likely to cause confusion, deception, and
21 mistake among the consuming public as to the source, approval or sponsorship of the
22 goods offered by Defendants.
23

24
25 37. Defendants' acts were designed to trade upon Plaintiff's reputation and
26 goodwill by causing confusion and mistake among consumers and the public.
27 Plaintiff is entitled to preliminary and permanent injunctions restraining and enjoining
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1 Defendants and their officers, agents, affiliates, vendors, partners and employees, and
2 all persons acting in concert with Defendants, from using in commerce Plaintiff's
3 federally registered Mark and its derivations and his common law rights in same.
4

5 38. As a direct and proximate result of Defendants' willful and intentional
6 actions, Plaintiff has suffered damages in an amount to be determined at trial.
7 Because of the willful nature of Defendants' wrongful acts, Plaintiff is entitled to an
8 award of punitive damages.
9

10 **THIRD CLAIM**

11 **(Federal Unfair Competition and False Designation of Origin in Violation of**
12 **15 U.S.C. §1125(a) Against All Defendants)**
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14 39. Plaintiff repeats, repleads and realleges the allegations contained in
15 Paragraphs 1 through 38, as though fully set forth herein.
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17 40. Defendants' acts as alleged above constitute unfair competition and a
18 false designation of origin which have caused confusion, mistake, deception as to the
19 affiliation, connection or association of Defendants with Plaintiff and as to the origin,
20 sponsorship, or approval of Defendants' goods, services and/or activities by Plaintiff
21 and are likely to do so in the future, in violation of the Lanham Act, 15 U.S.C.
22 §1125(a).
23

24 41. As a direct and proximate result of Defendants' wrongful acts, Plaintiff
25 has suffered and continues to suffer and is likely to suffer damage to his reputation,
26 goodwill, and to the Marks. Defendants will continue the activities alleged herein and
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1 will cause irreparable damage to Plaintiff. Plaintiff has no adequate remedy at law
2 and is entitled to an injunction restraining Defendants, their officers, agents, affiliates,
3 vendors, partners and employees, and all persons acting in concert with Defendants,
4 from engaging in further acts of unfair competition, deceitful acts using the Marks,
5 and false designation of origin and false affiliation and association.
6

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8 42. Plaintiff is further entitled to recover from Defendants the actual damages
9 that he sustained and/or is likely to sustain as a result of Defendants' wrongful and
10 devious acts. Plaintiff is presently unable to ascertain the full extent of the monetary
11 damages that he has suffered and/or is likely to sustain by reason of Defendants' acts
12 of unfair competition and false designation of origin and false affiliation and
13 association.
14

15
16 43. Plaintiff is further entitled to recover from Defendants the gains, profits,
17 and advantages they have obtained as a result of their wrongful and malicious acts.
18 Plaintiff is presently unable to ascertain the extent of the gains, profits, and advantages
19 that Defendants have realized by reason of their acts of unfair competition and false
20 designation of origin and false affiliation and association.
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22
23 44. Because of the willful nature of the wrongful acts of Defendants, Plaintiff
24 is entitled to an award of treble damages and increased profits pursuant to 15 U.S.C.
25 §1117.

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27 45. Plaintiff is also entitled to recover his attorneys' fees and costs of suit
28 pursuant to 15 U.S.C. §1117.

FOURTH CLAIM

(Unfair Competition Against All Defendants)

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4 46. Plaintiff repeats, repleads and realleges paragraphs 1 through 45,
5 inclusive, of this Complaint and incorporates the same herein by the reference as
6 though set forth in full.

7
8 47. Defendants' actions constitute unfair competition under the statutory law
9 of California, including California Business and Professions Code section 17200, *et*
10 *seq.*, and under the common law of the State of California.

11
12 48. The acts and conduct of Defendants complained of herein have caused
13 Plaintiff irreparable injury, and will, unless retrained, further impair the value of his
14 Marks, intellectual property rights, reputation, and goodwill. Plaintiff has no adequate
15 remedy at law.

16
17 49. Plaintiff is informed and believes that Defendants have unlawfully
18 obtained profits through their acts of unfair competition. Defendants should be forced
19 to disgorge such unlawful profits to Plaintiff.

20
21 50. Plaintiff is further entitled to recover from Defendants his actual damages
22 sustained as a result of Defendants' wrongful acts. Plaintiff is presently unable to
23 ascertain the full extent of the monetary damages he has suffered by reason of
24 Defendants' acts of unfair competition.

25
26 51. Because of the willful nature of Defendants' wrongful acts, Plaintiff is
27 entitled to an award of punitive damages.
28

PRAYER FOR RELIEF

1
2 **WHEREFORE**, Plaintiff prays for judgment against Defendants and each of
3 them as follows:
4

5 1. That Defendants have (i) infringed the Mark under 15 U.S.C. §1114 *et*
6 *seq.*; (ii) infringed the Marks under California law; and (iii) engaged in unfair
7 competition, and violated California Business and Professions Code section 17200 *et*
8 *seq.*
9

10 2. That each of the above acts were willful.

11 3. That Plaintiff be awarded (i) all profits of Defendants, (ii) all of his
12 damages, (iii) statutory damages available under the law including 15 U.S.C. §1117, if
13 elected, (iv) treble damages, (v) punitive damages, (vi) disgorgement and restitution of
14 all benefits received by Defendants arising from their infringement as provided by
15 law, and/or (vii) enhanced damages for Defendants' willful infringement as provided
16 in 15 U.S.C. §1117, the sum of which will be proven at the time of trial.
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19 4. That Defendants, their officers, agents, servants, affiliates, partners,
20 vendors, employees and attorneys, and those persons in active concert or participation
21 with them, be preliminarily and permanently enjoined from:
22

23 a. Using Plaintiff's expression and mark "HONEY BADGER
24 DON'T CARE" or any colorable imitation thereof, or any other
25 expression or mark likely to cause confusion, mistake, or
26 deception, in connection with the sale, offering for sale,
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1 distribution, manufacturing, advertising, or promotion of their
2 goods or services;

3
4 b. Using any false designation of origin or false description that
5 can, or is likely to, lead the public to believe that any product
6 manufactured, distributed, sold, offered for sale, or advertised by
7 Defendant are in any manner associated or connected with
8 Plaintiff is sold, manufactured, licensed, sponsored, or approved
9 or authorized by Plaintiff; and
10

11
12 c. Engaging in any other activity constituting an infringement of
13 Plaintiff's trademark rights or otherwise unfairly competing with
14 Plaintiff.
15

16 5. That Defendants be directed to deliver up to Plaintiff all products bearing
17 the Mark, any copy, simulation, variation or colorable imitations of the Mark, and any
18 documents or tangible things that discuss, describe, mention or relate to such products.
19

20 6. That Defendants file with the Court and serve upon Plaintiff's counsel
21 within thirty (30) days after entry of judgment a report in writing under oath setting
22 forth in detail the manner and form in which Defendants have complied with the
23 requirements of the injunction.
24

25 7. That Defendants be required to pay to Plaintiff all of his costs,
26 disbursements, and attorney's fees in this action.
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28 8. For prejudgment interest.

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9. For such other relief as the Court deems proper.

DATED: December 22, 2015

Respectfully submitted,

KRANE & SMITH, APC

By: 

DANIEL L. REBACK
Attorneys for Plaintiff, Christopher
Gordon

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DEMAND FOR JURY TRIAL

Plaintiff CHRISTOPHER GORDON hereby demands a jury trial in this
action.

DATED: December 22, 2015

Respectfully submitted,

KRANE & SMITH, APC

By: 

DANIEL L. REBACK
Attorneys for Plaintiff, Christopher
Gordon

EXHIBIT “A”

United States of America

United States Patent and Trademark Office

HONEY BADGER DON'T CARE

Reg. No. 4,505,781
Registered Apr. 1, 2014
Int. Cl.: 25

TRADEMARK
PRINCIPAL REGISTER

CHRISTOPHER Z. GORDON (UNITED STATES INDIVIDUAL)
C/O SANA HAKIM OF K&I GATTS
PO. BOX 1135
CHICAGO, IL 606901135

FOR CLOTHING, NAMELY, T-SHIRTS, TANK TOPS, ONE PIECE GARMENT FOR INFANTS AND TODDLERS, LONG-SLEEVE SHIRTS, CAPS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-24-2011; IN COMMERCE 2-24-2011.

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

SN 85-447,667, FILED 10-14-2011.

SCOTT BIBB, EXAMINING ATTORNEY



Michelle K. Lee
Deputy Director of the United States
Patent and Trademark Office

EXHIBIT A

United States of America

United States Patent and Trademark Office

HONEY BADGER DON'T CARE

Reg. No. 4,281,472

Registered Jan. 29, 2013

Int. Cl.: 21

TRADEMARK

PRINCIPAL REGISTER

CHRISTOPHER Z. GORDON (UNITED STATES INDIVIDUAL)
C/O SANA HAKIM OF K&I GATT'S
PO BOX 1135
CHICAGO, IL 606901135

FOR MUGS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50)

FIRST USE 10-7-2011, IN COMMERCE 10-7-2011

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

SER. NO. 85-449,921, FILED 10-18-2011

SCOTT BIRRI, EXAMINING ATTORNEY



David S. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

HONEY BADGER DON'T CARE

Reg. No. 4,419,081

Registered Oct. 15, 2013

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

CHRISTOPHER Z. GORDON (UNITED STATES INDIVIDUAL)
C/O SANA HAKIM OF K&J GATTS
PO BOX 1135
CHICAGO, IL 606901135

FOR (BASED ON USE) CHRISTMAS TREE ORNAMENTS AND DECORATIONS, TALKING
DOLLS AND PUPPET TOYS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 10-8-2011, IN COMMERCE 10-8-2011.

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

SN 85-449,924, FILED 10-18-2011.

SCOTT BIBB, EXAMINING ATTORNEY



Lisa Street
Deputy Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

HONEY BADGER DON'T CARE

Reg. No. 4,419,079

Registered Oct. 15, 2013

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

CHRISTOPHER Z. GORDON (UNITED STATES INDIVIDUAL)
C/O SANA HAKIM OF K&I GATTS
P.O. BOX 1135
CHICAGO, IL 606901135

FOR AUDIO BOOKS IN THE FIELD OF COMEDY, PARODY AND SATIRE, COMPUTER APPLICATION SOFTWARE FOR MOBILE PHONES, PORTABLE MEDIA PLAYERS, HANDHELD COMPUTERS, NAMELY, SOFTWARE FOR PLAYING GAMES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 12-0-2011, IN COMMERCE 12-0-2011.

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

SN 85-447,668, FILED 10-14-2011.

SCOTT BIBB, EXAMINING ATTORNEY



Lisa Street
Deputy Director of the United States Patent and Trademark Office

EXHIBIT “B”

PTO Form 1957 (Rev 9/2005)
 OI/B No 0651-0050 (Exp 07/31/2017)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85447667
LAW OFFICE ASSIGNED	LAW OFFICE 109
MARK SECTION	
MARK	http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85447667
LITERAL ELEMENT	HONEY BADGER DON'T CARE
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.

ARGUMENT(S)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher Z. Gordon
 Mark: HONEY BADGER DON'T CARE
 Serial No. 85/447,667
 Examining Attorney: Scott K. Bibb
 Law Office 109

Commissioner for Trademarks
 P.O. Box 1451
 Alexandria, VA 22313-1451

RESPONSE TO OFFICE ACTION OF FEBRUARY 9, 2012

The applicant, Christopher Z. Gordon ("Applicant"), by its attorneys, responds to the Office Action of February 9, 2012 as follows:

EXHIBIT B

I.
INTRODUCTION

Applicant filed to register the mark HONEY BADGER DON'T CARE for the following goods, as amended herein, "clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers (based on use); long-sleeve shirts, caps; and pajamas (based on intent to use)" in Class 25. In an Office Action dated February 9, 2012, the Examining Attorney refused registration of Applicant's mark pursuant to 15 U.S.C §§ 1051-52, 1127 on the grounds that the mark as used on the specimen submitted for the clothing, namely t-shirts, tank tops, one piece garment for infants and toddlers is merely a decorative or ornamental feature of the goods.

Applicant respectfully disagrees with the Examining Attorney's conclusion that its HONEY BADGER DON'T CARE mark is a merely ornamental feature of Applicant's goods. Instead, Applicant submits that the mark is an indicator of source for the identified goods.

II.
THE MARK HONEY BADGER DON'T CARE
IS A SOURCE IDENTIFIER

If an applicant establishes that the proposed mark serves as an indicator of secondary source, the matter is registrable on the Principal Register. TMEP § 1202.03(c). In order to demonstrate the secondary-source function, the applicant may submit evidence that the proposed mark would be recognized as a mark through use with goods or services other than those identified in the application. Id.

Applicant submitted a screenshot from its online store showing use of the mark in connection with clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers, as a specimen in support of Applicant's assertion of the 1(a) basis for its clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers. The Examining Attorney objected to the specimen on the grounds that the mark was merely an ornamental feature of the goods. Applicant submits that its HONEY BADGER DON'T CARE mark is a source identifier of Applicant's clothing. Indeed, Applicant uses the mark HONEY BADGER DON'T CARE in connection with several other goods, as shown in the specimen and as discussed below.

Moreover, "just because a 'mark' is visually pleasing or serves in some way to ornament the good does not render it unregistrable if the mark is also inherently distinctive . . ." *In re Tire Mart, Inc.*, Serial No. 78292388 (not precedential) (citing *In re Swift & Co.*, 106 U.S.P.Q. 286, 288 (CCPA 1955)). For example, in *In re Paramount Pictures Corp.*, the Board held that MORK & MINDY was registrable for decals because the applicant had a television series of that name and had previously registered MORK & MINDY for various goods and services. 213 U.S.P.Q. 1111, 1112 (TTAB 1982); TMEP § 1202.03(c). The Board found that while MORK & MINDY was part of the ornamentation of the decal, the primary significance of MORK & MINDY to a prospective purchaser of decals was to indicate source or origin of the proprietor of the television series and its principal characters. Id.

Applicant submits that its HONEY BADGER DON'T CARE mark is not mere ornamentation but similar to the terms MORK & MINDY in *In re Paramount Pictures Corp.*, the mark references a well known media phenomenon created by Applicant and serves as a source identifier for Applicant's goods. Applicant is the creator of the viral video "The Crazy Nastyass Honey Badger," a wildlife narration about the honey badger animal, which has received more than 48 million hits on YouTube.com (available at <http://www.youtube.com/watch?v=4r7wHMg5Yjg>; screenshot attached as Exhibit A). One of the most well-known lines from the video is "honey badger don't care." See Exhibit B (screenshot of Applicant's website, page 2).

Most importantly, Applicant now uses HONEY BADGER DON'T CARE as a trademark. As shown in the specimen submitted, the mark is used as a source identifier in connection with decals, mugs, dolls and Christmas tree ornaments, among other items. See Exhibit C (screenshot of Applicant's online store

Amazon.com screenshot showing doll for sale). Applicant also offers a wall calendar under the mark, and sells a smart phone application under the HONEY BADGER DON'T CARE mark. See Exhibit D. Additionally, Applicant is offering books under the HONEY BADGER DON'T CARE mark. See Exhibit E. Like the Mork & Mindy characters in *In re Paramount Pictures Corp.*, the terms "HONEY BADGER DON'T CARE" are frequently featured in Applicant's video and used as a trademark in connection with other goods. Therefore, the primary significance of the mark to purchasers of Applicant's clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers, will be to indicate origin in Applicant, the proprietor of the Internet video.

Because the mark serves as a source identifier, rather than mere ornamentation, Applicant respectfully submits that the mark should be approved for registration.

**III.
CONCLUSION**

In view of the foregoing, Applicant respectfully submits that the subject application is therefore appropriate for publication. Favorable action in this regard is respectfully requested.

EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	<u>evi_691745820-142906257 . tyass Honey Badger original narration by Randall YouTube.pdf</u>
CONVERTED PDF FILE(S) (2 pages)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0002.JPG</u>
	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0003.JPG</u>
ORIGINAL PDF FILE	<u>evi_691745820-142906257 . Exhibit B - Randall s Honey Badger About.pdf</u>
CONVERTED PDF FILE(S) (12 pages)	<u>\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0004.JPG</u>
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	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0015.JPG
ORIGINAL PDF FILE	evi_691745820-142906257_ . Exhibit C - Online store doll.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0016.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0017.JPG
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ORIGINAL PDF FILE	evi_691745820-142906257_ . Exhibit D - Calendar and Apps.pdf
CONVERTED PDF FILE(S) (11 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0022.JPG
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ORIGINAL PDF FILE	evi_691745820-142906257_ . Exhibit E - Honey Badger Don t Care Book.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0033.JPG
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	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0035.JPG

	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0036.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0037.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\854\476\85447667\xml\IROA0038.JPG
DESCRIPTION OF EVIDENCE FILE	Exhibit A - screenshot of YouTube.com; Exhibit B - screenshot of Applicant's website; Exhibit C - screenshot of Applicant's online store; Exhibit D - screenshots of Applicant's wall calendar and smart phone application; Exhibit E - Amazon.com screenshot of Applicant's book has been attached
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	025
DESCRIPTION	
(Based on use) Clothing, namely, t-shirts, tank tops, onesies; (Based on intent to use) Long-sleeve shirts, caps; and pajamas	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/24/2011
FIRST USE IN COMMERCE DATE	At least as early as 02/24/2011
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	025
TRACKED TEXT DESCRIPTION	
(Based on use) Clothing, namely, t-shirts, tank tops, onesies; <u>(Based on use) Clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers;</u> (Based on intent to use) Long-sleeve shirts, caps; and pajamas	
FINAL DESCRIPTION	
(Based on use) Clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers; (Based on intent to use) Long-sleeve shirts, caps; and pajamas	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/24/2011
FIRST USE IN COMMERCE DATE	At least as early as 02/24/2011
FILING BASIS	Section 1(b)

SIGNATURE SECTION	
RESPONSE SIGNATURE	/sh/
SIGNATORY'S NAME	Sana Hakim
SIGNATORY'S POSITION	Attorney of record, Illinois bar member
SIGNATORY'S PHONE NUMBER	312-807-4350
DATE SIGNED	08/09/2012
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Aug 09 15:43:12 EDT 2012
TEAS STAMP	USPTO/ROA-XX.XXX.XX.XX-20 120809154312782247-854476 67-4909aed1d12ceec3e2e4d 72db585ed-N/A-N/A-2012080 9152955980940

PTO Form 1957 (Rev 9/2005)
OMB No. 0651-0050 (Exp. 07/31/2017)

Response to Office Action
To the Commissioner for Trademarks:

Application serial no. 85447667 HONEY BADGER DON'T CARE(Standard Characters, see <http://tess2.uspto.gov/ImageAgent/ImageAgentProxy?getImage=85447667>) has been amended as follows:
ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher Z. Gordon
Mark: HONEY BADGER DON'T CARE
Serial No. 85/447,667
Examining Attorney: Scott K. Bibb
Law Office 109

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

RESPONSE TO OFFICE ACTION OF FEBRUARY 9, 2012

The applicant, Christopher Z. Gordon ("Applicant"), by its attorneys, responds to the Office Action of February 9, 2012 as follows:

**I.
INTRODUCTION**

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Applicant respectfully disagrees with the Examining Attorney's conclusion that its HONEY BADGER DON'T CARE mark is a merely ornamental feature of Applicant's goods. Instead, Applicant submits that the mark is an indicator of source for the identified goods.

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THE MARK HONEY BADGER DON'T CARE
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Applicant submitted a screenshot from its online store showing use of the mark in connection with clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers, as a specimen in support of Applicant's assertion of the 1(a) basis for its clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers. The Examining Attorney objected to the specimen on the grounds that the mark was merely an ornamental feature of the goods. Applicant submits that its HONEY BADGER DON'T CARE mark is a source identifier of Applicant's clothing. Indeed, Applicant uses the mark HONEY BADGER DON'T CARE in connection with several other goods, as shown in the specimen and as discussed below.

Moreover, "just because a 'mark' is visually pleasing or serves in some way to ornament the goods does not render it unregistrable if the mark is also inherently distinctive . . ." In re Tire Mart, Inc., Serial No. 78292388 (not precedential) (citing In re Swift & Co., 106 U.S.P.Q. 286, 288 (CCPA 1955)). For example, in In re Paramount Pictures Corp., the Board held that MORK & MINDY was registrable for decals because the applicant had a television series of that name and had previously registered MORK & MINDY for various goods and services. 213 U.S.P.Q. 1111, 1112 (TTAB 1982); TMEP § 1202.03(c). The Board found that while MORK & MINDY was part of the ornamentation of the decal, the primary significance of MORK & MINDY to a prospective purchaser of decals was to indicate source or origin in the proprietor of the television series and its principal characters. *Id.*

Applicant submits that its HONEY BADGER DON'T CARE mark is not mere ornamentation but, similar to the terms MORK & MINDY in In re Paramount Pictures Corp., the mark references a well-known media phenomenon created by Applicant and serves as a source identifier for Applicant's goods.

Applicant is the creator of the viral video "The Crazy Nastyass Honey Badger," a wildlife narration about the honey badger animal, which has received more than 48 million hits on YouTube.com (available at <http://www.youtube.com/watch?v=4r7wHMg5Yjg>; screenshot attached as Exhibit A). One of the most well-known lines from the video is "honey badger don't care." See Exhibit B (screenshot of Applicant's website, page 2).

Most importantly, Applicant now uses HONEY BADGER DON'T CARE as a trademark. As shown in the specimen submitted, the mark is used as a source identifier in connection with decals, mugs, dolls, and Christmas tree ornaments, among other items. See Exhibit C (screenshot of Applicant's online store; Amazon.com screenshot showing doll for sale). Applicant also offers a wall calendar under the mark, and sells a smart phone application under the HONEY BADGER DON'T CARE mark. See Exhibit D. Additionally, Applicant is offering books under the HONEY BADGER DON'T CARE mark. See Exhibit E. Like the Mork & Mindy characters in In re Paramount Pictures Corp., the terms "HONEY BADGER DON'T CARE" are frequently featured in Applicant's video and used as a trademark in connection with other goods. Therefore, the primary significance of the mark to purchasers of Applicant's clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers, will be to indicate origin in Applicant, the proprietor of the Internet video.

Because the mark serves as a source identifier, rather than mere ornamentation, Applicant respectfully submits that the mark should be approved for registration.

III. CONCLUSION

In view of the foregoing, Applicant respectfully submits that the subject application is therefore appropriate for publication. Favorable action in this regard is respectfully requested.

EVIDENCE

Evidence in the nature of Exhibit A - screenshot of YouTube.com; Exhibit B - screenshot of Applicant's website; Exhibit C - screenshot of Applicant's online store; Exhibit D - screenshots of Applicant's wall calendar and smart phone application; Exhibit E - Amazon.com screenshot of Applicant's book has been attached has been attached.

Original PDF file:

[evi 691745820-142906257 . tyass Honey Badger original narration by Randall - YouTube.pdf](#)

Converted PDF file(s) (2 pages)

[Evidence-1](#)

[Evidence-2](#)

Original PDF file:

[evi 691745820-142906257 . Exhibit B - Randall s Honey Badger About.pdf](#)

Converted PDF file(s) (12 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

Original PDF file:

[evi 691745820-142906257 . Exhibit C - Online store doll.pdf](#)

Converted PDF file(s) (6 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

Original PDF file:

[evi 691745820-142906257 . Exhibit D - Calendar and Apps.pdf](#)

Converted PDF file(s) (11 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

Original PDF file:

[evi 691745820-142906257 . Exhibit E - Honey Badger Don t Care Book.pdf](#)

Converted PDF file(s) (6 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 025 for (Based on use) Clothing, namely, t-shirts, tank tops, onesies; (Based on intent to use) Long-sleeve shirts, caps; and pajamas

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. *For a collective trademark, collective service mark, or collective membership mark application:* As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective

membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/24/2011 and first used in commerce at least as early as 02/24/2011 , and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~(Based on use) Clothing, namely, t-shirts, tank tops, onesies;~~ (Based on use) Clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers; (Based on intent to use) Long-sleeve shirts, caps; and pajamas

Class 025 for (Based on use) Clothing, namely, t-shirts, tank tops, one piece garment for infants and toddlers; (Based on intent to use) Long-sleeve shirts, caps; and pajamas

Filing Basis: Section 1(b), Intent to Use: **For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/24/2011 and first used in commerce at least as early as 02/24/2011 , and is now in use in such commerce.

SIGNATURE(S)

Response Signature

Signature: /sh/ Date: 08/09/2012

Signatory's Name: Sana Hakim

Signatory's Position: Attorney of record, Illinois bar member

Signatory's Phone Number: 312-807-4350

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to

the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85447667

Internet Transmission Date: Thu Aug 09 15:43:12 EDT 2012

TEAS Stamp: USPTO/ROA-XX.XXX.XX.XX-20120809154312782

247-85447667-4909aed1d12ceec3e2e4d72db5

85ed-N/A-N/A-20120809152955980940

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adcklgates@gmail.com

The Crazy Nastyass Honey Badger (original narration by Randall)

czg123
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48,815,901

Uploaded by czg123 on Jan 18, 2011

*Get Randall's book now!: <http://bit.ly/wW79nq>

*GET THE DOLL, STUPID: <http://bit.ly/wW79nq>

*VISIT: <http://bit.ly/wk/WY> *FOR THE HOT APP

Special thanks to Colleen and Keith Begg for their extensive work and care-- to find out more about the filmmakers and what they do, please visit:

210,243 likes, 4,870 dislikes

Contains content from National Geographic

All Comments (39,751)

see all

Add a channel now to post a comment!

Crazy nastyass honey badger don't give a shit!
 RedFireDragon202 9 hours ago

Thanks Stupid! Thanks For The Treat Stupid! Lol!
 XsBaybeeG14x 9 hours ago

Haha love it
 Theo Henry 10 hours ago

Great video. Annoying narrator though.
 midnighmagnifico 12 hours ago

And no a single fuck was given that day
 Ka2ibz22 13 hours ago

Honey Badger gonna smack the shit out of you.
 DrSpacePanda in reply to Yareakh (Show the comment) 14 hours ago

I love this.
 Kasei Likari 15 hours ago

Honey Badgers. Fucks Given: 0.
 Yareakh 16 hours ago 4

Comment removed



The Stiffy Goat
 (original narration by
 by czg123
 2,554,165 views



HaHa TV - Funny Home Videos
 48 videos CHANNEL



The Miracle of the Daffy Jesus Lizard (original)
 by czg123
 2,553,374 views



Randall's G-Rated Talking Honey Badger
 by czg123
 370,578 views



Gang Flamingo Versus Team Baboon - NEVER
 by czg123
 828,580 views



ANGRIEST MODERN WARFARE 3 PLAYER
 by MinnesotaBums
 978,064 views



News Anchor Fail Compilation 2011 ||
 by YourDadYt aughz
 56,201,201 views



the best line in cartoon history
 by joecartoonfan
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كلمته تشرىب حلة التعلیم كمنه الجزء 2 مع المعلمين
 by alldrle7
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Inside Nature's Giants 15/18 Rogue Baboon
 by Evolution Documentary
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Jackass 3.5 (2011 FULL MOVIE) (With Dutch)
 by minerals
 4,357,315 views

The Crazy Nastyass Honey Badger (original narration by Randall) - YouTube

Author withheld

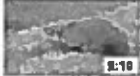
Honey Badger don't care Honey Badger don't give a shit


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 **BADGER VS. HUMAN (CRAZY)**
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The Honey Badger is a viral video featuring nature documentary footage with voiceover narration provided by Randall, a self-proclaimed animal lover who has since launched a successful YouTube series of similar videos. The Honey Badger video gained a great deal of popularity in early 2011 for its sassy commentary and irreverent personification of the mammals.

Origin

The video, titled "The Crazy Nastyass Honey Badger (original narration by Randall)", was uploaded by YouTuber czg123 on January 18th, 2011. The video features original footage taken from a National Geographic special on the ornery and tough honey badgers, which aired in 2007.



Between its online debut on January 18th, 2011 and December 2011, Randall's Honey Badger video racked up more than 26 million views and spawned a cult following on YouTube. By the end of the year, his channel had over 40,992,000 upload views, averaging out to 20,074 views a day. Randall's highly memorable quotes such as "honey badger don't give a shit" or "honey badger don't care," coupled with his passionate interpretation of the animal's adventures made the video an instant hit.

Towards the end of January 2011, the honey badger video was covered by Internet humor blogs like Urlesque, Huffington Post, Funny Or Die, and BuzzFeed as well as mainstream entertainment news sites like PopCrunch and TMZ.

Randall's honey badger narration also inspired a variety of image macros, remixes and tribute videos centered around catchphrases from the video. Meanwhile, sites and stores like Hot Topic sought to capitalize on the viral status of honey badgers by launching several t-shirts and other merchandise with pictures of honey badgers and Randall quotes.

On April 19th, a brief reference to a honey badger appeared on the popular TV series "Glee," most likely alluding to Randall's video:



Notable Examples

Wild Wild World of Animals

Inspired by the viral spread and positive reception of his honey badger video, Randall created a YouTube series titled "Randall's Wild Wild World of Animals" using similar documentary footage of wild animals. Episodes included "The Miracle of the Daffy Jesus Lizard," "The Great White Sea-Monster" and "The Slowass Sloth" among others.



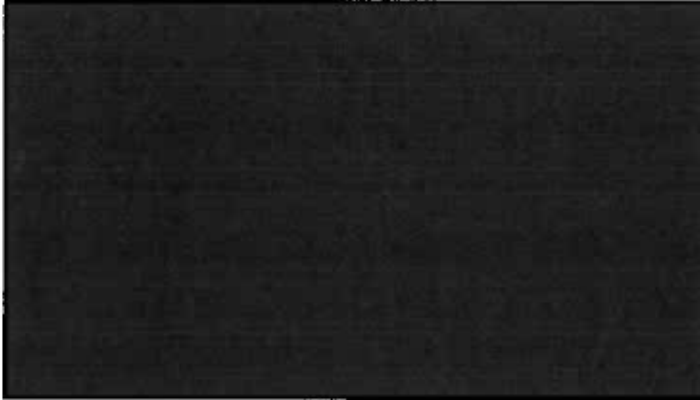
Mainstream Media

On February 22nd, 2011, Randall created a video in collaboration with MovieFone in which he provided

<http://randallshoneybadger.com/about/>

8/8/2012

commentaries in a round-up review on 2011 Oscar nominees using the same style of voiceover from the honey badger commentary:



In March 2011, Huffington Post published an exclusive video titled "The Pigs of Wall Street" featuring Randall's commentaries on the greed of the U.S. financial industry.

In mid-March, Australian rugby player Nick Cummins stated to the press that his new, more aggressive tackling style was inspired by the honey badger "after watching a wildlife documentary." Although he never specifically mentions the Randall video, the timing of his announcement suggests that it may have been the "documentary" to which he was referring.

Commercial Features

Grasshopper

On May 31st, Randall released a commercial for Grasshopper in which he provides a voiceover in similar style of other videos. In June 2011, Microsoft's search engine Bing released an update to the tools they make available to webmasters and SEO experts. They called the update "Honey Badger."

MythBusters

On July 24th, the Discovery Channel released a promo titled "MythBusters: Randall's Busters" which previewed scenes from the upcoming season of Mythbusters narrated by Randall in his stereotypical style.



Bankrupting America

On August 17th, 2011, Bankrupting America, a campaign started by the nonpartisan, nonprofit project Public Notice, launched a PSA video titled "Crazy Washington Honey Badgers" on YouTube, featuring Randall's voice explaining the debt crisis and the recent showdown in Congress:



Wonderful Pistachios

On September 30th, 2011, a TV commercial for the snack company Wonderful Pistachios starring a honey badger with familiar voiceover by Randall debuted on YouTube and aired during the broadcast of ABC series Dancing With The Stars. The clip features the "fearless animal" cracking open pistachios with a

narration by Randall. Since its launch in 2010, the ad campaign for Wonderful Pistachios has featured a number of Internet sensations and pop culture icons such as Keyboard Cat, Angry Birds and the Annoying Orange orange.



Upon the release of the video on YouTube, several news publications like Forbes, MSNBC, and Entertainment Weekly wrote articles about the commercialization of the honey badger.

Football

On January 6th, 2012, CSN Bay Area reported that the San Francisco 49ers head coach Jim Harbaugh had been using the honey badger video as a motivational tool.



On January 10th, The Washington Post published an article in which the honey badger narrator Randall compared LSU's cornerback Tyrann D. Mathieu, nicknamed "Honey Badger", to the animal itself:

"He just plays with such heart and vigor," Randall said. "It's just very exciting. To me, that embodies the honey badger. He just takes whatever he wants and nothing is going to stop him."



Animated Series

On January 17th, 2012, the entertainment blog Hollywood Reporter published an article about Canadian production company Six Eleven Media's plans to develop a Honey Badger animated series.

The project, which soon will be pitched to broadcast and cable networks, will follow an animated Randall, who is the chief professor of life sciences at a dysfunctional university. His course will feature his trademark color-commentary on documentary footage of topics related to science and the animal kingdom while forming an unusual bond with his student, fellow professors and the University mascot, "Honey," a "nasty—" honey badger.

The story was subsequently posted to The Daily What which pointed out that a Honey Badger book and several iPhone apps were already available.

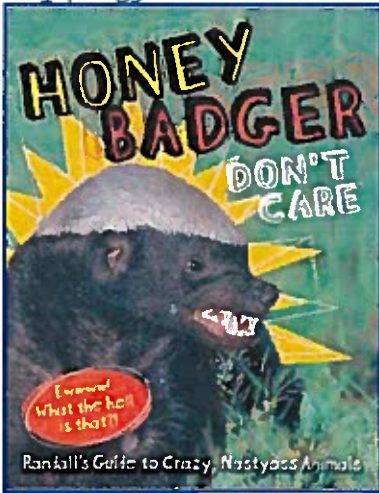
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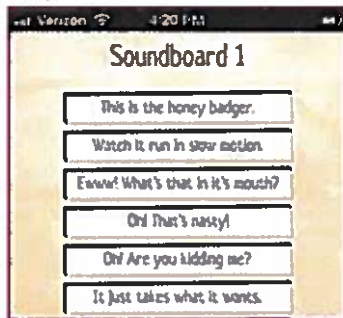
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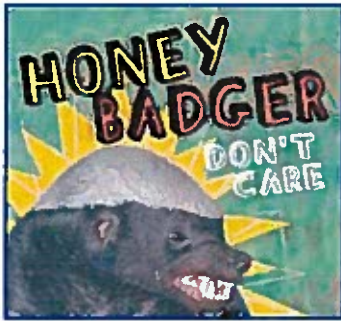
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WebSite

WebSite: [http://randallshoneybadger.com/about/](#)



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- Rare Talking Honey Badger Doll from Randall
- It comes in its own packing/travel case with all sorts of warning signs on it, cuz Honey Badger may just make a snack of your finger stupid (LOL)....
- Honey Badger is approximately 7 inches tall and around 14 inches long
- To make Honey Badger talk, you just pinch its left front paw (or the paw on your right side if you are looking directly at it.) Of course everyone knows a real Honey Badger doesn't speak, so Randall speaks for it and says several R-rated Adult quotes that you may have heard while watching The Honey Badger Video from Randall on YouTube.
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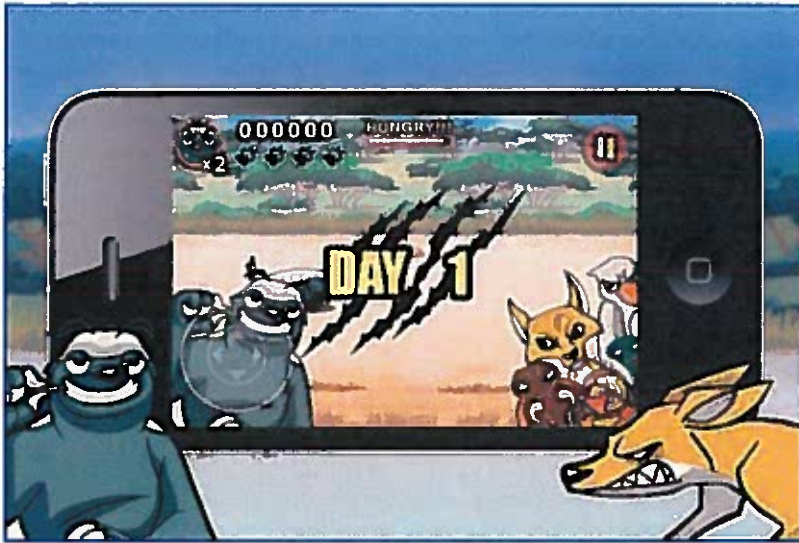
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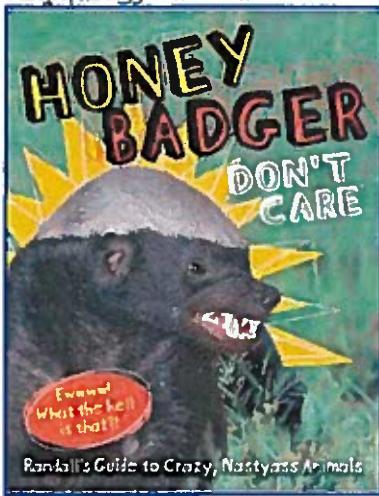




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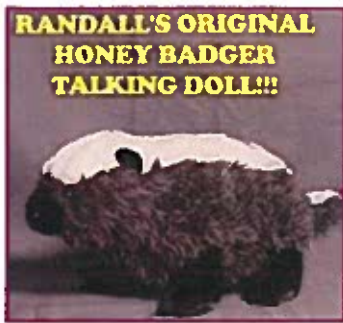
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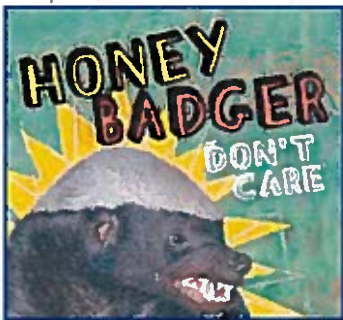
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Book Description

Publication Date: **January 24, 2012**

Sweet Jesus--a riotous wildlife book for adults! The mononymous Randall, narrator of the You Tube sensation (23 MILLION views) "The Crazy Nastyass Honey Badger," is the wild new voice of nature. In *Honey Badger Don't Care(tm)*, Randall presents a dozen crazy, badass animals of the wild kingdom as only Randall could. Don't be stupid--buy this book!

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Editorial Reviews

About the Author

Born and raised in New York City, Randall started narrating at an early age. Randall's father was a cameraman for Marlon Perkins's "Mutual of Omaha's Wild Kingdom." Randall is a graduate of both St. Olaf's College in Northfield, Minnesota, and the Exotic Animal Training and Management Program at Moorpark College in Moorpark, California. Randall currently resides in Los Angeles and lives with three loving cats.

Product Details

Hardcover: 80 pages
Publisher: Andrews McMeel Publishing (January 24, 2012)
Language: English
ISBN-10: 1449419658
ISBN-13: 978-1449419653
Product Dimensions: 8.1 x 0.4 x 10 inches
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Nasty, disgusting (and sometimes cuddly) critters January 24, 2012

By TChris [TOP 100 REVIEWER](#)

Format: Hardcover

I came late to Randall's popular YouTube video -- The Crazy Nastyass Honey Badger -- but I got a kick out of it when I finally saw it, as did, it seems, millions of other people. In Honey Badger Don't Care, Randall uses the same flippant tone to introduce the reader to the honey badger and nine other (allegedly nastyass) members of the animal kingdom. An introduction suggests that conservationists should welcome the attention that Randall is bringing to these



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not-so-cuddly species, but the book is really about humor rather than the preservation of animals we'd rather not meet in a dark alley. There is nonetheless an informative, pro-conservationist quality to much of Randall's commentary; it isn't all about disgusting animal behavior.

Freakish-looking beasts that are subjects of Randall's commentary include the aye-aye, the Tasmanian devil, and the solenodon. Some of the animals, including the wombat, the opossum, and the American bullfrog, are only moderately nastyass. Randall features some animals that don't seem nasty at all: the emperor tamarin (which lurches on grapes and has a very cool mustache), the pink fairy armadillo, the tarsier (a weirdly cute, timid little primate), and the sloth. Readers who are hoping to find ten animals that are as revolting as the honey badger might be disappointed. Still, Randall manages to poke fun at even the cuddly critters, always in a good-natured way.

Honey Badger Don't Care is filled with impressive photographs, many of which are enhanced with doodles, costumes, and cartoon-style dialog balloons. Randall's description of the animals and their behaviors is educational, if not exactly the stuff of zoology textbooks.

Readers who object to foul language should be warned that there's very little language in this book that isn't foul. That's part of what gives the book its attitude. This isn't a nature book for kiddies. Adults who don't mind adult language and who appreciate the humor found in nature should have a fun time with Honey Badger Don't Care.

Comment | Was this review helpful to you?

6 of 8 people found the following review helpful

The Fifteen Minutes Start.....NOW! January 27, 2012

By Daniel V. Reilly [VINE™ VOICE](#)
Format: Hardcover

Since no one is ever satisfied with just a small measure of fame, internet sensation Randall seeks to shake off the shackles of narrating funny animal videos by branching out into the literary world, with HONEY BADGER DONT CARE: RANDALL'S GUIDE TO CRAZY, NASTYASS ANIMALS. While the book does provide a few chuckles, reading Randall's outrageous comments isn't the same as HEARING Randall's outrageous comments... The voice is 80% of the joke. HONEY BADGER DONT CARE is an amusing time-waster, but I wouldn't really urge anyone to spend money on it, especially since all of his videos are available for free, and are funnier.

Comment | Was this review helpful to you?

1 of 1 people found the following review helpful

Why aren't more people giving this 5 stars?!? It's awesome!!!

January 27, 2012
By RachelMcWonderful
Format: Hardcover

This book is genuinely clever and is such a good laugh. If you didn't like Randall's original youtube video, then you won't like this book (and you're obviously crazy since he's hilarious). Hilarious, witty, and informative. Loved it!

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Crazy funny book

I bought this book as a gift for a friend who loves the online video, but, before I mailed it I wanted to glance through it. I ended up reading the whole book—my mother did too. [Read more](#)
Published 1 month ago by Dana Kelleher

dollars, but its a good conversation piece... [Read more](#)

Published 2 months ago by lkeygr14

Informative and Entertaining

"Honey Badger Don't Care" is my current favorite book. Not only did I learn about animals I didn't even know existed, I had a good laugh in the process. [Read more](#)

Published 4 months ago by Tracey

My 12 year old thinks it's funny...

My 12 year old thinks it's funny... Might not be a book for young children... beware!! There is also a video on youtube with this Honey Badger. [Read more](#)
Published 5 months ago by PMartin

Foul Language- Great Pictures

Honey Badger Don't Care by Randall
Pictures 5 STARS
language 1 STAR
Educational 4 STARS

I have never seen or heard about the ytube video so I was just thinking... [Read more](#)
Published 5 months ago by R. Laney

Not bad at all (with caveats).

Honey Badger Don't Care is quite funny and enjoyable. It's a fun animal books for adults, which is where the caveats come in. The books is formatted in bright and fun colors. [Read more](#)
Published 5 months ago by rjones2818

Honey Badger Don't Care... but I

do!
Honey badger might not care that it's become an internet sensation and now a must-read book, but you absolutely will! [Read more](#)
Published 6 months ago by ChbiNeko

Honey Badger Don't Care

This book is HILARIOUS! I wasn't prepared for how funny this was going to be. As usual I was going to read "just a few pages" before going to bed, and then I find myself on the... [Read more](#)
Published 6 months ago by Muzette Weston

Crude, Lewd, and Crass...but

thoroughly entertaining.
After watching "The Crazy Nastyass Honey Badger" on Youtube, I had to buy this book. I asked myself, "If the 3 minute video was epic, how much more epic can the book be?" [Read more](#)

Published 6 months ago by Zack

Honey Badger Don't Care

"Honey Badger Don't Care" is a wildlife book for adults. If crude language bothers you then this book isn't for you, otherwise I think it is a great way to learn about 'badass'... [Read more](#)
Published 6 months ago by Jo

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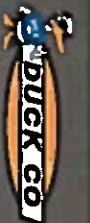
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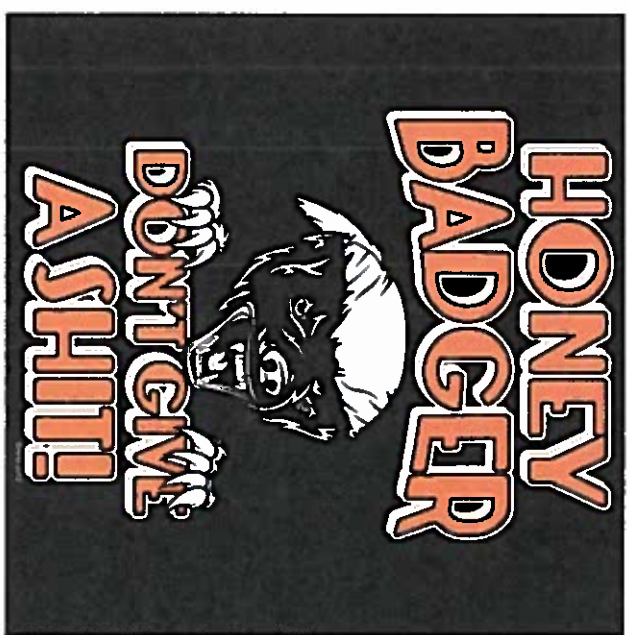
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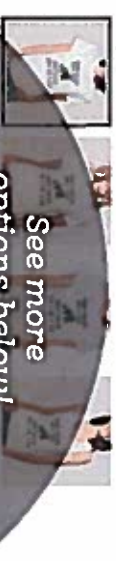
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About this product



Search

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Give a \$#!T Shirts

\$30.15 per shirt **★★★★★ 4.5** (153)

Artwork designed by **brilliantblack** View their Store

Size: [size chart](#)

Select a size

Quantity:

1 shirt

Customize it!

Add to Cart

Get it as soon as Tue, Dec 8. Order in 2 hrs 36 min choose Express shipping. See shipping options.

Like

Add to

Color & Style Options

Save \$1.25 on Women's Bella+Canvas Slouchy Boyfriend T-Shirt

Color: Lavender



Style:

See more options below!

Shop Create Sell **Holidays**

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PT | Use code: ZAZWEEKSALES Details

Clothing > Men > T-Shirts > Short-sleeved > Printed

Share



view larger



Front

#Zazzle Inspiration



About this product

Search

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Give A S*it Tshirt

\$29.65 per shirt **4.5** (232)



Artwork designed by thefightingcock View their Store Ask this Designer

Size: size chart

Quantity: 1 shirt

Get it as soon as Tue, Dec 8. Order in 2 hrs 31 mins and choose Express shipping. See shipping options.

Color & Style Options

Color: Chrome



Style:



Shop Create Sell **Holidays**

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PTI Use code: ZAZWEEKSALES [Details](#)



Search

Clothing > Men > T-Shirts > Short-sleeved > Printed

Share



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#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Dont Give an Sh** - Funny T-shirt

\$20.00 per shirt ★★★★★ 4.6 (238)

Artwork designed by **Zombies Do Not Look In Here!!!**
[View their Store](#)

Size: [size chart](#)
Select a size

Quantity:
1 shirt

[Customize it!](#) [Add to Cart!](#)

Get it as soon as Tue, Dec 8. Order in 2 hrs 28 mins and choose Express shipping. [See shipping options.](#)

[Like](#) [Add to](#)

Color & Style Options

Save \$1.05 on Men's Tail Hanes T-Shirt

[Apply](#)



Clothing > Kids & Baby > Baby > Bodysuits

Share



View larger



#Zazzle Inspiration



About this product

Honey Badger Don't Care T Shirts

Sold by Zazzle • 100% Satisfaction • Made to Order

\$16.75 per shirt **4.9** (20)

Artwork designed by **SHAKE OUTFITTERS**
[View their Store](#)

Size:

Quantity:

[Customize it!](#) [Add to Cart!](#)

Get it as soon as Tue, Dec 8. Order in 2 hrs 26 mins and choose Express shipping. [See shipping options.](#)

Like Add to

Color & Style Options



Style:



See more options below!

Shop Create Sell **Holidays**

2

Search

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PT | Use code: ZAZWEEKSALES [Details](#)

Clothing > Kids & Baby > Baby > T-Shirts

Share



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#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Care Infant T-shirt

\$14.50 per shirt **★★★★★ 4.1 (2)**

Artwork designed by **SHAKE OUTFITTERS**
[View their Store](#)

Size: [size chart](#)

Select a size

Quantity: 1 shirt

[Customize it!](#) [Add to Cart](#)

Get it as soon as Tue, Dec 8. Order in 2 hrs 24 mins and choose Express shipping. [See shipping options.](#)

[Like](#) [Add to](#)

Color & Style Options

Only \$1.10 more on Baby Gerber Cotton Onesie [Apply](#)

Color: White



Style:



Shop Create Sell **Holidays**

20% Off Sitewide | Up to 65% Off Select Items | Today's Deal: Playing Cards | Ends at Midnight PT | Use code: ZAZWEEKSALES [Details](#)

Home & Pets > Drinkware > Coffee Mugs > Classic

Share



view larger



#Zazzle Inspiration



About this product



Search

Sold by Zazzle • 100% Satisfaction • Made to Order
Honey Badger Don't Care Classic White Coffee Mug

\$17.85 per mug **4.8** (222)

Artwork designed by **SHAKE OUTFITTERS**
[View their Store](#)

Quantity:

1 mug

Customize it!

Add to Cart

Custom made within 2-3 days. When will I get it?

Like

Add to

Style & Color Options:

Only \$1.10 more on Ringer Mug

Style: Classic White Mug \$17.85

Apply



See more options below!

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Blazing Cards Ends at Midnight PT | Use code: ZAZWEEKSALES Details

Accessories > Keychains > Button

Share



view larger



About this product

Style: Basic Button Keychain

Set your keys apart with a custom keychain. Create your own or choose from thousands of cute and cool designs. The sturdy clasp keeps keys together securely, and holds up well through daily wear-and-tear.

Dimension: 2.25 inches round for button and metal



Sold by Zazzle - 100% Satisfaction - Made to Order

Honey Badger Don't Care Basic Round Button Keychain

\$3.90 per keychain 4.4 (11822)

Artwork designed by SHAKE OUTFITTERS View their Store

Quantity:

1 keychain. Add to Cart

Customize it! Add to Cart

Custom made within 2-3 days. When will I get it?

Like Add to

Shape & Size Options

Only \$16.60 more on Premium Round Keychain Apply

Shape:



Basic Button Keychain Premium Round Keychain +\$15.60 Premium Square Keychain +\$15.60

Size:



Shop Create Sell Holidays

20% Off Sitewide | Up to 65% Off Select Items

Today's Steal: Playing Cards

Ends at Midnight PTI

Use code: ZAZWEEKSALES

Details

Home & Pets Magnets Button Round

Share



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About this product:

Shape: Round Magnet

Create custom magnets for home and office! Add your favorite image to a round magnet, or customize your choice of neat designs to stick on the fridge or file cabinet.



Sold by Zazzle • 100% Satisfaction • Made to Order
**Honey Badger Don't Care 2
Inch Round Magnet**

\$3.90 per magnet **★★★★★ 4.7 (220)**

Artwork designed by
SHAKE OUTFITTERS
View their Store

Quantity:

1 magnet

Customize it!

Add to Cart

Get it as soon as Tue, Dec 8. Order in 59 mins and choose Express shipping. See shipping options.

Like

Add to

Shape & Size Options

Shape:



Round Magnet



Square Magnet

Size:



Small, 1 1/2 inch



Standard, 2 1/4 inch



Large, 3 inch

20% Off Sitewide | Up to 65% Off

Shop Create Sell **Holidays**



Search



20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PTI Use code: ZAZWEEKSALES Details

Craft Supplies > Stickers > Round

Share



Front

view larger

Sold by Zazzle • 100% Satisfaction • Made to Order
Honey Badger Don't Care Classic Round Sticker

\$5.55 per sheet of 20 **★★★★★ 4.7 (326)**

Artwork designed by **SHAKE OUTFITTERS**
View their Store

Quantity: 1 sheet of 20.

Customize it!

Add to Cart

Custom made within 2-3 days. When will I get it?

Like

Add to

Size Options

Size:



Large, 3 inch (sheet of 5)



Small, 1 1/2 inch (sheet of 20)

Finish:

Glossy



#Zazzle Inspiration

About this product

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing

Home & Pets Drinkware Travel Mugs

Share



view larger

#Zazzle Inspiration



About this product



Search

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Care 15 Oz Stainless Steel Travel Mug

\$25.65 per mug ★★★★★ 4.6 (110)

Artwork designed by SHAKE OUTFITTERS View their Store

Quantity:

1 mug

Customize it! [Add to Cart](#)

Custom made within 2-3 days. When will I get it?

Like [Add to](#)

Style & Color Options:

Style: Travel/Commuter Mug \$25.65



See more options below!

Shop Create Sell Holidays

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PTI Use code: ZAZWEEKSALES [Details](#)

Home & Pets > Kitchen & Dining > Aprons > Adult

Share



Front

view larger

#Zazzle Inspiration



About this product

Honey Badger Don't Care Adult Apron

Sold by Zazzle • 100% Satisfaction • Made to Order

\$22.30 per apron 4.7 (22)

Artwork designed by **SHAKE OUTFITTERS**
[View their Store](#)

Quantity: 1 apron.

[Customize it!](#) [Add to Cart](#)

Custom made within 2-3 days. When will I get it?

Like Add to

Style & Color Options:

Save \$4.45 on Kids Apron

[Apply](#)

Style:

- Long Apron +\$2.25
- Kids Apron -\$4.45
- Standard Apron

Color:

- White
- Khaki
- Yellow

Shop Create Sell Holidays

20% Off Sitewide | Up to 85% Off Select Items Today's Deal: Playing Cards Ends at Midnight PTI Use code: ZAZWEEKSALES Details

Accessories Buttons Round

Share



view larger



Front

#Zazzle Inspiration



About this product



Search



Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Care 2 Inch Round Button

\$3.30 per button **★★★★★ 4.8 (220)**

Artwork designed by **SHAKE OUTFITTERS**
View their Store

Quantity:

1 button

Customize it! **Add to Cart**

Get it as soon as Tue, Dec 8. Order in 56 mins and choose Express shipping. See shipping options.

Like **Add to**

Shape & Size Options

Shape:



Round Button



Square Button

Size:



Small, 1 1/2 Inch



Standard, 2 1/4 Inch



Large, 3 Inch



Huge, 4 Inch

Shop Create Sell Holidays



Search



20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PT! Use code: ZAZWEEKSALES Details

Office Products > Mouse Pads > Standard > Horizontal

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#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Don't Care Mouse Pad

\$12.25 per mousepad ★★★★★ 4.8 (2710)

Artwork designed by SHAKE OUTFITTERS View Their Store

Quantity:

1 mousepad

Customize it!

Add to Cart

Custom made within 2-3 days. When will I get it?

Like

Add to

20% off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PT! Use code: ZAZWEEKSALES Details

Shop Create Sell **Holidays**

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PTI Use code: ZAZWEEKSALES Details



Search

Accessories > Buttons > Round

Share



view larger



Front



#Zazzle Inspiration

About this product

Sold by Zazzle • 100% Satisfaction - Made to Order
Honey Badger Don't Give a \$#!T 1 Inch Round Button
\$2.20 per button **★★★★★ 4.8 (2720)**

Artwork designed by **brilliantblack**
View their Store

Quantity: 1 button

Customize it!

Add to Cart

Get it as soon as Tue, Dec 8. Order in 18 mins and choose Express shipping. See shipping options.

Like

Add to

Shape & Size Options

Only \$1.10 more on Square Button

Apply

Shape:



Round Button



Square Button

Size:



Small, 1 1/2 inch



Standard, 2 1/2 inch



Large, 3 inch



Huge, 4 inch

Shop Create Sell Holidays

20% Off Sitewide | Up to 65% Off Select Items

Today's Steal: Playing Cards

Ends at Midnight PT

Use code: ZAZWEEKSALES

Details

Home & Pets Kitchen & Dining Plates Melamine

Share



Front

view larger

Sold by Zazzle • 100% Satisfaction • Made to Order
Honeybadger don't care plate

\$27.90 per plate **★★★★★ 4.7** (318)



Artwork designed by **ShirtUosity**
View their Store

Quantity:

1 plate

Customize it!

Add to Cart

Custom made within 5-7 days. When will I get it?

Like

Add to

#Zazzle Inspiration



About this product

20% Off Sitewide | Up to 65% Off Select Items Today's Steal: Playing Cards Ends at Midnight PT Use code: **ZAZWEEKSALES** [Details](#)

Shop

Create

Sell

Holidays

2

Search

Search

Search

20% Off Sitewide | Up to 65% Off Select Items

Today's Steal: Playing Cards

Ends at Midnight PT

Use code: ZAZWEEKSALES

Details

Home & Pets > Drinkware > Coffee Mugs > Classic

Share



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#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order

Honey Badger Mug

\$23.40 per mug ★★★★★ 4.8 (2453)

Artwork designed by ZazzleFunnyTees

View their Store

Quantity:

1 mug.

Customize it!

Add to Cart

Custom made within 2-3 days. When will I get it?

Like

Add to

Style & Color Options:

Save \$2.50 on Classic White Mug

Style: Ranger Mug \$23.40

Apply



See more options below!

Shop Create Sell Holidays

20% Off All Orders | 75% Off All Cards & Invitations - Shop Cards for All Occasions Now! Ends Thursday Use Code: GETYOURCARDS Details

Accessories Hats Trucker

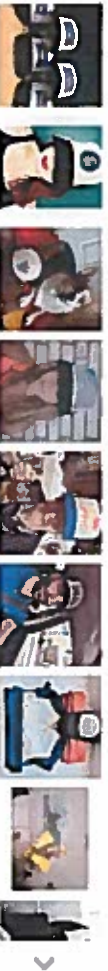
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view larger



#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order
Honey Badger Don't Care Trucker Hat

\$16.75 per hat ★★★★★ 4.7 (1203)

Artwork designed by SHAKE OUTFITTERS
View their Store

Quantity:

1 hat

Customize it!

Add to Cart



Guaranteed by Christmas! Get it as soon as Mon, Dec 14. Order in 52 mins and choose Express shipping. See shipping options.

Like

Add to

Color Options

Color: White and Black

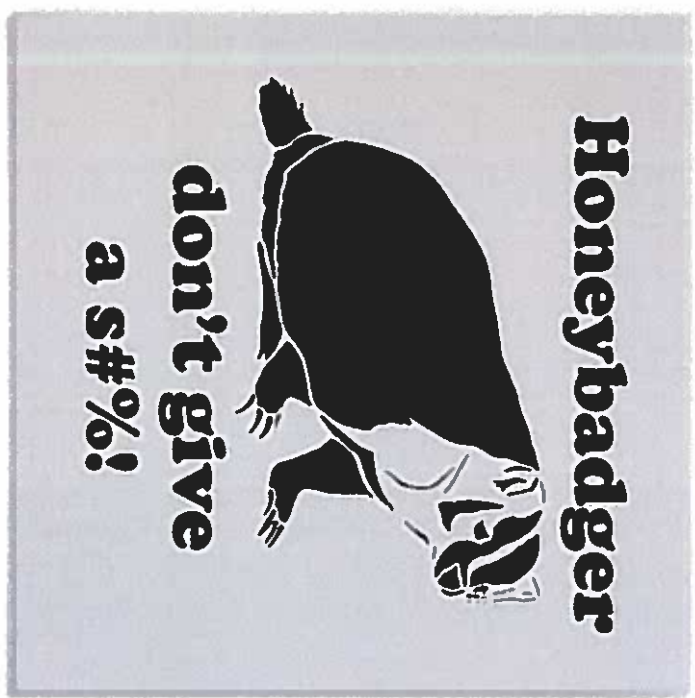


20% Off All Orders | 75% Off All



Art & Posters > Posters

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view larger



#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order
Honeybadger don't care poster

\$12.35 per poster **★★★★★ 4.7** (7927)

SAFARI
RESISTANCE
COM! Artwork designed by
Shirtuosity
View their Store

Size: More info

Quantity: poster

Guaranteed by Christmas!
Get it as soon as Thu, Dec 10. Order in 45 mins and choose Express shipping. See shipping options.

Paper Options


Paper Type:

Frame your masterpiece!

Add a standard frame
The perfectly affordable finishing touch!
Standard frames come ready-made and perfectly positioned in all the classic sizes.

Starting at \$21.95

EXHIBIT “D”

Shop Create Sell 

20% Off Sitewide | Up to 65% Off Select Items Today's Steal Playing Cards Ends at Midnight PT! Use code: ZAZWEEKSALES [Details](#)

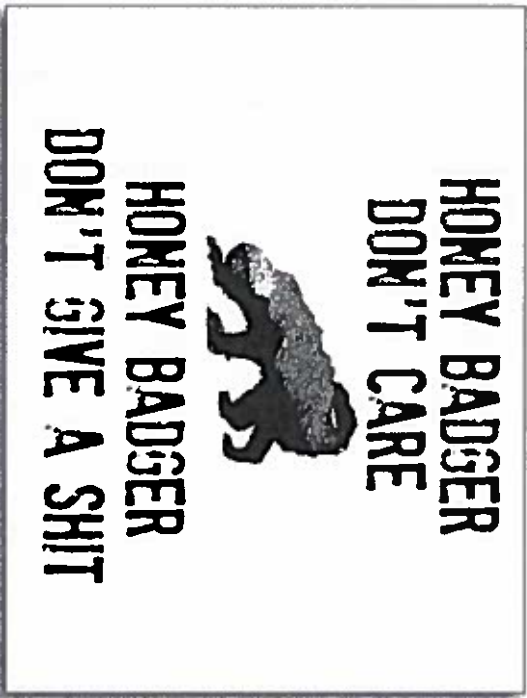


 Search



Cards & Postage > Postcards > Horizontal

Share    



  view larger



#Zazzle Inspiration



About this product

Sold by Zazzle • 100% Satisfaction • Made to Order
Honey Badger Don't Care Postcard

\$0.98 \$1.49 per postcard  4.8 (244)

Artwork designed by **SHAKE OUTFITTERS**
[View their Store](#)

Quantity: 8 postcards. 

[Customize it!](#) [Add to Cart](#)

 Custom made within 2-3 days. When will I get it?
 Like  Add to

Add an Essential Accessory!



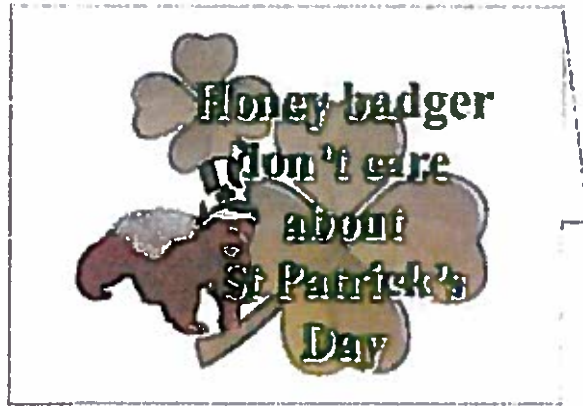
Stamps
Make an Impression before they even open the envelope by adding the perfect postage stamp!

Starting at \$22.20
[Add](#)

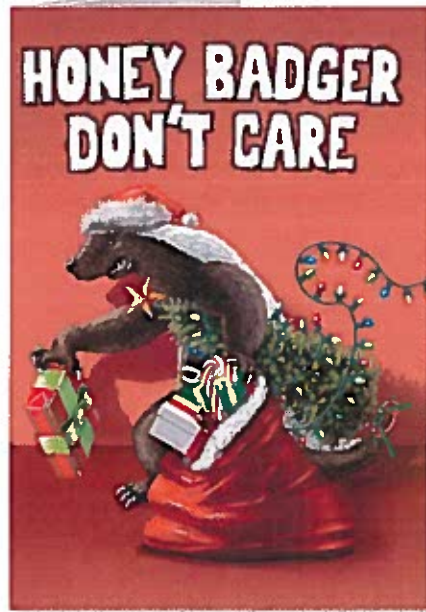
20% Off Sitewide | Up to 65% Off Select Items Today's Steal Playing Cards Ends at Midnight PT! Use code: ZAZWEEKSALES [Details](#)

EXHIBIT “E”





- ALL T-SHIRTS
([HTTP://DUCKCO.COM /DUCKCO-T-SHIRTS/](http://duckco.com/duckco-t-shirts/))
- \$10 T-SHIRTS!
([HTTP://DUCKCO.COM/10-T-SHIRTS/](http://duckco.com/10-t-shirts/))
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([HTTP://DUCKCO.COM/NEW-T-SHIRTS/](http://duckco.com/new-t-shirts/))
- SESAME STREET
([HTTP://DUCKCO.COM /SESAME-STREET/](http://duckco.com/sesame-street/))
- CHRISTMAS T-SHIRTS!
([HTTP://DUCKCO.COM /CHRISTMAS-T-SHIRTS/](http://duckco.com/christmas-t-shirts/))
- CLASSIC DUCK
([HTTP://DUCKCO.COM /CLASSIC-DUCK/](http://duckco.com/classic-duck/))
- THE EDGE
([HTTP://DUCKCO.COM /THE-EDGE/](http://duckco.com/the-edge/))
- WOMEN'S
([HTTP://DUCKCO.COM /WOMENS-T-SHIRTS/](http://duckco.com/womens-t-shirts/))
- KID'S ([HTTP://DUCKCO.COM /KIDS/](http://duckco.com/kids/))
- SKI & BOARD
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- SURF ([HTTP://DUCKCO.COM /SURF/](http://duckco.com/surf/))
- 3XL T-SHIRTS
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([HTTP://DUCKCO.COM /HONEYBADGER/](http://duckco.com/honeybadger/))
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- PARTY ([HTTP://DUCKCO.COM /PARTY/](http://duckco.com/party/))
- OTHER PRODUCTS
([HTTP://DUCKCO.COM](http://duckco.com))



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http://pinterest.com/pin/create/button/?url=http://duckco.com/honey-badger-christmas-card/&media=http://cdn1.bigcommerce.com/server2300/d22d9/products/124/images/795/card01_31190.1354838373.1280.1280.jpg?c=2&w=311&h=311&v=1354838373.1280.1280.jpg
 You Might Also Like
 The Duck Company - Honey Badger Christmas Card, \$3.50
<http://duckco.com/honey-badger-christmas-card/>



Honey Badger Christmas Card

\$3.50

Choose a Size

+ ADD TO CART

- 1 Card/\$3.50
- 12 Cards/\$15.00
- 24 Cards/\$10.00

Holiday Card

Material	Glossy Card Stock
Message	Inside reads "Have a Bad Ass Christmas"
Envelope Color	White
Warranty	Money Back Guarantee
Returns	Returns Not Accepted on This Item
Shipping	Fast N' Free on all US orders

Honey Badger may not care, but this card will show even the lowest on your Christmas list that you do.

Read More



(http://randallshoneybadger.com/?utm_source=duckco&utm_medium=duckco&utm_campaign=duckco)

0

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ORDERING INFO

[SIZE CHART \(/size-chart/\)](#)

[FAQ / Shipping Info \(/faq/\)](#)

WRITE A REVIEW

Product Reviews

This product hasn't received any reviews yet. Be the first to review this product!

Live **CHECKOUT**

EXHIBIT “F”



TOMATO
CARDS

DCIStudios.com

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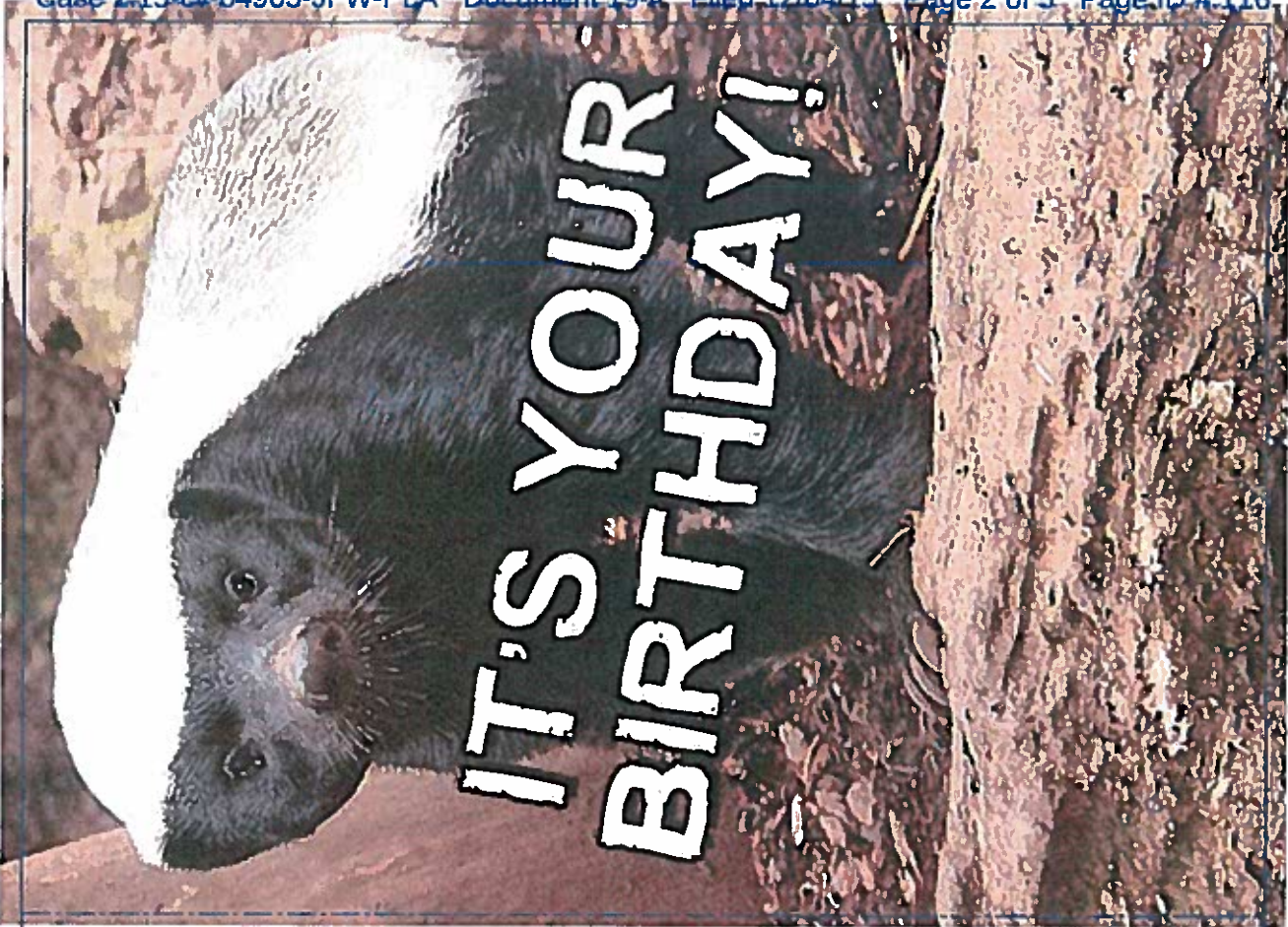


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**Honey Badger
don't give a shit.**





TOMATO
CARDS



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Chicago, IL 60606

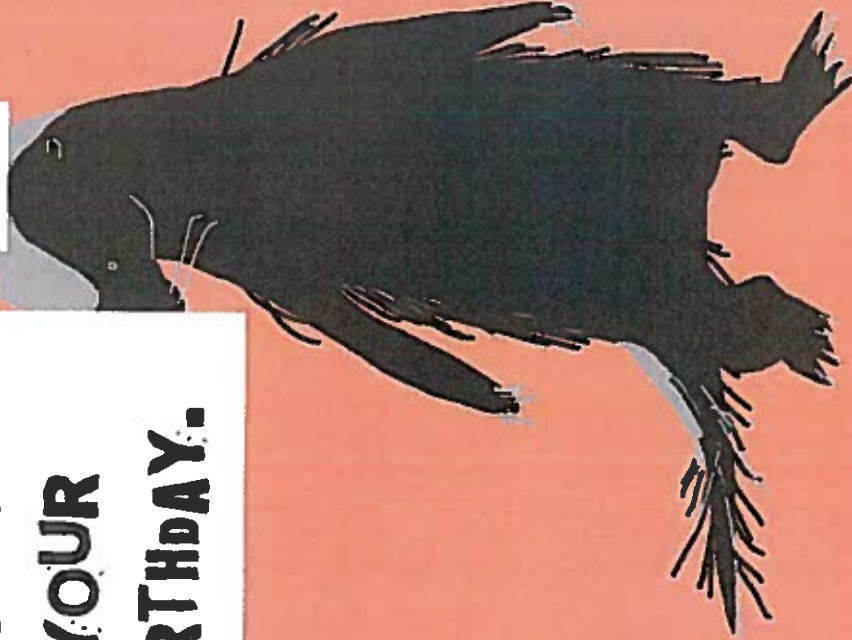
Made in the USA
GPROCO, LLC



**HONEY BADGER
DON'T GIVE A SH*T.**



**HONEY BADGER
HEARD IT'S
YOUR
BIRTHDAY.**



FREAKY WILD

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**HONEY BADGER
DON'T GIVE A SH*T.**

EXHIBIT “G”



Lynette Villalobos
@villaloboslyn

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LIKES
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1:33 PM - 17 Aug 2015



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CERTIFICATE OF FILING/SERVICE

I hereby certify that on December 22, 2015, counsel for Plaintiff Christopher Gordon electronically filed the foregoing document with the Clerk of the Court by using the Court’s CM/ECF system. The electronic case filing system will be sending a “Notice of Electronic Filing” to all attorneys of record who have consented to accept service by electronic means.

Dated: December 22, 2015

_____/S/____

Daniel L. Reback