## **Request for Reconsideration after Final Action**

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LITERAL ELEMENT	KUTANA
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)	

Please see Request for Reconsideration After Issuance of Final Office Action, Declaration of Brendan Burns Exhibit 1 and additional Exhibits 2-82, attached as "evidence" files, for consideration.

# **EVIDENCE SECTION** EVIDENCE FILE NAME(S) evi 38142163218-20190701171350106719 . KUTANA Request for Reconsideration after Final Action.pdf ORIGINAL PDF FILE CONVERTED PDF FILE(S) \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0002.JPG (24 pages) \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0003.JPG \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0004.JPG \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0005.JPG $\label{lem:likelihood} $$ \prod_{x \in \mathbb{Z}} EXPORT17\prod_{x \in \mathbb{Z}} 134\87813463\xml10\RFR0006.JPG $$$ \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0007.JPG \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0008.JPG \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0009.JPG $\label{lem:likelihood} $$ \prod_{x \in \mathbb{Z}} EXPORT17\prod_{x \in \mathbb{Z}} 134\87813463\xml10\RFR0010.JPG $$$ $\label{lem:likelihood} $$ \prod_{x \in \mathbb{Z}} EXPORT17\prod_{x \in \mathbb{Z}} 134\87813463\xml10\RFR0011.JPG $$$ \\TICRS\EXPORT17\IMAGEOUT17\878\134\87813463\xml10\RFR0012.JPG

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DESCRIPTION OF EVIDENCE FILE	Request for Reconsideration After Issuance of Final Office Action, Declaration of Brendan Burns Exhibit 1 and additional Exhibits 2-82.		
GOODS AND/OR SERVIC	ES SECTION (018)(class deleted)		
GOODS AND/OR SERVIC	GOODS AND/OR SERVICES SECTION (025)(current)		
INTERNATIONAL CLASS	025		
DESCRIPTION	PERFORMANCE HUNTING CLOTHING, NAMELY, HUNTING VESTS		
FILING BASIS	Section 1(b)		
GOODS AND/OR SERVIC	ES SECTION (025)(proposed)		
INTERNATIONAL CLASS	025		
TRACKED TEXT DESCRIPTION	N .		
	CLOTHING, NAMELY, HUNTING VESTS; Performance mountain hunting clothing made mostly of stretch vests, for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion		
FINAL DESCRIPTION			
	ng clothing made mostly of stretch nylon fabric, namely hunting vests, for hunters to use in rugged mountain onditions, excluding women's fashion clothing		
FILING BASIS	Section 1(b)		
CORRESPONDENCE SEC	CORRESPONDENCE SECTION		
ORIGINAL ADDRESS	L. GRANT FOSTER DORSEY & WHITNEY LLP 111 SOUTH MAIN STREET, SUITE 2100 SALT LAKE CITY Utah US 84111-2176		
NEW CORRESPONDENC	E SECTION		
NAME	L. Grant Foster		
FIRM NAME	Dorsey & Whitney LLP		
DOCKET/REFERENCE NUMBER	T271933.US		
STREET	111 South Main Street, Suite 2100		
CITY	Salt Lake City		
STATE	Utah		
ZIP/POSTAL CODE	84111-2176		
COUNTRY	United States		
PHONE	801-933-7360		
EMAIL	ip.docket.slc@dorsey.com;shimada.tiffany@dorsey.com		
AUTHORIZED EMAIL COMMUNICATION	Yes		
SIGNATURE SECTION			

RESPONSE SIGNATURE	/L. Grant Foster/
SIGNATORY'S NAME	L. Grant Foster
SIGNATORY'S POSITION	Attorney of Record, UT Bar member
SIGNATORY'S PHONE NUMBER	801-933-7360
DATE SIGNED	07/01/2019
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	NO
FILING INFORMATION S	SECTION
SUBMIT DATE	Mon Jul 01 18:45:28 EDT 2019
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OMB No. 0651-0050 (Exp 09/20/2020)

#### **Request for Reconsideration after Final Action**

#### To the Commissioner for Trademarks:

Application serial no. **87813463** KUTANA(Standard Characters, see https://tmng-al.uspto.gov/resting2/api/img/87813463/large) has been amended as follows:

#### **ARGUMENT(S)**

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

Please see Request for Reconsideration After Issuance of Final Office Action, Declaration of Brendan Burns Exhibit 1 and additional Exhibits 2-82, attached as "evidence" files, for consideration.

#### **EVIDENCE**

Evidence in the nature of Request for Reconsideration After Issuance of Final Office Action, Declaration of Brendan Burns Exhibit 1 and additional Exhibits 2-82. has been attached.

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Evidence-1

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**Original PDF file:** 

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Evidence-1

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Evidence-1

Evidence-2

**Original PDF file:** 

evi 38142163218-20190701171350106719 . Exh. 46 - Google search results for Under Armour.pdf

Converted PDF file(s) (1 page)

Evidence-1

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evi 38142163218-20190701171350106719 . Exh. 47 - Under Armour webpage.pdf

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Evidence-1

Evidence-2

**Original PDF file:** 

evi 1-38142163218-20190701171350106719 . Exh. 48 - Google Search results for Orvis.pdf

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Evidence-1

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Converted PDF file(s) (1 page)

Evidence-1

**Original PDF file:** 

evi 1-38142163218-20190701171350106719 . Exh. 50 - Google Search Results for Outback Trading.pdf

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Evidence-1

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_51\_-\_Outback\_Trading\_Webpage.pdf

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Evidence-1

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_52\_-\_Google\_search\_results\_for\_Carhartt.pdf

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Evidence-1

**Original PDF file:** 

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Evidence-1

**Original PDF file:** 

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Converted PDF file(s) (1 page)

Evidence-1

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_55\_-\_Duxbak\_webpage.pdf

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**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_56\_-\_Google\_search\_results\_for\_Avery\_Outdoors.pdf

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Evidence-1

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Evidence-1

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evi\_38142163218-20190701171350106719\_.\_Exh.\_58\_-\_Google\_search\_results\_for\_Badlands\_Packs.pdf

Converted PDF file(s) (1 page)

Evidence-1

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_59\_-\_Badlands\_packs\_webpage.pdf

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Evidence-1

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Evidence-1

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Evidence-1

**Original PDF file:** 

evi 38142163218-20190701171350106719 . Exh. 62 - Kitanica - 77153364 clothing .pdf

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Evidence-1

**Original PDF file:** 

evi 38142163218-20190701171350106719 . Exh. 63 - Kinona - Reg. 5515630 clothing .pdf

Converted PDF file(s) (2 pages)

Evidence-1

Evidence-2

Original PDF file:

evi 38142163218-20190701171350106719 . Exh. 64 - Kiana - 75906925 ski boots .pdf

Converted PDF file(s) (1 page)

Evidence-1

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_65\_-\_Kiyonna\_-\_86132035\_\_clothing\_.pdf

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Evidence-1

Evidence-2

**Original PDF file:** 

evi\_38142163218-20190701171350106719\_.\_Exh.\_66\_-\_https\_\_\_www.katanaboutique.pdf

Converted PDF file(s) ( 6 pages)

Evidence-1

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Evidence-3

Evidence-4

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Evidence-6

**Original PDF file:** 

evi\_38142163218-20190701171350106719 . Exh. 67 - Katana - 5384778 cameras .pdf

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Evidence-1

Evidence-2

**Original PDF file:** 

evi\_38142163218-20190701171350106719 .\_Exh.\_68 - \_Katana - \_74418423 \_\_airplanes \_.pdf

Converted PDF file(s) (1 page)

Evidence-1

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Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 70 - Katana - 77013188 Surgical Instrument .pdf Converted PDF file(s) (1 page) Evidence-1 **Original PDF file:** evi\_38142163218-20190701171350106719\_.\_Exh.\_71\_-\_Katana\_-\_77517014\_\_herbicides\_.pdf Converted PDF file(s) (1 page) Evidence-1 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 72 - Katana - 77682165 - golf equipment.pdf Converted PDF file(s) (1 page) Evidence-1 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 73 - Katana - 79975436 software .pdf Converted PDF file(s) ( 2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 74 - Katana - 85001910 pet grooming shears .pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 75 - Katana - 85150397 automobiles .pdf Converted PDF file(s) ( 2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 76 - Katana - 85254747 parachutes .pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 77 - Katana - 85512309 audio speakers .pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 78 - Katana - 85612797 energy drinks .pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 79 - Katana - 86413444 artificial teeth .pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2 **Original PDF file:** evi 38142163218-20190701171350106719 . Exh. 80 - Katana - 87806123.pdf Converted PDF file(s) (2 pages) Evidence-1 Evidence-2

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Evidence-1

**Original PDF file:** 

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Evidence-2

#### **Original PDF file:**

evi 38142163218-20190701171350106719 . Exh. 82 - 2016-12-13 - hunting-gear-kuiu.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 hereby deletes the following class of goods/services from the application. Class 018 for BAGS USED FOR HUNTING EQUIPMENT, NAMELY, HUNTING BAGS

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

Current: Class 025 for PERFORMANCE HUNTING CLOTHING, NAMELY, HUNTING VESTS

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 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.

#### **Proposed:**

Tracked Text Description: PERFORMANCE HUNTING CLOTHING, NAMELY, HUNTING VESTS; Performance mountain hunting clothing made mostly of stretch nylon fabric, namely hunting vests, for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion clothing

Class 025 for Performance mountain hunting clothing made mostly of stretch nylon fabric, namely hunting vests, for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion clothing

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.

#### CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

**Current:** 

L. GRANT FOSTER
DORSEY & WHITNEY LLP
111 SOUTH MAIN STREET, SUITE 2100
SALT LAKE CITY
Utah
US
84111-2176

#### Proposed:

L. Grant Foster of Dorsey & Whitney LLP, having an address of 111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176 United States ip.docket.slc@dorsey.com;shimada.tiffany@dorsey.com

801-933-7360

The docket/reference number is T271933.US.

#### SIGNATURE(S)

#### **Request for Reconsideration Signature**

Signature: /L. Grant Foster/ Date: 07/01/2019

Signatory's Name: L. Grant Foster

Signatory's Position: Attorney of Record, UT Bar member

Signatory's Phone Number: 801-933-7360

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 owner's/holder'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 owner/holder in this matter: (1) the owner/holder 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 owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder'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.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: L. Grant Foster

Dorsey & Whitney LLP

111 South Main Street, Suite 2100 Salt Lake City, Utah 84111-2176

Serial Number: 87813463

Internet Transmission Date: Mon Jul 01 18:45:28 EDT 2019

TEAS Stamp: USPTO/RFR-XX.XXX.XXX.XXX-201907011845288

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK EXAMINING OPERATION

Law Office: 105

Examining Attorney: Robert N. Guliano

Applicant: KUIU, LLC

Serial No.: 87/813463

Filed: Insert

Mark: Kutana

Commissioner for Trademarks P.O. Box 1451,

Alexandria, VA 22313-1451

### REQUEST FOR RECONSIDERATION AFTER ISSUANCE OF FINAL OFFICE ACTION

Applicant KUIU, LLC ("KUIU," pronounced "Kew-You") submits this Request for Reconsideration after issuance of a Final Office Action dated January 3, 2019, regarding Application Serial No. 87/813,463 (the "Application"). As noted below, KUIU amends the Application below, clarifying, but not broadening the identification of goods.

In its Final Office Action, the Examining Attorney made final the refusal of registration of KUIU's mark KUTANA for "bags used for hunting equipment, namely hunting bags" in class 18 and "performance hunting clothing, namely hunting vests" in class 25 under Section 2(d) of the Trademark Act.

On June 11, 2018, KUIU received an Initial Office Action refusing registration based on Section 2(d) Refusal – Likelihood of Confusion with the marks (i) KITANA, Reg. No. 5319731, owned by Teddy S.p.A., an Italian company, for: "Gowns; skirts; trousers; shirts; jackets; coats; mackintoshes; sweaters; pullovers; blousons; hats; sashes for wear; head scarves; stockings;

gloves; belts; footwear; boots; sandals; clogs; mules" in class 25; and (ii) **KiTANA**, Reg. No. 2707106, (collectively with Kitana, Reg. No. 5319731, the "Cited Marks" or "Kitana") also owned by Teddy S.p.A. (the "Registrant") for: "handbags" in class 18 and "dresses, skirts, trousers, shirts, jackets, coats and pullovers, hats, scarves" in class 25.

On December 11, 2018, in its response to the Examining Attorney's Initial Office Action, KUIU argued that confusion is unlikely to occur between the KUTANA mark and the Cited Marks because the marks are not similar, the goods are not related, and numerous phonetically similar marks coexist in the marketplace. On January 3, 2019, the Examining Attorney issued a Final Office Action rejecting Applicant's arguments and maintaining the Section 2(d) refusal.

Here, KUIU proposes a narrowing amendment to its classification of goods to further limit and clarify the goods covered by the mark. KUIU also requests reconsideration of the refusal on the ground that the Cited Marks and KUIU's mark, when taken as a whole, are not likely to cause confusion. The marks are not confusingly similar, the goods KUIU provides are starkly different from the goods provided by Registrant, KUIU and Registrant do not use the same trade channels to distribute their goods, and consumers cannot purchase the respective goods at the same place. Moreover, goods sold under the KUTANA mark are not purchased on a whim as hunters exercise high levels of care when buying clothing for hunting in rugged mountain terrain and conditions. Finally, although KUIU and Registrant have co-existed since 2011, KUIU has never before heard of Kitana, its customers have never inquired about Kitana, and, to KUIU's knowledge, products offered by KUIU have never been confused with products offered by Registrant. This is understandable because KUIU and Registrant provide distinctly different products to entirely separate customer bases through different channels of trade that

never intersect. For these reasons, and as set forth more fully below, there is no likelihood of confusion between the KUTANA mark and the Cited Marks.

#### I. AMENDMENT OF IDENTIFICATION OF GOODS

KUIU hereby withdraws the identification of goods in class 18 from its Application, as KUIU no longer intends to use the KUTANA mark for bags. KUIU hereby amends the identification of goods in Class 25 as follows (new limitations are underlined):

"Performance mountain hunting clothing made mostly of stretch nylon fabric, namely hunting vests, for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion clothing."

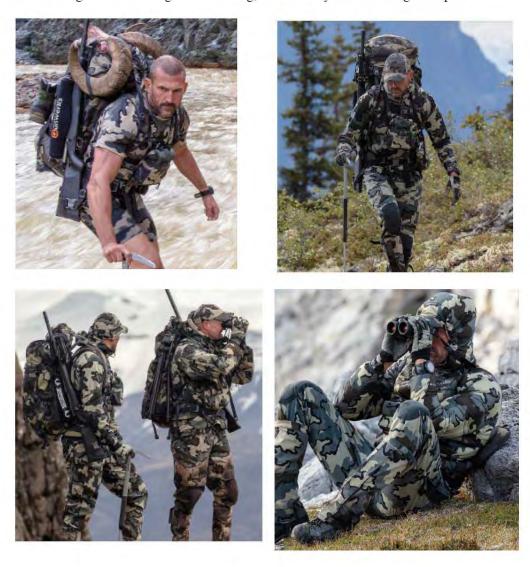
Pursuant to 37 C.F.R. § 2.71(a), this amendment clarifies and narrows the relevant goods but does not expand them beyond those originally itemized in the application. *See* Exhibit 1 (Burns Decl.) at ¶¶ 13, 34.<sup>1</sup>

#### II. FACTUAL BACKGROUND

KUIU has been selling technical mountain rugged clothing and equipment for hunters since 2011. Burns Decl. at ¶ 2. KUIU's hunting clothing is not typical clothing for everyday wear. *Id.* at ¶ 3. KUIU markets and describes its clothing as "gear" or "equipment" designed for tough hunting terrain and conditions. *Id.* All of KUIU's products, including its KUTANA collection of hunting clothing, are designed for and marketed exclusively to the hunting market. *Id.* at ¶ 5. KUIU's customer base is composed entirely of outdoor enthusiasts, and nearly all of KUIU's customers purchase KUIU clothing for the sole purpose of hunting, or in some instances, fishing. *Id.* Although KUIU offers a very limited selection of hunting clothing for women, the vast majority of KUIU's customers are male, and KUIU's advertising almost

<sup>&</sup>lt;sup>1</sup> References to "Burns Decl." are to the Declaration of Brendan Burns In Support of KUIU LLC's Request for Reconsideration After Issuance of Final Office Action.

exclusively targets the male hunter. *Id.* at ¶ 6. For example, KUIU's 2019 Spring Catalog does not list a single item specifically for women and every one of the product pictures in the Catalog feature men wearing KUIU clothing while hunting, as shown by the following examples:



Id.

Similarly, KUIU does not use even a single product photograph on its website at  $\underline{\text{www.kuiu.com}}$  (*i.e.*, its "store") showing a woman wearing KUIU clothing. Burns Decl. at  $\P$  7. The product photographs on KUIU's website exclusively feature men hunting, as shown by the

### following examples:









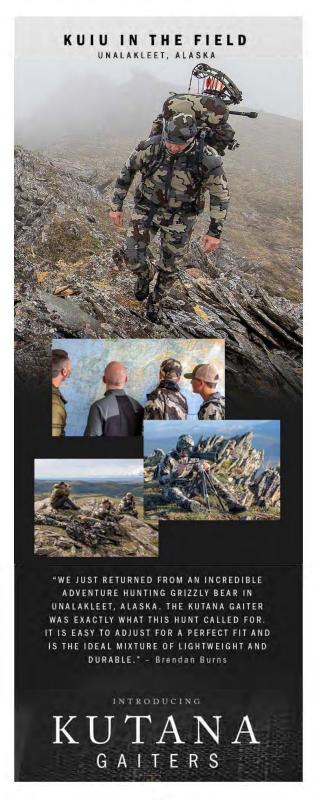
Burns Decl. at ¶ 7.

Only a small fraction of KUIU's customer base consists of women, and all of KUIU's female customers are hunters or other outdoor enthusiasts. Id. at  $\P$  8. KUIU's hunting clothing is not marketed as or intended to be feminine or fashionable, and none of KUIU's customers are looking for feminine, fashionable clothing. Id. at  $\P$  9.

On April 30, 2019, KUIU publicly introduced its new KUTANA line of mountain hunting apparel. *Id.* at ¶ 11. The name KUTANA is a nod to KUIU's Japanese material supplier that developed a new method of manufacturing stretch nylon fabric in partnership with KUIU specifically for the KUTANA gear. *Id.* at ¶ 12. KUIU likens the process of developing the fabric for the KUTANA clothing as similar to the Japanese craftsmen who perfected the Katana sword over many centuries. *Id.* The spelling and pronunciation variation from Katana to Kutana is a play on KUIU, with the first syllable in Kutana pronounced "Kew," in the same way as the first syllable in KUIU. *Id.* Thus, KUIU is pronounced "Kew-You" and KUTANA is pronounced "Kew-Tana." KUIU is thus in the process of building upon its strong family of KU-formative marks in its product line and business name.

The KUTANA line is designed for the toughest mountain terrain and extreme hunting conditions. *Id.* at ¶ 14. The new nylon fabric in the KUTANA clothing allows for exceptional durability against pick abrasion in thick vegetation without sacrificing the performance of the gear or adding weight. *Id.* KUIU advertises KUTANA gear to its customers as suitable for "the most punishing terrain" and "designed for the toughest hunts." *Id.* The KUTANA clothing is as "ideal for rugged terrain and thick vegetation where abrasion and pick-resistance are non-negotiable." *Id.* Similarly, KUIU markets its KUTANA clothing on its Facebook page as "lightweight gear engineered for the most unrelenting terrain." *Id.* at ¶ 15.

As with KUIU's other hunting clothing, the KUTANA gear is designed and marketed primarily for the male hunter. *Id.* at ¶ 16. KUIU does not specifically target female hunters in any of its KUTANA advertising. *Id.* The following advertisement from June 18, 2019, depicts the type of terrain KUTANA is suitable for, the customer targeted by KUTANA, and the consumer need KUTANA is designed to fulfill:



*Id.* at ¶ 17.

KUIU's headquarters are located in Dixon, California. *Id.* at ¶ 4. KUIU stores its inventory and ships customer orders from the Dixon location. *Id.* KUIU also operates a showroom from the Dixon headquarters where consumers can purchase KUIU's products. *Id.* With the exception of this Dixon showroom, KUIU's hunting clothing cannot be purchased in brick-and-mortar stores. *Id.* KUIU's business model is to sell products directly to the consumer, through websites owned and operated by KUIU. *Id.* Thus, KUIU's websites are the only place the vast majority of KUIU's customers can purchase KUIU's products. *Id.* Further, KUIU only sells its own clothing on its websites, and consumers cannot purchase non-KUIU brands on KUIU's website. *Id.* 

#### III. KUTANA IS UNLIKELY TO CAUSE CONFUSION WITH KITANA

#### A. Legal Standard for Determining Likelihood of Confusion

In Application of E.I. DuPont DeNemours & Co., 476 F.2d 1357 (CCPA 1973), the United States Court of Custom and Patent Appeals listed thirteen factors to be considered when determining whether a likelihood of confusion exists between two marks. These factors are:

- 1. The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation, and commercial impression.
- 2. The similarity or dissimilarity and the nature of the goods or services, as described in an application for registration or in connection with which a prior mark is in use.
- 3. The similarity or dissimilarity of established, likely to continue trade channels.
- 4. The conditions under which buyers to whom sales are made, i.e., "impulse" vs. careful, sophisticated purchasing.
- 5. The fame of the prior mark (sales, advertising, length of use).
- 6. The number and nature of similar marks in use on similar goods.

- 7. The nature and extent of any actual confusion.
- 8. The length of time during and conditions under which there has been concurrent use without evidence of actual confusion.
- 9. The variety of goods on which a mark is or is not used (house mark, "family" mark, product mark).
- 10. The market interface between applicant and the owner of a prior mark:
  - a. A mere "consent" to register or use.
  - b. Agreement provisions designed to preclude confusion, i.e., limitations on continued use of the marks by each party.
  - c. Assignment of mark, application, registration and goodwill of the related business.
  - d. Laches and estoppel attributable to owner of prior mark and indicative of lack of confusion.
- 11. The extent to which applicant has a right to exclude others from its mark on its goods.
- 12. The extent of potential confusion, *i.e.*, whether *de minimis* or substantial.
- 13. Any other established fact probative of the effect of use.

#### Id. at 1361.

The determination under Section 2(d) is based on an analyses of all of the probative factors in evidence that bear on the issue. *See In re Thor Tech, Inc.*, 113 USPQ 2d 1546 (TTAB 2015) at \*3 ("In every case turning on likelihood of confusion, it is the duty of the examiner, the board, and this court to find, upon consideration of <u>all</u> the evidence, whether or not confusion appears likely.") (emphasis in original). The Office Action relied upon the first two *DuPont* factors (*i.e.*, comparison of marks and relatedness of goods) in denying registration of the KUTANA mark. However, as shown below, careful application of all relevant *DuPont* factors clearly demonstrates that the Kutana mark is not confusingly similar to the Cited Marks.

# B. Factor 1 - Comparison Of The Marks: The Marks Differ Visually, Differ In Sound, and Have Markedly Different Overall Commercial Impressions.

The Examining Attorney asserts that the marks are similar for likelihood of confusion purposes because the "marks are six-letter words that begin with "k" and end with "tana." Office Action. KUIU's Mark and the Cited Marks differ in their literal elements, in sound, and in the commercial impression the marks invoke, such that confusion is unlikely. In analyzing the similarity of the marks, it is not proper to dissect the marks and focus solely on the similar elements, as the Office Action has done. See McCarthy on Trademarks and Unfair Competition, § 23:41 (4th ed. 2003) ("It is incorrect to compare marks by eliminating portions thereof and then simply comparing the residue."). "[W]hat is critical is the overall appearance of the marks as used in the marketplace, not a deconstructionist view of the different components of the marks." PlayMakers, LLC v. ESPN, Inc., 69 USPQ 2d 1439 (W.D. Wash. 2003), aff'd 376 F.3d 894 (9th Cir. 2004) (emphasis added). Here, the Examining Attorney improperly focused on the shared letters of the marks, and did not consider the distinguishable aspects of the marks. For the reasons set forth in detail in KUIU's December 11, 2018, response to Initial Office Action, the marks are not confusingly similar.

# C. Factor 2 - Comparison Of The Goods: Registrant's Goods Are Not Closely Related To Applicant's Goods.

The Examining Attorney contends that confusion may be found if the respective goods are "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that the goods emanate from the same source." Office Action (citing *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369 (Fed. Cir. 2012)). The Examining Attorney concludes that the goods of KUIU and Registrant are closely related based on internet evidence purporting to show that "clothing goods like those

identified by registrant are commonly sold by the same source, under the same mark, and at the same location as hunting bags and hunting vests like the goods specified by applicant." Office Action. This conclusion is erroneous for three reasons.

First, the Examining Attorney's conclusion that the goods are related simply because they are both "clothing goods" violates the "no *per se*" rule. *See* TMEP at § 1207.01(a)(iv).<sup>2</sup> Under that doctrine, "there can be no rule that certain goods or services are *per se* related, such that there must be a likelihood of confusion from the use of similar marks in relation thereto." *Id*. The "no *per se* rule" has been expressly adopted in the context of clothing. *See*, *e.g.*, *In re Kanner*, 2017 TTAB LEXIS 329, at \*15 (Mar. 9, 2017) ("there is no *per se* rule governing likelihood of confusion in cases involving wearing apparel").

TTAB reversed a section 2(d) refusal to register the mark

TTAB reversed a section 2(d) refusal to register the mark

for "cycling shorts; hats; shirts; shorts; socks; sweatshirts; tank tops;" in International Class 25 based on a likelihood of confusion with registered for use with "sarongs." In reversing the refusal, the TTAB stated that "there is no per se rule governing likelihood of confusion involving clothing items," and found that "Applicant's and Registrant's goods are only related to the extent that they are apparel, and may be sold by the same retailer among a wide and diverse variety of clothing items." Id. at \*9. Here, as with In re Shane Marquess, there is not a likelihood of confusion simply because the goods of KUIU and of Registrant can both broadly be characterized as clothing and some retailers sell a wide and diverse variety of clothing items.

<sup>&</sup>lt;sup>2</sup> The goods are not legally identical here because Registrant's recitation of goods does not include "vests," which are the only specific type of clothing recited in KUIU's requested amendment to goods classification.

As another example, in *In re British Bulldog, Ltd.*, 224 USPQ 854, 855-56 (TTAB 1984), the TTAB reversed a refusal to register "Players" for men's underwear based on a likelihood of confusion with the previously registered mark "Players" for shoes. In concluding that there was no likelihood of confusion, the TTAB stated that:

"[I]t is true that the goods in question, namely, men's underwear and shoes, are items of wearing apparel to be sold in the same stores to the same classes of purchasers. However, they are distinctly different in nature; when sold in the same stores, e.g., department stores, they would ordinarily be displayed in different sections thereof; they are not complementary or companion items, as are coats and boots, or athletic shoes and athletic clothing; and men's underwear is in the nature of a self-service, "off the shelf" item, whereas shoes are purchased with care, usually with the assistance of a salesman."

Id. at 856. See also In re Sears, Roebuck & Co., 2 USPQ 2d 1312, 1314 (TTAB 1987) (holding CROSS-OVER for bras and CROSSOVER for ladies' sportswear not likely to cause confusion). As with these cases, the Office Action erred in concluding that KUIU's goods and Registrant's goods are "related for likelihood of confusion purposes" simply because both can broadly be categorized as clothing items.

Second, the internet evidence relied on by the Examining Attorney does not support the Examining Attorney's position.<sup>3</sup> The Examining Attorney cites Drake, Mossy Oak, Field & Stream, L.L. Bean, ScotteVest, Filson, Under Armour, Orvis, Outback Trading, Carhartt, Duxbak, Avery, Badlands, and Mojo, and attaches website printouts that purport to "demonstrate[] that clothing goods like those identified by registrant are commonly sold by the same source, under the same mark, and at the same location as hunting bags and hunting vests like the goods specified by applicant." Office Action. But, the internet evidence submitted by the Examining Attorney consists of webpages from mega-retailers that sell a wide and diverse

<sup>&</sup>lt;sup>3</sup> "The examining attorney must provide evidence showing that the goods and services are related to support a finding of likelihood of confusion." TMEP at § 1207.01(a)(vi).

selection of hunting and outdoors clothing.<sup>4</sup> This evidence does not establish that the goods are related.

The evidence attached to the Office Action here is similar to the internet evidence submitted by the Examining Attorney in *In re Shane Marquess*, 2016 TTAB LEXIS 419. There, the Examining Attorney argued that Registrant's "sarongs" were "highly related" to Applicant's "cycling shorts; hats; shirts; shorts; socks; sweatshirts; tank tops." *Id.* at \*3. In making this argument, the Examining Attorney relied exclusively on printouts from eight different websites that advertised both sarongs and socks, hats, shorts, etc. *Id.* at \*4. The Board disagreed:

"Applicant's and Registrant's goods are only related to the extent that they are apparel, and may be sold by the same retailer among a wide and diverse variety of clothing items. See In re British Bulldog, Ltd., 224 USPQ 854 (TTAB (1984) (there is no per se rule governing likelihood of confusion involving clothing items). Apart from this fact, however, the internet evidence submitted by the Examining Attorney does not persuade us that there is a strong relationship between Applicant's articles of clothing and Registrant's sarongs. It has not been shown that a sarong is similar in function or purpose to 'hats, shirts, shorts, socks, sweatshirts, and tank tops.' The latter are more traditional and common articles of clothing for everyday use whereas a sarong is better known as a traditional Malaysian and Pacific Islands garment or, as demonstrated in the Examining Attorney's evidence, commonly used in the U.S. as a wrap to 'cover up' other clothing, e.g., a swimsuit."

Id. at \*7.

Similarly, here, the website evidence submitted by the Examining Attorney shows only

<sup>&</sup>lt;sup>4</sup> See Burns Decl. at ¶ 32, p. 25 (Drake Waterfowl Systems sells "hunting gear."); *id.* at 26 ("Mossy Oak is an outdoors brand" and "hunting is in our blood. It's what we do, who we are, and who we'll always be."); *id.* at 27 (Field & Stream is the "Soul of the Total Outdoorsman"); *id.* at 28 (L.L. Bean's products allow customers to "Be An Outsider" with "outdoor gear."); *id.* at 29 (ScotteVest targets the "Outdoor Adventurer."); *id.* at 30 (Filson's "dedication to the sportsman" is demonstrated by its "top quality outdoor clothing."); *id.* at 31 (Under Armour sells "workout clothes."); *id.* at 32 (Orvis' customers can "Gear Up" with "Orvis Outdoor Clothing & Quality Gear."); *id.* at 33 (Outback Trading offers "all-weather outdoor apparel."); *id.* at 34 (Carhartt sells "Go-To Outdoor Gear."); *id.* at 35 (Duxback is "America's Original Sportsman's Brand."); *id.* at 36 (Avery Outdoors sells "Outdoor Gear" that is "proven to add benefit to your waterfowl hunting experience."); *id.* at 37 (Badlands Packs' products are "Made For Hunters."); *id.* at 38 (MoJo Sportswear Company sells "performance men & women's outdoor apparel.").

that the goods are clothing and may be sold by the same retailer among a wide and diverse variety of clothing items. Further, as with *In re Shane Marquess*, the Office Action here does nothing to show that Registrant's "common articles of clothing for everyday use" are similar in function or purpose to the Kutana mountain hunting clothing.<sup>5</sup> Finally, the Board in *In re Shane Marquees* also criticized the Office because, as here, the website printouts were the only evidence submitted to show the goods were related.<sup>6</sup>

Third, the differences between KUIU's goods and Registrant's goods are overwhelmingly marked. As clarified by KUIU's requested amendment to its goods identification, the KUTANA mark covers "performance mountain hunting clothing" that is "made mostly of stretch nylon fabric" and intended "for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion clothing." This identification narrows the goods to specialty clothing for a specific class of consumer for a specific purpose. Indeed, KUIU markets KUTANA as "lightweight gear engineered for the most unrelenting terrain." Burns Decl. at ¶ 15. See also id. at ¶ 14 ("ideal for . . . hunts in rugged conditions"); id. ("designed for the toughest hunts"); id. ("for a tough hunt that's wet and brushchoked"). Finally, the KUTANA gear is designed and marketed primarily for male hunters. KUIU does not specifically target female hunters in its KUTANA advertising. See id. at ¶ 16.

<sup>&</sup>lt;sup>5</sup> Moreover, KUIU's requested amendment to the goods recitation further narrows the covered goods to mountain hunting clothing "made mostly of stretch nylon fabric . . . for hunters to use in rugged mountain terrain and extreme conditions." None of the website printouts attached to the Office Action include this type of hunting clothing. Burns Decl. at ¶ 33.

<sup>&</sup>lt;sup>6</sup> See In re Shane Marquess, 2016 TTAB LEXIS 419, at \*7 ("Moreover, we would be remiss if we did not point out the lack of third-party registration evidence that is usually submitted by the Office for purposes of showing certain goods may emanate from a common source under the same mark.").

By stark contrast, goods sold under Registrant's KITANA mark have nothing whatsoever to do with hunting or mountain terrain and conditions. Id. at ¶ 25. Rather, Kitana is "plus-sized fashion clothing" made exclusively for women and sold primarily outside the United States. *Id*.<sup>7</sup> The tagline for Kitana clothing is "Kitana CurvyStyle." Id. at ¶ 26. Registrant targets curvy (sizes 14 to 20), feminine women, and advertises the Kitana clothing as being for "the true woman, the Mediterranean one, the one with all the curves in the right place, the one who is not afraid of her body and of her full and luxuriant femininity":

<sup>&</sup>lt;sup>7</sup> The Examining Attorney objected to extrinsic evidence showing actual use of the marks because "[d]etermining likelihood of confusion is based on the description of the goods stated in the application and registration at issue, not on extrinsic evidence of actual use." For the reasons set forth above, however, the Examining Attorney failed to show the goods are related based on the descriptions in the application and the registration. Nevertheless, extrinsic evidence is proper in this case because Registrant's identification of goods is so vague and broad that it is virtually meaningless. See, e.g., In re Reprod. Med. Assocs. of N.J., 2019 TTAB LEXIS 9, at \*8-9 ("If an identification of goods or services is technical or vague and requires clarification, extrinsic evidence of use may be considered to determine the meaning of the identification."); In re Trackmobile, Inc., 15 USPQ 2d 1152, at \*5 (TTAB 1990) ("when the description of goods for a cited registration is somewhat unclear, as is the case herein, it is improper to simply consider that description in a vacuum and attach all possible interpretations to it when the applicant has presented extrinsic evidence showing that the description of the goods has a specific meaning to members of the trade."); In re SunGard Dev. Corp., 1999 TTAB LEXIS 735, at \*9 (allowing extrinsic evidence because "description 'computer programs' is so broad and comprehensive as to be devoid of any information as to just what computer programs are marketed by registrant").



# DON'T HIDE YOUR BODY, BE PROUD OF IT!

Is it the stringy and long-limbed women the only ones who can be up-to-date? Kitana says no! Feeling special, cool, glamourous, comfortable in every situation, feeling beautiful... Kitana makes your dream come Irue. The unique star, the unquestioned protagonist is the true woman, the Mediterranean one, the one with all the curves in the right place, the one who is not afraid of her body and of her full and luxuriant feminility.



See id. at ¶ 27. Consumers purchasing Kutana clothing and Kitana clothing, and the purposes served by the respective goods, could not be more different:

#### **KUTANA Customers**



#### **KITANA Customers**







Burns Decl. at ¶¶ 6, 7, 28. Thus, the goods offered under the two marks are completely unrelated and are sold to entirely different classes of consumers with different needs. This undermines any likelihood of consumer confusion between the KUTANA mark and the KITANA marks.

## D. Factor 3 - Trade Channels: The Trade Channels Through Which Registrant and KUIU Distribute Their Goods Are Different.

The Examining Attorney asserts that KUIU and Registrant's goods are related for likelihood of confusion purposes because clothing goods like KUIU's and Registrant's are "sold by the same source, under the same mark, and at the same location." Office Action. On the contrary, as discussed above, the goods provided by Registrant and KUIU are distinct and have nothing to do with one another. The products of Registrant and KUIU are non-competitive and differ in utility such that their channels of trade are not sufficiently similar to give rise to a likelihood of confusion.

In the matter of *In re Thor Tech, Inc.*, 113 USPQ 2d 1546 (TTAB 2015), the applicant filed an intent to use application to register the mark "TERRAIN" for "recreational vehicles, namely, towable trailers," in class 12. *Id.* at \*1. The Trademark Examining Attorney refused to

register the applicant's mark because of a likelihood of confusion with the mark "TERRAIN" for "motor land vehicles, namely, trucks" in class 12. *Id*. The marks were identical. To show that trucks and towable trailers move in the same channels of trade, the Examining Attorney submitted website printouts from companies purporting to sell both products. In finding that the channel of trade factor did not weigh in favor of confusion, the Board stated:

While trucks and recreational towable trailers may occasionally be sold by the same retailers, we cannot overlook the fact that the products are, at least on this record, noncompetitive, differ completely in utility, have nothing in common with respect to their essential characteristic of sales appeal, and, as discussed below, are expensive. Accordingly, we cannot find on this record that the channels of trade and circumstances under which trucks and recreational vehicle towable trailers are sold are sufficiently similar so as to be likely to give rise to the mistaken belief that the trucks and trailers emanate from a single source when sold under the same mark.

*Id.* at \*15-16.

Similarly, in this case, "performance mountain hunting clothing . . . for hunters to use in rugged mountain hunting terrain and extreme conditions, excluding women's fashion clothing" is noncompetitive, differs completely in utility, and has nothing in common with regard to the essential characteristics of Registrant's gowns, skirts, trousers, and other everyday apparel. It is clear from the identification of Kutana's goods that the Kutana clothing travels through channels of trade directed to hunters. As in *In re Thor*, the fact that the cited hunting companies may offer hunting vests and other types of outdoor clothing does not establish that the channels of trade and the circumstances under which KUIU and Registrant sell their products are sufficiently similar to give rise to the mistaken belief that KUIU's hunting gear and Registrant's everyday clothing emanate from a single source.

In *In re Shane Marquess*, for example, the Board concluded that website printouts from companies purporting to sell the same type of goods cited by applicant and by registrant were insufficient to show common trade channels:

"With respect to the channels of trade for Applicant's and Registrant's goods, the website evidence is of limited probative value for purposes of showing the goods are related. Aside from the Fair Winds Sarongs website, it is evident that the website retailers offer a wide variety of clothing and other goods. . . . The record does not support a finding that consumers are accustomed to encountering sarongs in the same channels of trade as the more common articles of clothing listed in Applicant's identification of goods."

Id. at \*8-9 (emphasis added). This reasoning applies equally here. The website evidence submitted by the Examining Attorney does not prove that consumers are accustomed to encountering "performance mountain hunting clothing . . . for hunters to use in rugged mountain hunting terrain and extreme conditions" in the same channels of trade as the more common articles of everyday clothing listed in Registrant's identification of goods.

In this case, while KUIU and Registrant can very broadly both be described as being in the clothing industry, each is engaged in an entirely different business within that industry. The KUTANA mark covers mountain hunting clothing for hunters facing rugged mountain terrain or conditions. KUIU's hunting clothing can only be purchased from KUIU's websites, and no other brands or types of clothing can be purchased from KUIU's websites. Burns Decl. at ¶ 4. The KITANA brand of clothing is sold primarily in brick-and-mortar stores in Europe and, to a limited extent, on a few websites selling fashion clothing for women. *Id.* at ¶ 31. Consumers cannot purchase Kitana clothing at the same location as Kutana clothing. Accordingly, because KUIU and Registrant's customers are different, their products are different, their marketing and advertising strategies differ, and they target a different class of consumer, the *DuPont* factor of similarity or dissimilarity of trade channels weighs against a finding of likelihood of confusion.

# E. Factor 4 - Consumer Sophistication: Buyers Purchase Kutana Goods To Fill A Specific Hunting Need, Rather Than On A Whim.

The fourth *DuPont* factor in determining likelihood of confusion is the "conditions under which and buyers to whom sales are made, i.e., 'impulse' vs. careful, sophisticated purchasing."

The Kutana products are not "impulse" purchases. As KUIU's requested amendment to the classification of its goods clarifies, Kutana products are bought to fill a specific hunting need, namely they are "for hunters to use in rugged mountain hunting terrain and extreme conditions." Hunting gear worn by hunters in rugged mountain terrain and conditions can make or break a hunt and is a decision that hunters do not take lightly. Burns Decl. at ¶ 18. The wrong choice of hunting clothing for rugged mountain terrain or extreme conditions can even be life threatening. Id. As a result, mountain hunters carefully consider and select their hunting clothing gear. Id. This is compounded by the fact that, for the vast majority of hunters, hunting in mountain terrain is itself an expensive and time consuming event that occurs at most once or twice a year. Id. In other words, for the vast majority of KUIU's customers, it is a special purchase for a rare and special occasion. Because of this, buyers of Kutana goods are discerning and careful purchasers. See, e.g., In re Thor Tech, Inc., 2015 WL 496133 (the purchase of recreational vehicle trailers are items that are purchased with care and deliberation because, in part, they are "special purchases" for consumers).8 By contrast, consumers of Registrant's clothing for everyday wear are not likely to be as discerning. Thus, the degree of consumer care factor weighs against a finding of a likelihood of confusion.

## F. Factor 5 - The Fame Of The Prior Mark: Registrant's Mark Is Not Famous In The Relevant Market.

Famous marks are rewarded with a larger cloak of protection than lesser known marks. See Kenner Parker Toys, Inc. v. Rose Art Indus. Inc., 963 F.2d 350, 354 (1992). Registrant's KITANA marks are not famous when viewed in the context of the limitation placed in KUIU's requested amendment—i.e., hunters. The hunting community knows nothing about Registrant's

<sup>&</sup>lt;sup>8</sup> Further, the Kutana clothing is expensive, with prices ranging from \$149 to \$349, which leads to sophisticated purchasers. Burns Decl. at ¶ 18.

Kitana-branded clothing. Burns Decl. at ¶¶ 20-24. By comparison, KUIU is very well-known in the hunting community. Burns Decl. at ¶ 10. Because Registrant's mark is less famous than KUIU's mark in the relevant market, it is entitled to a limited scope of protection.

G. Factor 6 - Similar Marks For Similar Goods: Numerous Phonetically Similar Marks For Similar Goods Indicate The Kitana Mark Is Entitled To A Narrow Scope Of Protection.

If the evidence establishes that the consuming public is exposed to third party use of similar marks on similar goods, it "is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection." *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee en 1772*, 396 F.3d 1369, 1373-74 (Fed. Cir. 2005). *See also Omaha Steaks Int'l Inc. v. Greater Omaha Packing Co.*, 908 F.3d 1315 (Fed. Cir. 2018) (The purpose of introducing evidence of third-party use is "to show that customers have become so conditioned by a plethora of such similar marks that customers have been educated to distinguish between [such] marks on the bases of minute distinctions.").

In its response to the Initial Office Action, KUIU presented evidence of several phonetically similar marks for similar goods to show that Registrant's mark is subject to a narrow scope of protection. The Office Action concluded that KUIU's recitation of third-party registrations has no bearing on the likelihood of confusion determination because "applicant lists only one other mark that consists of a six-letter word that begins with "k" and ends with "tana," and that mark is not registered. Office Action. The Office Action erred for two reasons.

First, it is not proper to dissect the marks and focus solely on the similar elements, as the Office Action has done. *See McCarthy on Trademarks and Unfair Competition*, § 23:41 (4th ed. 2003) ("It is incorrect to compare marks by eliminating portions thereof and then simply comparing the residue."). Second, the Examining Attorney declined to consider evidence of

third-party use of a similar mark--i.e., Katana--because "that mark is not registered." But, relevant use of a mark is not limited to registrations. *See Mini Melts, Inc. v. Reckitt Benckiser, LLC*, 118 USPQ 2d 1464, at \*35 (TTAB 2016) ("evidence regarding third-party use and registrations" is relevant to show that "consumers are likely to be accustomed to encountering the term 'mini-melt(s)' in relation to food products") (emphasis added).

In addition, to the evidence of phonetically similar marks covering similar goods submitted with KUIU's December 11, 2018, response to the Initial Office Action, KUIU attaches the following additional evidence: **Exhibit 62** (Reg. No. 3,359,099 for "KITANICA" covering "men and women jackets, coats, trousers, vests, in class 25 (U.S. Cls. 22 and 39)"); **Exhibit 63** (Reg. No. 5,515,630 for "KINONA" covering "women's apparel, namely, pants, tops, shorts, capris, dresses, skirts, camisoles"); **Exhibit 64** (Reg. No. 2,491,463 for "KIANA" covering "sports equipment, namely, ski boots and snowboard boots); **Exhibit 65** (Reg. No. 4,567,648 covering "KIYONNA" for "clothing, namely, tops, bottoms, shirts, blouses, T-shirts, tops, work shirts, outer shorts, boxer shorts, pants, trousers, overalls, slacks, jeans, socks, ties, footwear, headwear, ski hats, lingerie, underwear, sleepwear, fleece sweaters and shirts, sweatpants, skirts, dresses, sweaters, jackets, suits, slips, coats, sweaters"); **Exhibit 66** (www.katanaboutique.com sells women's fashion clothing under the name

<sup>&</sup>quot;Katana Fashion").9

<sup>&</sup>lt;sup>9</sup> In addition, "[t]he greater the number of identical or more or less similar trademarks already in use on different kinds of goods, the less the likelihood of confusion." *Amstar Corp. v. Domino's Pizza, Inc.*, 615 F.2d 252, 259-60 (5th Cir. 1980). TESS lists a total of 120 records for "KATANA" (a six letter word that begins with "k" and ends with "tana"). There are numerous Registrations for "KATANA" covering a wide variety of different goods. *See, e.g.*, **Exhibit 67** (Reg. No. 5,384,778 for camera mounts and related items); **Exhibit 68** (Reg. No. 1,944,879 for airplanes and structural parts thereof); **Exhibit 69** (Reg. No. 4,415,015 for parts related to drill bits); **Exhibit 70** (Reg. No. 3,412,086 for surgical instruments); **Exhibit 71** (Reg. No. 3,800,195 for herbicides); **Exhibit 72** (Reg. No. 3,904,911 for golf equipment); **Exhibit 73** (Reg. No.

# H. Factor 7 - The Nature And Extent Of Actual Confusion: There Is No Evidence Of Any Actual Confusion.

KUIU is not aware of any instances of actual confusion that have occurred as to the source of the goods covered by the KUTANA mark and the Cited Marks. See Burns Decl. at ¶¶ 20-24.

## I. Factor 8 - The Length of Concurrent Use without Evidence of Actual Confusion.

Although there is no evidence of actual confusion between the KUTANA mark and the Cited Marks, the KUTANA mark is relatively new having been publicly launched in April 2019. Burns Decl. at ¶ 11. As a result, this DuPont factor is either neutral or weighs slightly against a finding of likelihood of confusion.

## J. Factor 12 - The Extent Of Potential Confusion: The Extent Of Potential Confusion is De Minimis.

The KUTANA mark covers specialty mountain hunting clothing for hunters facing rugged mountain terrain or conditions and is akin to "gear," rather than everyday clothing. By contrast, Registrant's KITANA mark covers items of everyday fashion clothing sold to plussized women primarily in Europe. Thus, KUIU's mark and Registrant's mark target different customers in different countries and in entirely different facets of the clothing industry. For this reason, there is no potential confusion between KUIU's mark and Registrant's mark.

<sup>5,742,343</sup> for industrial process control software); **Exhibit 74** (Reg. No. 4,027,722 for pet grooming shears); **Exhibit 75** (Reg. No. 4,611,950 for automobiles, motorcycles, all-terrain vehicles); **Exhibit 76** (Reg. No. 4,076,358 for parachutes); **Exhibit 77** (Reg. No. 4,422,502 for audio speakers); **Exhibit 78** (Reg. No. 4,271,284 for energy drinks); **Exhibit 79** (Reg. No. 4,723,824 for ceramic materials used to make artificial teeth); **Exhibit 80** (Reg. No. 5,594,582 for computer software for capturing trades); **Exhibit 81** (Reg. No. 5,751,446 for downloadable software plugins).

## CONCLUSION

For all of these reasons, Applicant respectfully submits that there is no likelihood of confusion between Applicant's mark and the Cited Marks and requests the Examining Attorney to allow the Application to proceed to publication at the earliest possible date.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK EXAMINING OPERATION

Applicant: KUIU, LLC

**Serial No.**: 87/813463

Filed: Insert

Mark: Kutana

Commissioner for Trademarks P.O. Box 1451, Alexandria, VA 22313-1451 Law Office: 105

Examiner: Robert N. Guliano

#### <u>DECLARATION OF BRENDAN BURNS IN SUPPORT OF KUIU, LLC'S REQUEST</u> <u>FOR RECONSIDERATION AFTER ISSUANCE OF FINAL OFFICE ACTION</u>

#### I, BRENDAN BURNS, declare as follows:

1. I am the Co-CEO of KUIU, LLC ("KUIU") (pronounced Koo-Yew), the applicant in the above captioned matter. I understand that on January 3, 2019, the United States Patent and Trademark Office ("USPTO") issued a Final Office Action rejecting KUIU's application to register its KUTANA mark based on a likelihood of confusion with two registered marks for KITANA, both owned by Teddy S.p.A., an Italian company. I submit this declaration in support of KUIU's Request for Reconsideration After Issuance of Final Office Action ("Request for Reconsideration"). I am fully familiar with the facts set forth in this declaration from personal knowledge or from documents and websites that I have reviewed.

#### BACKGROUND ON KUIU

 KUIU has been selling high-performance mountain rugged clothing and gear for hunters since 2011. Among the hunting clothing and gear sold by KUIU are packs and bags, shoes, gloves, tents, shirts, jackets, and pants.

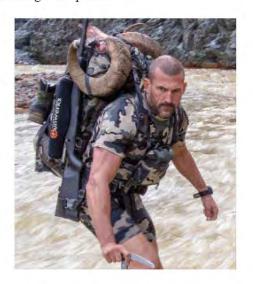
- 3. KUIU's clothing is not typical clothing for everyday wear. KUIU markets and describes its clothing as "gear" or "equipment" designed for tough mountain hunting terrain and conditions. Some of KUIU's taglines are "Enjoy the Misery" and "Made for the Mountains." Exhibits 2-3 (printouts from the homepage of KUIU's website showing taglines). KUIU's 2019 Spring Product Catalog describes KUIU's clothing as "technical" "mountain hunting gear" designed to "meet the demands of the toughest terrain and conditions you may face." Exhibit 4 (KUIU's 2019 Spring Catalog) at 1. Similarly, KUIU's website describes its clothing as "Mountain Hunting Equipment." Exhibit 5 (printout from KUIUs Business Model webpage). Among other technical aspects, KUIU's entire clothing line, including its Kutana collection, is designed as a layering system for hunters. As advertised in its 2019 Spring Catalog, "KUIU's technical layers are designed to work together as a system to manage the variable weather conditions faced when hunting." See Exhibit 4 (2019 Spring Catalog) at 4.
- 4. With the exception of our showroom located in Dixon, California, where consumers can buy our products, KUIU's clothing cannot be purchased in brick-and-mortar stores. KUIU's business model is to sell products directly to the consumer, primarily through KUIU's website at <a href="www.kuiu.com">www.kuiu.com</a>. See Exhibit 6 (printout from KUIUs Business Model webpage). See also Exhibit 4 (2019 Spring Catalog) at 1 (KUIU tells its customers that its business model is "eliminating the middle man and selling direct"). KUIU-owned and operated websites are the only place the vast majority of our customers can purchase our products. See, e.g., Exhibit 4 (KUIU's 2019 Spring Product Catalog) at front cover (noting that products are available "Only at KUIU.com"). KUIU sells only its own clothing products and consumers cannot purchase non-KUIU brands on our website.

5. All of KUIU's products, including its Kutana collection, are designed solely for and targeted exclusively at the hunting market. KUIU's customer base is composed entirely of outdoor enthusiasts, and nearly all of our customers purchase our clothing for the sole purpose of hunting or, in some instances, fishing. KUIU's target market and customer demographics are exemplified by the "KUIU Nation" page of our website where KUIU invites its customers to post actual photographs of themselves wearing KUIU gear. The following are among the hundreds of customer photographs posted on KUIU's KUIU Nation webpage:



See Exhibit 7 (printout from KUIU Nation webpage).

6. Although KUIU offers a very limited selection of hunting clothing for women, the vast majority of KUIU's customers are male and KUIU's advertising almost exclusively targets men. For example, KUIU's 2019 Spring Catalog does not list a single item for women and every one of the product pictures in the Catalog feature men wearing KUIU clothing while hunting, as the following examples show:









See Exhibit 4 (2019 Spring Catalog) at 4-5, 10.

7. Similarly, KUIU does not use even a single product photograph on its website (*i.e.*, its "store") showing a woman wearing KUIU clothing. Rather, KUIU's product photographs exclusively feature men, as the examples below illustrate:









See, e.g., Exhibits 3, 8-10 (printouts from KUIU's website).

8. Only a small fraction of KUIU's customers are women, and all of our female customers are hunters or other outdoor enthusiasts. Of the 2,600+ photos on KUIU's Facebook page, only a handful show women wearing KUIU clothing:



See Exhibit 11 (May 12, 2019, post on KUIU's Facebook page).



See Exhibit 12 (May 12, 2019, post on KUIU's Facebook page).



See Exhibit 13 (February 23, 2019, post on KUIU's Facebook page).



See Exhibit 14 (December 13, 2017, post on KUIU's Facebook page).

9. KUIU's hunting clothing is not marketed as or intended to be feminine or fashionable, and none of our customers are looking for feminine, fashionable clothing.

10. KUIU has enjoyed unparalleled commercial success in the hunting clothing market. After launching our business in 2011, KUIU's growth has been exponential. In just five years (2016) we enjoyed annual revenues in excess of \$50 million, and they have gone up steadily since then. Based upon my understanding of the hunting clothing market, we are clearly in the top 5-10 in terms of revenue. Based upon my experience in the industry, we are viewed as the top product in the market in terms of quality. Based upon my knowledge of the industry, there are two companies that compete for the high end, highest quality hunting apparel: KUIU and Sitka. For these reasons, KUIU has become an industry leader and holds itself out to the hunting community as "the leader in the ultralight hunting apparel industry." Exhibit 4 (2019 Spring Catalog) at 20.

#### <u>KUIU'S KUTANA HUNTING CLOTHING</u>

- 11. On April 30, 2019, KUIU publicly introduced its new Kutana line of performance hunting apparel.
- 12. KUIU chose the name Kutana for two reasons. First, the Kutana clothing is made from a new method of manufacturing stretch nylon fabric developed in partnership with KUIU's Japanese material supplier. Because of this Japanese connection, Kutana is a nod to Katana, a traditional Japanese sword revered for its durability, continuous design improvement, and high quality craftsmanship. KUIU's website includes a video showcasing this connection. *See*Exhibit 17 (printout of Kutana webpage on KUIU's website showing video about the Katana sword). As KUIU explains to its customers:

<sup>&</sup>lt;sup>1</sup> See Article, <a href="https://www.racked.com/2016/12/13/13872396/hunting-gear-kuiu">https://www.racked.com/2016/12/13/13872396/hunting-gear-kuiu</a>, attached as **Exhibit 82**.

"Our partners at Toray Japan carry on this tradition of commitment to continuous improvement; they've developed an innovative new process to create a Primeflex fabric made from nylon, allowing KUIU to build new products at lower weights with better durability than ever before, without sacrificing the elastic-free stretch and comfort that hunters need."

WATCH :

**Exhibit 18** (printout of Kutana webpage on KUIU's website). Second, the spelling and pronunciation variation from Katana to Kutana is a play on KUIU, and the first syllable in Kutana is pronounced "Koo," in the same way as the first syllable in KUIU.

- 13. Because the entire Kutana collection of hunting clothing will be made of the stretch nylon fabric created in partnership with KUIU's Japanese material supplier (Toray), the Kutana line is most accurately described as embracing a specific fabric technology. As a result, KUIU is requesting an amendment of the identification of the goods covered by the Kutana Mark to clarify that they are "made mostly of stretch nylon fabric."
- 14. The Kutana line of hunting gear is designed for the toughest mountain terrain. The stretch nylon fabric allows for exceptional durability against pick abrasion in thick vegetation and brush without sacrificing the performance of the gear or adding weight. KUIU advertises the Kutana gear as intended for "the most punishing terrain," and showcases the Kutana line on its website as follows:



## **KUTANA SOFT SHELL**

20.5 oz / 581 g

This soft shell jacket is an all-season outer layer designed to provide enhanced durability without sacrificing performance or increasing weight. Built with Toray's groundbreaking stretch nylon fabrics, the Kutana Soft Shell Jacket is ideal for rugged terrain and thick vegetation where abrasion and pick resistance are non-negotiable in an outer layer. It delivers wind and weather protection across a wide range of conditions in the most punishing terrain.

SHOP JACKET

Exhibit 19 (printout of webpage showing Kutana Soft Shell).



## **KUTANA STRETCH WOVEN PANT**

13.4 oz / 380 g

A remarkably durable and lightweight pant designed to withstand formidable terrain. Toray Primeflex Nylon fabric provides abrasion and pick resistance unmatched in its weight class, with two-way spandex-free stretch. Articulated knees and a gusseted crotch allow for a full range of unrestricted movement, while low-profile cargo pockets provide storage with minimal bulk. Ideal for early-to-mid-season hunts in rugged conditions where durability is just as crucial as performance and mobility.

SHOP PANT

Exhibit 20 (printout of webpage showing Kutana webpage showing Kutana stretch woven pant).



## **KUTANA 3DEFX+ HYBRID JACKET**

13.6 oz / 386 g

Bridging the gap between insulation and outer layer, this jacket is designed with more durability than the average insulation piece. Its hybrid design places nylon-faced 3DeFX+ synthetic insulation in core areas for warmth and protection, and high-stretch breathable StrongFleece in heat-generating zones, particularly the back panel for excellent breathability while wearing a pack. Wear it as a lightly-insulated outer layer, or as a mid layer in colder conditions.

Exhibit 21 (printout of webpage showing Kutana 3DEFX + Hybrid Jacket).



## **KUTANA STORM SHELL JACKET**

18.3 oz / 519 g

Designed for the toughest hunts, this waterproof breathable rain jacket is built for durability at a backpack-friendly weight. Featuring a tough ripstop stretch nylon face fabric, backed with an entirely new Toray waterproof membrane and seam tape combination, the Kutana Storm Shell Jacket is the next line of innovation in protection and longevity. Designed as a full-featured jacket with all of the built-in pocketing, ventilation, and cinch options you need for a difficult hunt.

SHOP JACKET

Exhibit 22 (printout of webpage showing Kutana Storm Shell Jacket).



## **KUTANA STORM SHELL PANT**

15.5 oz / 439 g

If you're preparing for a tough hunt that's wet and brush-choked, you need protection with a rain gear system that's durable, lightweight, and dries quickly. The Kutana Storm Shell Pant features an entirely new microporous hydrophobic membrane from Toray that breathes even when activity level is minimal, and absorbs very little water for incredibly fast dry times. The durable stretch nylon 6/6 face fabric offers great tear strength for its weight, and will stay dry longer due to a new, more durable K-DWR treatment.

SHOP PANT

Exhibit 23 (printout of webpage showing Kutana Storm Shell Pant).

- 15. As we tell our customers, the Kutana line of hunting gear is designed to be "the lightest and highest performing mountain hunting clothing possible." **Exhibit 24** (printout of Kutana webpage). Similarly, KUIU's Facebook page describes the Kutana line as "lightweight gear engineered for the most unrelenting terrain." **Exhibit 25** (April 30, 2019 Facebook post).
- 16. The Kutana clothing is designed and marketed primarily for the male hunter.

  KUIU does not specifically target female hunters in any of its Kutana advertising. As with all of KUIU's hunting clothing, KUIU's sizing for its Kutana gear is based on KUIU's "athletic fit."

  Exhibit 26 (KUIU Size Chart). Our athletic fit is designed for wear in active environments, and our sizing is based on men with a muscular upper-body that requires more room in the shoulders, chest, and arms.
- 17. The following advertisement sent to KUIU's newsletter email list on June 18, 2019, depicts the type of terrain Kutana is suited for, the customer targeted by Kutana, and the consumer need Kutana is designed to fulfill:

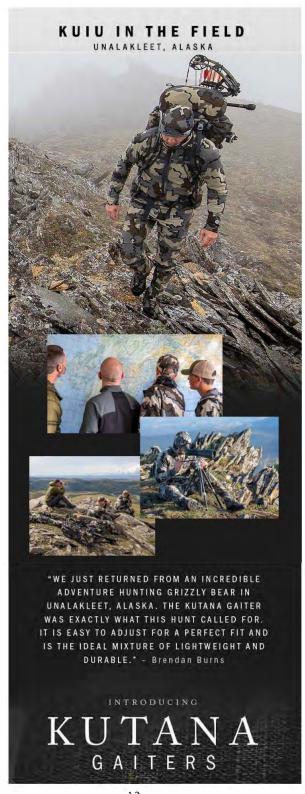




Exhibit 27 (June 18, 2019, advertisement for Kutana Gaiters).

But, price is not the only or even the main consideration when consumers select mountain hunting gear. The clothing worn by a hunter during rugged mountain terrain and tough hunting conditions can make or break a hunt and is a decision that our customers do not take lightly. At best, the wrong clothing can seriously detract from a hunt (often one that is itself expensive and time consuming) that occurs at most once or twice a year for the majority of our customers. At worst, inappropriate clothing can be life threatening in tough terrain. As KUIU tells its customers, "our product line is designed to be dependable in the most extreme conditions in the world." Exhibit 4 (2019 Spring Catalog) at 20. As a result, our customers are discerning and carefully select the attire and gear for their mountain hunts. The anticipation and nature of the hunts our gear is intended for is captured and portrayed well to our customers in the introductory section of KUIU's 2019 Product Catalog:

#### INNOVATION NEVER RESTS

What do you see when you look at the photo on the cover of our 2019 Spring Offerings? Look closely...

Last spring, Jason Hairston, Lance Kronberger, and I lived out one of our shared dreams on the Alaskan Peninsula: pursuing the largest land predator on the planet, in one of the most remote settings in North America. It was a trip we had been planning for years and had all of the elements of the perfect hunt — Super Cubs, great friends, terrible weather, dangerous encounters with giant bears, and hard-eamed success.

For me, the photo represents thirty years of anticipation, thirty seconds of pure adrenaline, fifteen seconds of sheer terror, and not one ounce of regret.

When you look at this cover, what we hope you see is YOURSELF, on the one adventure you have always longed to experience. A reminder that life begins where your comfort zone ends. We hope you are inspired to put a plan in place today and make it happen. Don't Walt...

While all of our bucket lists may not be the same, the expectations we share for every KUIU product is: uncompromising quality and unparalleled performance. We truly understand there is no room for error on the trip of a lifetime, and in your moment of truth, the last thing on your mind should be your choice of gear.

**Exhibit 4** (2019 Spring Catalog) at 1. The special nature of the hunting experience KUIU's products are designed for is also portrayed to customers on KUIU's website:

#### Roots and tradition of hunting

I grew up reading about hunting lore and legend (Fred Bear, Saxton Pope, Art Young) and listening to hunting stories told around the campfire. Hunting has always been as much about adventure and experience and survival as anything else. I mean, the kill is the reason for taking a bush plane into Unalakleet, landing on a gravel bar and floating a river for nine days. Without a tag and the hunt you wouldn't have a reason to be there. But the whole process—the gear selection and packing, the travel, all of the pieces that need to come together, and all of the hard work and effort hiking and setting up camp and dealing with the weather—that's all a part of the experience.



The roots and tradition of hunting have always been important to me. I want KUIU to continue to contribute to the tradition through storytelling. I want KUIU to be a source of inspiration by living and breathing Mountain Hunting.

#### The pinnacle of hunting

Lalso want our customers to know they can absolutely and unconditionally trust KUIU. I want them to know we live and breath Mountain Hunting, that we do our homework and research, that we're out there hunting in and testing all of our products— in the hardest and most demanding of environments and conditions. In fact, the standard against which we measure and test KUIU is sheep hunting. Sheep hunting is an expedition. Weather and storms are always an issue, temperatures swing wildly, and it's often wet and cold. The landscape is harsh and unforgiving—steep rock fields, glaciers, roaring river crossings, often requiring bouldering and sidehilling. Sheep hunting requires huge investments in terms of money and time. It requires massive amounts of physical and mental preparation. It's the pinnacle of Mountain Hunting, and as such, it's the most demanding on gear. That's why we exist, to build gear that meets these demands.

**Exhibit 15** ("Our Founder" webpage on KUIU's website). Our customers share this sentiment, as shown by the following post by a customer on KUIU's Facebook page:



"We were hunting at Nahanni Butte Outfitters. We found the ram the evening of day 5 and snuck in to 300 yards on day 6. We sat there for 7 hours waiting for it to move to a better spot for a stalk. After it got up and fed at about 100 yards, we snuck in to 43 yards and Greg made a good shot. As soon as we got to the ram it started to rain and then turned into freezing rain. We had strong wind, rain and fog throughout the hunt. The KUIU gear kept us warm and dry through it all."

Photo: Guide Brady Lough and hunter Greg Shuerger



Exhibit 16 (May 29, 2019 post on KUIU's Facebook page).

#### The Kitana Mark is Used for Plus-Sized Women's Fashion Clothing

19. I understand that KUIU's application to register the KUTANA mark was refused on the ground that there is a likelihood of confusion with the KITANA marks. I respectfully disagree. I have reviewed the Kitana branded products, and even a cursory examination of the Kutana products and the Kitana products makes clear that there is zero chance that consumers will mistakenly believe that they come from the same source. The Kutana products and the Kitana products target entirely different classes of consumers, for entirely different purposes, and

there is no chance that consumers would ever encounter KUIU's Kutana hunting clothing in the same marketplace as the Kitana clothing. Simply put, there is absolutely no likelihood of any confusion between the two products.

- 20. As a preliminary manner, I have been heavily involved in the hunting industry all of my life, and I have been involved directly and indirectly with the clothing industry for more than a decade and have never before heard of Kitana.
- 21. KUIU attends approximately 10 national and international consumer trade shows every year, and another 6-10 consumer trade shows in select states. The purpose of these trade shows is for companies in the industry to showcase and sell their products directly to customers. I have been attending these consumer shows since KUIU began business and personally attended these consumer shows for more than a decade and a half before then. I estimate that I have attended more than 100 trade shows over the course of my career, and have never encountered Kitana at any of them.
- 22. KUIU advertises only in hunting related magazines. Examples of magazines in which KUIU has advertised include: Bowhunter magazine, Peterson's Bowhunting magazine, Epic Outdoors magazine, Hunt'n Fool magazine, and Sports Afield magazine. I have never seen a Kitana advertisement in any of the magazines in which KUIU advertises.
- 23. KUIU sponsors one television show: Wild Yukon. It is a television program dedicated to hunting. I have never seen a Kitana advertisement or sponsorship for Kitana on any Wild Yukon episode.
- 24. Finally, KUIU engages heavily with our customer base through our KUIU Nation and basecamp pages on our website as well as on our Facebook page. I have never had any

customer inquiries about the Kitana-branded clothing, and, to my knowledge, none of KUIU's customers have ever mistaken any of our clothing for the Kitana branded clothing.

- 25. This is not surprising as Kitana branded clothing is not designed for, marketed to, or sold to, hunters needing high performance clothing for rugged mountain terrain. Kitana clothing has nothing whatsoever to do with hunting. Rather, it is "fashion clothing" designed for and sold exclusively to plus-sized women, primarily outside the United States.
- 26. Kitana has a website at <a href="www.kitana.com">www.kitana.com</a>, which is in Italian but can be translated to English. Kitana's tagline is "Kitana CurvyStyle," and the homepage of its website describes the Kitana clothing to consumers as "Feminine, sparkling, fashion":



Exhibit 28 (printout from homepage of Kitana's website at Kitana.com).

27. Kitana's marketing targets curvy (sizes range from 14 US to 20 US), feminine women, as shown by the following screenshots from the Kitana website:

COLLECTIONS V

BRAND PHILOSOPHY



STORE LOCATOR ~

f Ø | ENG ∨ CONTACT US



# DON'T HIDE YOUR BODY, BE PROUD OF IT!

Is it the stringy and long-limbed women the only ones who can be up-to-date? Kitana says no! Feeling special, cool, glamourous, comfortable in every situation, feeling beautiful... Kitana makes your dream come true. The unique star, the unquestioned protagonist is the true woman, the Mediterranean one, the one with all the curves in the right place, the one who is not afraid of her body and of her full and luxuriant feminility.





Kitana started it's activity 8 years ago. It is know as the continuing line of Rinascimento the italian brand leader of pret a parter, with a size range wich goes from the 14 to the 20, but Kitana is much more than this. Kitana knows what is fashion, Kitana knaws the style, the trends, but also women's body and that's why our stylists carefully select the products to underline and improve the softness of the female curves.



Kitana.

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Quality and italian style are blended, in Kitana, with the variety of the prêt-à-porter. The main purpose is not hiding the feminine body but to be proud of it. Kitana's collection thinks on every single moment of the modern woman's day, from the casual morning to the shining and umpredictable nights. Always in love with glamour, our stylinst bet on young and trendy collection for a curvy woman that finds her dimension not giving up with being fashion and seductive.

Made in Italy, neverending seek for perfection, attention to shape and comfort, innovative suggestions, up-to-date look, multifaceted taste, care for details, freshness, beauty, femininity...

Exhibit 29 (Kitana's Brand Philosophy webpage on Kitana.com).

28. The Kitana brand of clothing is exclusively for plus-sized women, and is not designed for or marketed to men. Every single one of the product pictures posted on Kitana's website show women wearing Kitana fashion clothing:



Exhibit 30 (printout of Kitana's Summer 2019 Collection on Kitana's website at

www.kitana.com). I have seen no Kitana advertising targeting female hunters.

29. Kitana's target customer is illustrated by the pictures posted on Kitana's FaceBook page, including the following:



Exhibit 31 (April 17, 2019, post on Kitana's Facebook page). There is not a single product picture of a man on Kitana's Facebook page or its website. This is not surprising as I understand

Kitana clothing is exclusively for women.

- 30. None of KUIU's customer base is comprised of plus-sized women seeking fashion clothing. Thus, Kutana's hunting clothing and Kitana's plus-sized women's clothing are non-competitive and serve entirely different purposes. Although KUIU and Teddy S.p.A. can both broadly be described as being in the clothing industry, they are engaged in entirely different businesses within that industry.
- 31. Furthermore, consumers cannot purchase Kitana clothing and Kutana clothing at the same place. From what I understand, Kitana clothing is sold mainly at brick-and-mortar stores in Europe, and, to a limited extent, on a few websites selling exclusively women's fashion clothing. Kitana's website has a "Where to Buy" button, that directs consumers to stores and distributors located exclusively in Europe when clicked. *See* Exhibit 32 (Kitana webpage showing "Stores"); Exhibit 33 (Kitana webpage showing "distributors"). Consumers will not and cannot find Kutana hunting clothing at the European stores that sell Kitana clothing because KUIU's Kutana clothing can only be purchased on Kutana's website. When consumers are on KUIU's website looking at Kutana clothing, there is no chance that they will mistakenly believe they are purchasing Kitana clothing.
- 32. The Office Action attached "internet evidence" from several large retailers to show "that clothing goods like those identified by registrant are commonly sold by the same source, under the same mark, and at the same location as hunting bags and hunting vests like the goods specified by applicant." Specifically, registration of the Kutana mark was refused because Drake Waterfowl Systems, Mossy Oak, Field & Stream, L.L. Bean, ScotteVest, Filson, Under Armour, Orvis, Outback Trading, Carhartt, Duxbak, Avery, Badlands, and Mojo sell hunting bags and hunting vests as well as other types of outdoors clothing. This is not surprising since

all of these companies are mega-retailers that offer a wide selection of products and all of these companies focus exclusively on hunting or outdoor clothing, as shown by the following screenshots (showing results from searching Google for each company's name followed by the company's website):

#### **Drake Waterfowl Systems**

Drake Waterfowl: Duck Hunting Gear, Clothing & Equipment

https://www.drakewaterfowl.com/ -

The highest quality hunting gear, hunting waders, and hunting clothes made especially for duck hunters by duck hunters.

Exhibit 34 (Google search results of "Drake Waterfowl").

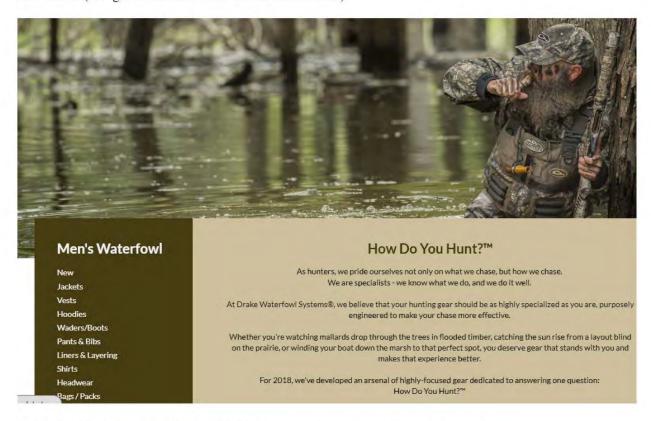


Exhibit 35 (printout from Drake Waterfowl website at www.drakewaterfowl.com).

## Mossy Oak

## Mossy Oak: Home

https://www.mossyoak.com/ \*

We're glad you're here. Mossy Oak is an outdoors brand and our online presence reflects just that. Learn about our camouflage, family of brands, television and ...

Exhibit 36 (Google search results of "Mossy Oak").

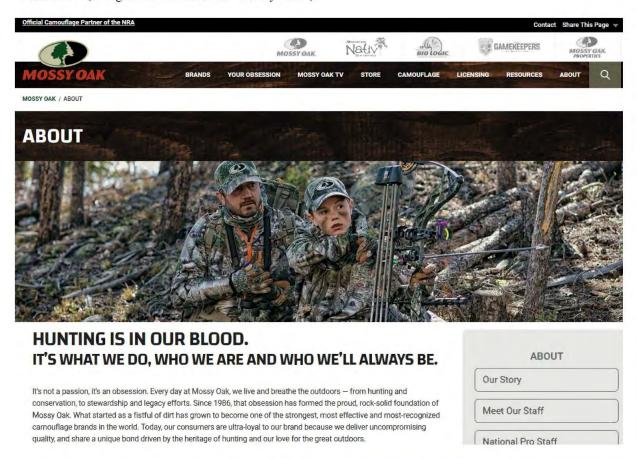


Exhibit 37 (printout from Mossy Oak webpage at <a href="https://www.mossyoak.com/about">https://www.mossyoak.com/about</a>).

## Field & Stream:

# Field & Stream: How to Hunt, Fish, Shoot Guns, Camp, and Survive

https://www.fieldandstream.com/

Hunting and fishing tactics from the pros, gear reviews, gun tests, and adventure stories. Field & Stream is the Soul of the Total Outdoorsman.

Contact Us · Fishing · Subscribe to Field & Stream ... · Blogs

Exhibit 38 (Google search results for "Field & Stream").

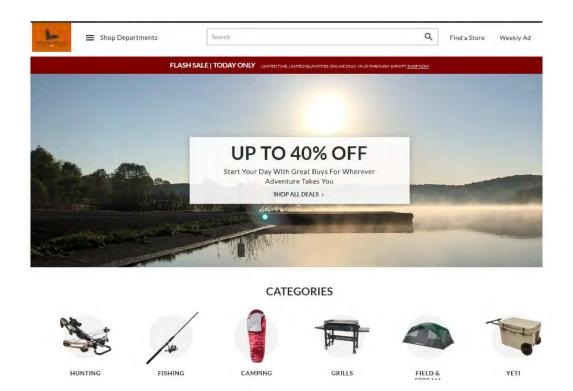


Exhibit 39 (Field & Stream webpage at www.fieldandstreamshop.com/).

# L.L. Bean

# L.L.Bean - The Outside Is Inside Everything We Make

https://www.llbean.com/ >

Enjoy Free Shipping with \$50 purchase on clothing, shoes, outdoor gear and more, all made for the shared joy of the outdoors.

Exhibit 40 (Google search results for L.L. Bean).



Welcome to the Outside

Exhibit 41 (printout of L.L. Bean webpage at <a href="https://www.llbean.com/llb/shop/516884?page=about-llb&nav=F14i516884-hp">www.llbean.com/llb/shop/516884?page=about-llb&nav=F14i516884-hp</a>).

# **ScotteVest**

# SCOTTeVEST® Official Site | Style, Comfort & Convenience

Ad www.scottevest.com/ ▼ (866) 959-4025

Use Promo Code G15 For 15% Off All Products, Excluding Outlet Items. Versatile. Functional. Effortless. Engineered for the Everyday Adventurer. Up To 42 Pockets. Water-resistant. Perfect for air travel. 2-yr warranty. Types: Jackets, Vests, Hoodies, Pants, Shirts.

Exhibit 42 (Google search results for "Scottevest").

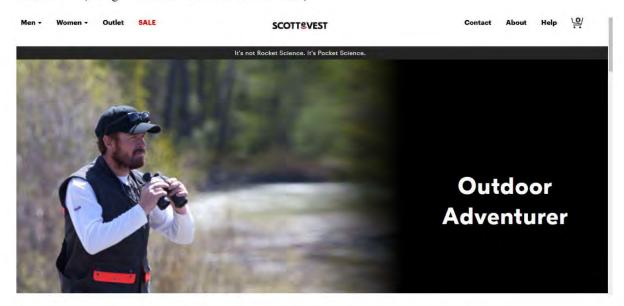


Exhibit 43 (Scottevest webpage at www.scottevest.com/page/outdoor-enthusiast.shtml).

## **Filson**

# Filson | American Heritage Outerwear, Clothing & Bags

https://www.filson.com/ >

Shop unfailing goods and apparel from **Filson**. Committed to providing top quality outdoor clothing and bags, built on a heritage of excellence since 1897.

Exhibit 44 (Google search results for "Filson").

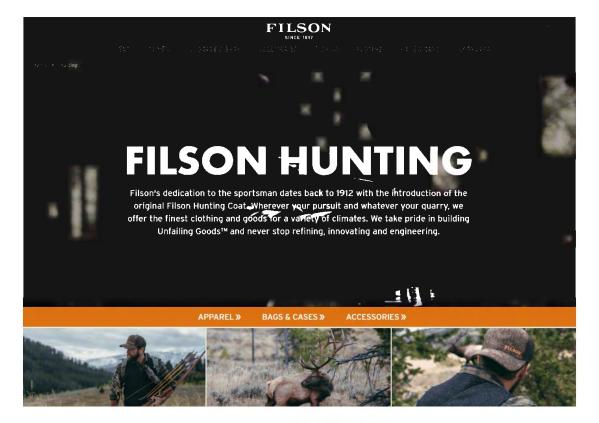


Exhibit 45 (printouts from Filson's website at www.filson.com).

# **Under Armour**

# Under Armour® Workout Clothes | Shop The Official Site

### [Ad] www.underarmour.com/ >

We'll Make The Technology. You Keep Getting Better. Shop The Latest UA Tech & Innovation. Heatgear Built To Keep You Cool During Any Workout Or Competition. Shop UA HeatGear Today. Largest Style Selection. Free Returns. New UA Exclusives. United We Win.

Exhibit 46 (Google Search results for "Under Armour").

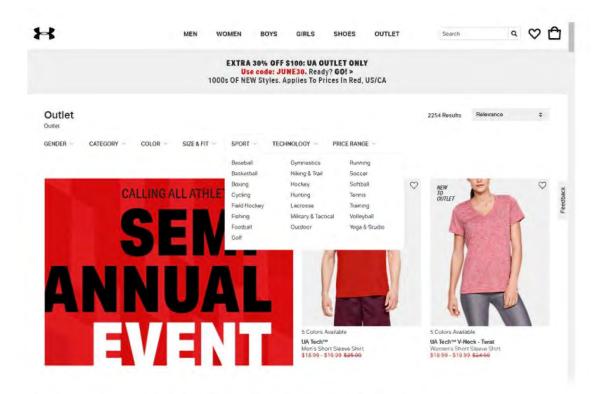


Exhibit 47 (printout from Under Armour webpage at www.underarmour.com).

## **Orvis**

# Orvis® Official Site | Gear Up For Summer Today

Ad) www.orvis.com/ ▼ (888) 235-9763

Enjoy This Season Even More With Orvis® Outdoor Clothing & Quality Gear. Shop Our Newest Clothing and Products, & Our Most Innovative Gear Available Online Today! New Items, New Markdowns. 5% For Nature Every Day. Your Guide To Adventure. Visit A Local Orvis Store.

Exhibit 48 (Google search results for "Orvis").



THE ORVIS COMPANY

Exhibit 49 (printout from Orvis webpage at <a href="www.orvis.com/s/about-the-orvis-company/261?dir\_id=35438">www.orvis.com/s/about-the-orvis-company/261?dir\_id=35438</a>).

# **Outback Trading**

Outback Trading Company - Premium Oilskin & Western Wear Since ... https://www.outbacktrading.com/ ▼

**Outback** is a leading supplier of all-weather outdoor apparel We specialize in producing high quality oilskins, jackets, vests and more for men and women with ...

Exhibit 50 (Google search results for "Outback Trading Company").





Exhibit 51 (printout from Outback Trading website at www.outbacktrading.com/).

# **Carhartt**

# Carhartt® Official Site | Shop for Carhartt Gear Today

Ad www.carhartt.com/ -

★★★★★ Rating for carhartt.com: 4.8 - 407 reviews

Shop Durable Carhartt Workwear. Trusted Wherever Hard Work Is Being Done - Since 1889. Shop Carhartt® Workwear and Restock The Gear You'll Rely on All Year Long. Largest Online Selection.

Official Carhartt® Site. Exclusive Gear Available. Durable & Rugged Apparel. Types: Men's, Women's. Carhartt® Men's Pants · Carhartt® Women's Gear · Carhartt® Outerwear · Carhartt® Men's Layering

116 E Winchester St, Murray, UT - Open today · 10:00 AM − 9:00 PM ▼

Exhibit 52 (Google search results for "Carhartt").

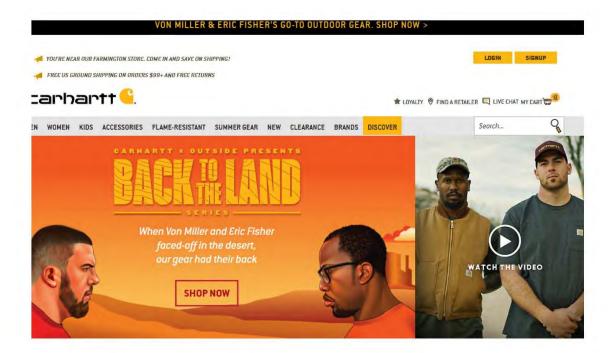


Exhibit 53 (Printout of Carhartt's website at www.carhartt.com/).

# **Duxbak**

## OUR BRAND - Duxbak

https://www.duxbak.com/our-brand/ >

During the 1960s **Duxbak** adopted the slogan "The Action Sports **Brand**" and expanded their successful hunting, fishing, and camping offerings to include a full ...

Exhibit 54 (Google search results for Duxbak).





### THE BRAND THAT STARTED IT ALL

- America's Original Sportsman's Brand -

Exhibit 55 (Printout of Duxbak website at <a href="www.duxbak.com/our-brand/">www.duxbak.com/our-brand/</a>).

# **Avery Outdoors**

Home | Outdoor Gear | Avery Outdoors Hunting Accessories and Gear

https://averyoutdoors.com/ >

Our outdoor gear here at Avery Outdoors has been proven to add benefit to your waterfow hunting experience. View our hunting accessories and apparal here!

Exhibit 56 (Google search results for "Avery Outdoors").

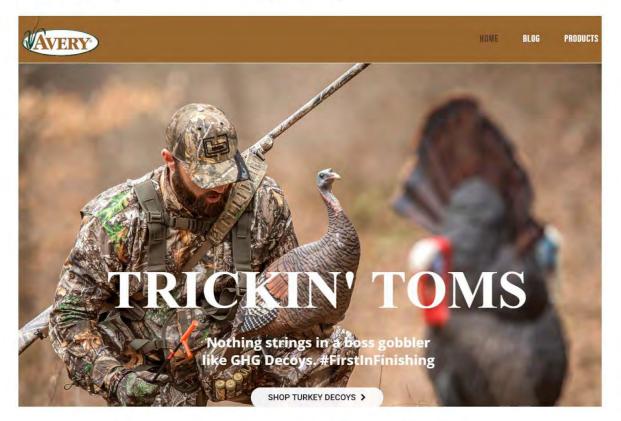


Exhibit 57 (Printout of Avery Outdoors website at <a href="https://averyoutdoors.com/">https://averyoutdoors.com/</a>).

## **Badlands Packs**

# Badlandspacks.com | Badlands Hunting Packs | Badland Packs

Ad) www.badlandspacks.com/ ▼ (800) 269-1875

Designing & Producing The World's Best Hunting Packs & Gear. Shop Today! Made For Hunters. Lifetime Warranty. 25 Years In The Industry. Styles: Approach Camo, Realtree Xtra, Blaze Orange.

# Our Legendary Warranty

We don't care what happened, we will fix it for free, forever.

# **Hunting Apparel**

Shop Badlands hunting gear and apparel direct from the source.

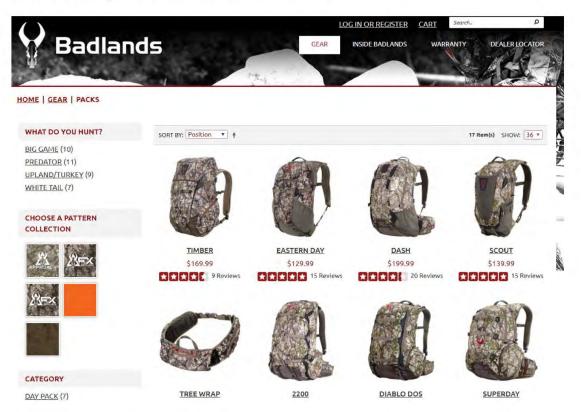
# **Hunting Packs**

Shop our selection of the best hunting packs in the industry.

## **Hunting Accessories**

Need some hunting accessories? Badlands has you covered. Shop now!

Exhibit 58 (Google search results for "Badlands Packs").



**Exhibit 59** (Printout from Badlands Packs website at www.badlands packs.com).

## Mojo Sportswear Company

Mojo Sportswear Company - #getyourmojoon

https://www.getyourmojoon.com/ \*

Mojo Sportswear Company is the place to find all of your performance men & women's outdoor apparel.

Exhibit 60 (Google search for "Mojo Sportswear").



**Exhibit 61** (Printout from Mojo Sportswear Company website at <a href="https://www.mojosportswearcompany.com/">https://www.mojosportswearcompany.com/</a>).

33. The companies identified in the Office Action as selling both hunting bags and hunting vests and "clothing goods like those identified by registrant" are all mega-retailers targeting the hunting or outdoorsman community. It is not surprising that hunting companies sell hunting vests and bags as well as other hunting-themed clothing. A common theme among nearly all of the companies cited by the Office Action are that they describe and market their clothing as "gear" or as "outdoor apparel" intended for the outdoors. None of the companies

cited by the Office Action sell plus-sized women's fashion-clothing like those of Registrant.

34. In addition, KUIU is requesting an amendment of the identification of the goods to clarify and further limit the goods covered by the Kutana mark. Specifically, KUIU is requesting the following amendment (new limitations are underlined):

"Performance mountain hunting clothing comprised mainly of stretch nylon fabric, namely hunting vests, for hunters facing rugged mountain hunting terrain or conditions, excluding women's fashion clothing."

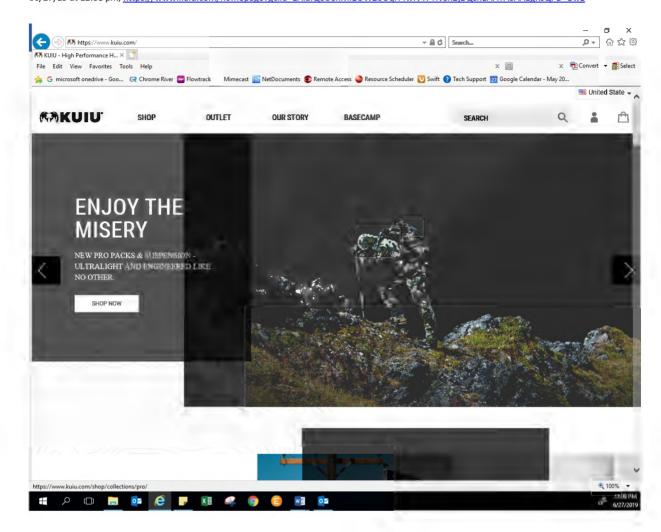
None of the website printouts attached to the Final Office Action that purport to show "hunting vests" are clothing of this nature. See Attachment 2 to Office Action (Mossy Oak Sherpa 2.0 Lined hunting vest made of fleece); Attachment 8 to Office Action (Badlands hunting vest of unspecified material); Attachment 11 to Office Action (Field & Stream Men's Every Hunt Upland Vest of unspecified material); Attachment 20 to Office Action (Duxbak Sportsman's Shooting Vest made of cotton and canvas); Attachment 24 to Office Action (Carhartt Upland Field Vest made of 60% cotton / 40% polyester); Attachment 28 to Office Action (Under Armour hunting safety vest made of 100% polyester); Attachment 32 to Office Action (Orvis Pro Series Hunting Vest made of unspecified material); Attachment 35 to Office Action (Outback Trading Company Men's Deer Hunter Vest made of 100% cotton); Attachment 37 to Office Action (ScottEvest Sportsman Vest for Men made of 100% cotton); Attachment 41 to Office Action (Filson Mesh Game Bag/Vest made of unspecified material); Attachment 43 to Office Action (L.L.Bean Men's Double L Upland Hunter's Vest, made of waxed cotton); Attachment 46 to Office Action (Drake Waterfowl Men's MST Endurance Vest made of unspecified material).

35. Based on the foregoing, there is no likelihood that consumers will be confused by Kutana and Kitana. Indeed, there is not even a possibility of confusion.

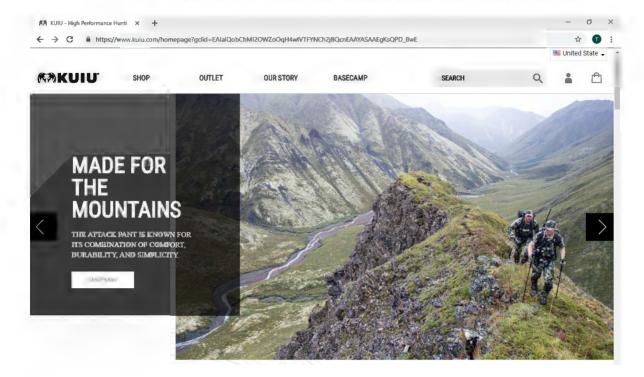
Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true

and correct to the best of my knowledge, information, and belief.

Brondan Burno



 $6/26/19 \text{ at 1:01 pm, } \underline{\text{https://www.kuiu.com/homepage?gclid=EAIalQobChMI2OWZoOqH4wIVTFYNCh2jBQcnEAAYASAAEgKsQPD\_BwE} \\$ 







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### **INNOVATION NEVER RESTS**

What do you see when you look at the photo on the cover of our 2019 Spring Offerings? Look closely...

Last spring, Jason Hairston, Lance Kronberger, and I lived out one of our shared dreams on the Alaskan Peninsula: pursuing the largest land predator on the planet, in one of the most remote settings in North America. (It was a trip we had been planning for years) and had all of the elements of the perfect hunt — Super Cubs, great friends, terrible weather, dangerous encounters with giant bears, and hard-earned success.

For me, the photo represents thirty years of anticipation, thirty seconds of pure adrenaline, fifteen seconds of sheer terror, and not one ounce of regret.

When you look at this cover, what we hope you see is YOURSELF, on the one adventure you have always longed to experience. A reminder that life begins where your comfort zone ends. We hope you are inspired to put a plan in place today and make it happen. Don't Walt...

While all of our bucket lists may not be the same, the expectations we share for every KUIU product is: uncompromising quality and unparalleled performance. We truly understand there is no room for error on the trip of a lifetime, and in your moment of truth, the last thing on your mind should be your choice of gear.

KUIU is more than the finest lightweight hunting packs, gear, and technical apparel. We have an unwavering commitment to innovation and consumer transparency. It has been the cornerstone of how we do business since the very beginning, and it hasn't changed. By eliminating the middle man and selling direct, we continue to create extraordinary quality mountain hunting gear, and offer it to you, our customers, at an incredible value.

The team here at KUIU is constantly pushing ourselves and our partners to meet the demands of the toughest terrain and conditions you may face. Driven by in-the-field testing

and customer feedback, the results of these efforts continue to redefine what hunting apparel and gear can and should be.

In this offering, you will find the latest technologies and collections our testing and experience has led us to develop.

Two years in development and exclusive to KUIU, our new PRO Merino represents a performance breakthrough in Merino technology. Truly the best of both worlds, a revolutionary layered Merino/Poly structure to give you all the next-to-skin benefits of Nuyarn Merino with the enhanced dry time and durability of synthetic on the outside.

Also featured are our new Hybrid waterproof collections. Built with specific conditions in mind, our Axis Hybrid and Talus Hybrid programs combine the finest Toray fabrics with innovative design, resulting in performance never before seen in hunting.

Rounding out this spring's offerings are the first pieces in KUIU's youth hunting line. Inspired by Cash Hairston's love of hunting with his father, this collection is specifically designed to keep your smallest hunting partner comfortable in any situation. We are proud to be a part of introducing the next generation to the incredible opportunities and way of life that only hunting can provide.

Our late founder Jason Hairston's legacy of relentless innovation and adventure will forever be a part of KUIU's DNA, driving us to push the boundaries of what is possible for the most important reason of all:

You are going to need it!

**Brendan Burns** 

Co-CEO, KUIU #KUIUSTRONG

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AVAILABLE ONLY AT KUIU.COM OR 800-648-9717

### **BEST SELLERS**

### **MUST HAVE PIECES**

Tested, reviewed and ranked by you! ★★★★

Since 2011, KUIU has introduced many incredibly innovative and technically advanced products and these are the pieces that you have chosen as your favorites. Whether you are purchasing for the first time or adding to your existing KUIU collection, these are must have KUIU pieces.

### Guide Pant

# 66 Excellent hunting pants.

Well worth the money if you're a serious hunter. Warm, water resistant with freedom of movement. Just great gear!! 99

Eric M. October, 2018

### Bino Harness

# 66 Love 'em.

I got to use 'em on my Spring bear hunt they were excellent, and they stay tight and out of the way and keep the dust off the lenses – love them.?

Allan L. July, 2018



### **BINO HARNESS**

CATEGORY:	SEASON:	WEIGHT:
Mountain Gear	All	L: 7.6 oz   XL: 8.3 oz

### DESCRIPTION:

Protect your optics from the elements in a sturdy fleece-lined pouch while keeping them comfortably secured to your chest. One-handed operation allows quick and easy access. Optional accessories: range finder holder and ammo holder.

COLORS:
Vias / Verde 2.0 / Major Brown /
Stone (shown)

\$84.00 - \$89.00



### **ULTRA MERINO 145 ZIP-T**

CATEGORY:	season:	WEIGHT:
Base Layer (Merino Wool)	Early-Mid	8 oz

Moisture-wicking, naturally odor-resistant, and itch-free, the ultra-fine 17.5 micron Merino wool performs in a wide range of conditions. Featuring Nuyarn technology, the mid-weight 145 is our most versatile layering option.

COLORS:	PRICE:
Vias / Verde 2.0 / Ash Brown (shown) / Steel Blue /	\$99.00
Black / Forest-Black / Charcoal-Black	

## **BEST SELLERS**







# ATTACK PANT

CATEGORY:	SEASON:	WEIGHT:
Outer Layer	Early-Late	18.5 oz

DESCRIPTION:

DESCRIPTION:
This is our best-selling and most versatile pant, ideal for use on hunts where a wide-temperature range can be expected. This pant is known for the combination of comfort, durability, and simplicity. The pant to own if you only own one.

simplicity. The parit to own in you only own	TOTIO.
COLORS: Vias (shown) / Verde 2.0 / Gunmetal / Bl Camel / Major Brown / Loden	PRICE: \$139.00

### **KENAI ULTRA HOODED JACKET**

Insulation (Synthetic)	SEASON:   Mid-Late	WEIGHT: 14.5 oz

DESCRIPTION:
Incredibly lightweight yet durable synthetic-fill jacket that breathes far better than other insulation layers, keeping you comfortable during strenuous activity. Ideal as a warm insulation, or as an outer layer during cold dry weather.

LORS:	PRICE:
as / Verde 2.0 / Gunmetal (shown)	\$219.00

## **GUIDE DCS JACKET**

CATEGORY:	season:	WEIGHT:
Outer Layer	Early-Late	24 oz

DESCRIPTION:

Our best-selling softshell designed for cold weather mountain hunts. A durable wind- and water-resistent outer layer for any season. Wear alone in mild conditions or with layers in cold conditions when complete rain protection isn't necessary.

COLORS:	PRICE:
Vias (shown) / Verde 2.0 / Stone / Black / Olive	\$219.00

### KUIU LAYERING SYSTEM

Our entire line of apparel is designed as a layering system that regulates comfort by adding or removing layers as the activity level and weather conditions change. There are countless options to layering, which can be customized for each individual. Weather, exertion level, personal metabolism, fabric weight, and garment types should be considered when deciding how to layer. This spread is a guide to review options and help determine what's best for you.

Understanding layering when hunting:

**Base Layer:** Worn next to skin: wicks perspiration, controls odor, adds warmth, adds comfort.

**Mid Layer:** Worn over the base layer: adds and retains warmth, breathable, provides protection from the elements.

**Insulation Layer:** Worn over the base or mid layer: traps and retains warmth radiated by the body. The more heat trapped, the warmer you will be.

**Outer Layer:** Worn over the base, mid, or insulation layer depending on the conditions: durable, water resistant, wind resistant, adds warmth.

**Rain Shell:** Worn as the outermost layer: waterproof, breathable, windproof, helps retain heat.



### BASE LAYER

ULTRA Merino | Peloton | Tiburon

The base layer is the foundation of a layering system, typically worn next to skin. The primary function is to wick perspiration away from your skin, control odor, and add warmth. Keeping your skin dry is essential to staying warm.



### MID LAYER

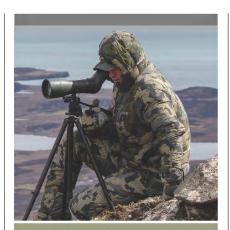
ULTRA Merino | Peloton

The mid layer adds extra warmth and protection from the elements, and is typically a thicker and more durable garment. In warmer situations a mid layer can be durable enough to be worn as an outer layer. Hooded options are available.

**Materials:** Natural fibers (such as wool) and synthetic fibers (such as polyester) are commonly used for base and mid layers. Wool has incredible natural wicking and anti-microbial properties, while synthetics wick moisture, dry quickly, and are more durable. Personal fabric preference will also play a role in deciding what is right for you. When comparing materials, there are subtle differences between wicking, odor control, durability, and warmth.

Fabric Weight: Our base layer fabric weights are measured in grams/meter squared. Example: Ultra Merino 125 – the fabric weight of this garment is 125 grams per square meter of fabric. Typically, the higher the number, the heavier the fabric, the warmer the garment. There are exceptions: specific treatments to fabrics (brushed fleece) will result in a lower weight fabric being warmer.

### KUIU LAYERING SYSTEM

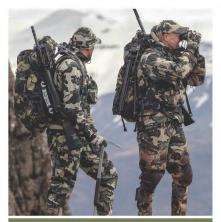


Kenai | Super Down ULTRA | Super Down Pro

Typically worn over the mid layer in very cold conditions, designed to trap and retain heat. These are lightweight high-performance garments, often carried in the pack for use when needed.

QUIX DOWN®: Down has the highest warmth-to-weight ratio of any insulation used in garments. Down garments are designed to keep the user warm in low temperature, low- exertion activities. Down adds very little weight or volume when carried in the pack.

3DeFX+\*: A highly-breathable synthetic cold-weather insulation that is designed for active use. Perfect for situations when you are constantly on the move, generating excess heat that needs to be released. This insulation is very compressible and lightweight.



Jacket: Tiburon | Peloton 240 | Guide | Axis Hybrid Pant: Tiburon | Sierra | Attack | Pro | Talus Hybrid | Guide | Axis Hybrid A durable first line of protection from the elements. These quiet garments are breathable, highly wind and water resistant, featuring high stretch fabrics for comfort during aerobic activities. Wear with layers in cold conditions, or alone in warmer conditions when complete rain protection isn't necessary.

Materials: A variety of high-quality materials and design techniques are used in KUIU's outer layers. These materials offer durability, breathability, wind and water resistance, and warmth. KUIU's technical outer layers are designed to work together to manage the variable weather conditions faced when hunting.



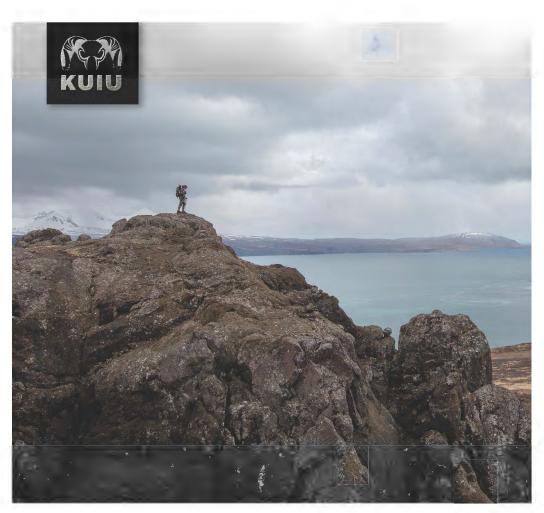
## **RAIN SHELL**

Northridge | Chugach NX | Yukon

A complete waterproof, windproof, and breathable outermost layer. Designed primarily for protection from the rain, this layer also provides protection from the wind and retains warmth. Hunt conditions will determine the level of durability needed in your rain gear.

Materials: KUIU rain gear features 3-layer construction, taped seams, and waterproof zippers. The three layers: External DWR-treated face fabric, a waterproof breathable membrane in the middle, and a lightweight fabric backer on the inside. KUIU's 3-layer shells have incredible stretch and durability. Durability is determined by the external DWR-treated face fabric. The Yukon is our most durable, followed by the Chugach NX and then the Northridge.

AVAILABLE ONLY AT KUIU.COM OR 800-648-9717 5



### **BASE LAYER**

The foundation of a layering system. This is the next-to-skin layer, wicking moisture away from the body, controlling odor, and providing warmth.

**Merino Wool:** Known for its natural moisture-wicking, anti-microbial, and temperature-regulating properties.

Wool continues to perform and feel fresh after multiple days of use. Best option for multi-day hunts.

**Synthetic:** Wicks moisture, fast-drying, durable, and lightweight. Controls odor with the addition of an anti-odor treatment. A great option for humid or wet conditions.

### New this year:

Peloton 118 defines what a synthetic base layer should be: wicks moisture, lightweight, unparalleled dry times, spandex-free, durable, and incredible next-to-skin comfort. The new Peloton 118 is the ideal foundation of your layering system or as a stand-alone shirt in warmer temperatures.

Colors: Vias / Verde 2.0 / Solids







# ULTRA MERINO 125 (MERINO WOOL)

ULTRA MERINO 125	WEIGHT:	PRICE:
SS CREW-T (SHOWN)	5 oz	\$69.00
ULTRA MERINO 125	WEIGHT:	PRICE:
LS CREW-T	6.1 oz	\$79.00

## ULTRA MERINO 145 (MERINO WOOL)

ULTRA MERINO 145 ZIP-T	WEIGHT: 8 oz	\$99.00
NEW ULTRA MERINO 145	WEIGHT:	PRICE:
ZIP-T HOODIE (SHOWN)	9.2 oz	\$119.00
ULTRA MERINO 145	WEIGHT:	PRICE:
ZIP-OFF BOTTOM	6.7 oz	\$89.00

## PELOTON 118 (SYNTHETIC)

PELOTON 118	WEIGHT:	PRICE:
SS CREW-T	4 oz	\$59.00
PELOTON 118	WEIGHT:	PRICE:
LS CREW-T	5.5 oz	\$69.00
PELOTON 118	WEIGHT:	PRICE:
BOXER BRIEF (SHOWN)	3 oz	\$39.00
PELOTON 118  ZIP-OFF BOTTOM	WEIGHT: 5.5 oz	PRICE: \$79.00

## PELOTON 97 FLEECE (SYNTHETIC)

PELOTON 97 FLEECE	WEIGHT:	PRICE:
ZIP-T (SHOWN)	4.5 oz	\$89.00
PELOTON 97 FLEECE ZIP-T HOODIE	₩EIGHT: 5 oz	PRICE: \$99.00
PELOTON 97 FLEECE ZIP-OFF BOTTOM	WEIGHT: 4.5 oz	PRICE: \$89.00

AVAILABLE ONLY AT KUIU.COM OR 800-648-9717 7



# MID LAYER

Worn over the base layer. Designed to pull moisture out through the base layer, add warmth, and provide some protection from the elements. A thicker and more durable garment that can be worn as an outer layer. Hooded options available.

**Merino Wool:** Makes a great mid layer with its ability to absorb moisture, add warmth, and manage your core body temperature.

**Synthetic:** Durable and warm for its weight, absorbs moisture, and dries fast in humid conditions, keeping the user warm.

### New this year:

PRO Merino 200 was designed to regulate body temperature during extreme temperature fluctuations in a short space of time, wick moisture, and control odor. PRO Merino features a revolutionary layered Merino/Poly structure to give you all the next-to-skin benefits of Nuyarn Merino but with the enhanced dry time of hydrophobic eyelet polyester on the outside.

Colors: Vias / Verde 2.0 / Solids









## PELOTON 97 FLEECE (SYNTHETIC)

PELOTON 97 FLEECE	WEIGHT:	PRICE:
ZIP-T	4.5 oz	\$89.00
PELOTON 97 FLEECE ZIP-T HOODIE (SHOWN)	WEIGHT: 5 oz	PRICE: \$99.00
PELOTON 97 FLEECE	WEIGHT:	PRICE:
ZIP-OFF BOTTOM	4.5 oz	\$89.00

## PELOTON 200 (SYNTHETIC)

PELOTON 200 ZIP-T	9.3 oz	PRICE: \$89.00
PELOTON 200	WEIGHT:	PRICE:
ZIP-T HOODIE	11.3 oz	\$99.00
PELOTON 200	WEIGHT:	PRICE:
ZIP-OFF BOTTOM (SHOWN)	7.5 oz	\$89.00

## PELOTON 240 (SYNTHETIC)

PELOTON 240	WEIGHT:	PRICE:
VEST	8.3 oz	\$99.00
PELOTON 240	WEIGHT:	PRICE:
FULL ZIP (SHOWN)	12.4 oz	\$139.00
PELOTON 240	WEIGHT:	PRICE:
Full zip hoodie	15 oz	\$159.00

## PRO MERINO 200 (MERINO WOOL)

PRO MERINO 200	WEIGHT:	PRICE:
ZIP-T	10.6 oz	\$109.00
PRO MERINO 200	WEIGHT:	PRICE:
ZIP-T HOODIE (SHOWN)	11.4 oz	\$129.00
PRO MERINO 200	WEIGHT:	PRICE:
ZIP-OFF BOTTOM	9.5 oz	\$99.00



### **INSULATION LAYER**

Designed to trap and retain warmth, this layer is normally worn over the base and mid layer. Very warm for their weight, these lightweight high-performance garments are often carried in the pack for use when the temperatures drop.

QUIX DOWN\*: Goose down clusters provide the highest warmth-to-weight ratio of any insulation used in garments, and can keep the user warm in very low temperatures. QUIX DOWN® is DWR-treated for water resistance, making it highly impervious to water, and retains loft when wet. Very compressible and adds minimal weight or volume when carried in the pack.

**3DeFX+\*:** Breathable synthetic insulation is perfect for situations when constantly on the move. Its ability to retain loft and warmth even in wet conditions makes this a great option for late cold-weather hunts when rain or snow is expected.

Colors: Vias / Verde 2.0 / Solids









# SUPER DOWN ULTRA (QUIX DOWN®)

SUPER DOWN ULTRA	WEIGHT:	PRICE:
VEST (SHOWN)	4.8 oz	\$199.00
SUPER DOWN ULTRA	WEIGHT:	PRICE:
JACKET	6.4 oz	\$279.00
SUPER DOWN ULTRA	WEIGHT:	PRICE:
HOODED JACKET	7.9 oz	\$299.00
SUPER DOWN ULTRA	WEIGHT:	PRICE:
PANT	8 oz	\$249.00

# SUPER DOWN PRO (QUIX DOWN®)

SUPER DOWN PRO	WEIGHT:	PRICE:
HOODED JACKET (SHOWN)	13.4 oz	\$399.00
SUPER DOWN PRO	WEIGHT:	PRICE:
PANT	16 oz	\$329.00

## KENAI ULTRA (3DeFX+®)

VEST	8.4 oz	PRICE: \$159.00
KENAI ULTRA	WEIGHT:	PRICE:
JACKET (SHOWN)	13.1 oz	\$199.00
KENAI ULTRA	WEIGHT:	PRICE:
HOODED JACKET	14.5 oz	\$219.00

# INSULATED SNAP SHIRT (3DeFX+®)

INSULATED SNAP SHIRT	ULATED SNAP SHIRT WEIGHT:	PRICE:
(SHOWN)	8.3 oz	\$139.00

AVAILABLE ONLY AT KUIU.COM OR 800-648-9717 11



### **OUTER LAYER**

Wear with multiple layers in cold conditions, or alone in warm weather when complete rain protection isn't necessary. A durable first line of protection from the elements, these quiet garments are breathable, highly wind- and water-resistant, and feature high-stretch fabrics for comfort during aerobic activities.

KUIU's technical layers are designed to work together as a system to manage the variable weather conditions faced when hunting. A variety of high-quality materials and design techniques are used in KUIU's outer layers. These materials offer durability, breathability, water resistance, and warmth.

For some ultralight backpack hunts, these outer-layer jackets are skipped to save weight and space, instead selecting a very high-quality insulation layer and rain shell. Either way, it is very important to carry enough layers to meet the demands of changing weather and daily temperature cycles.

### OUTER LAYER







### **ULTRA TIBURON ZIP-T & TIBURON PANT**

CATEGORY:	SEASON:	ZIP-T WT:	PANT WT:
Outer Layer	Early	5 oz	12.5 oz

### DESCRIPTION:

Early-season outer layer shirt and pant. Unmatched breathability and quick-drying, Toray's Dot Air fabric features micro openings in the weave allowing maximum air flow, keeping you cool in hot

summer conditions.			
COLORS: Vias (shown) / Verde 2.0 / Solids	PRICE: \$99.00 Zip-T	PRICE: \$139.0 Pant	

### PELOTON 240 FULL ZIP HOODIE & ATTACK PANT

CATEGORY: SEASON: Outer Layer Early-Mid	JACKETWT: 15 oz	PANTWT: 18.5 oz
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### DESCRIPTION:

Mid-season lightweight jacket and pant. The synthetic Peloton 240 can be used as an outer layer in dry weather or as a mid layer under rain gear. Our best-selling all-purpose Attack Pant combines function, comfort, and durability.

COLORS: Vias / Verde 2.0 (shown) / Solids	PRICE: \$159.00 Jacket	PRICE: \$139.00 Pant
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### **GUIDE DCS JACKET & GUIDE PANT**

CATEGORY:         SEASON:         JACKET WT:         PANT WT:           Outer Layer         Mid-Late         24 oz         19.5 oz	
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### DESCRIPTION:

Late-season jacket and pant. A durable, quiet, fleeced-lined, all-purpose outer layer for use in cool-to-cold conditions. The robust DMR-coated Primeflex® softshell resists wind and light rain or snow, and can be worn alone or layered in the cold.

COLORS: Vias (shown) / Verde 2.0 / Solids	PRICE: \$219.00 Jacket	PRICE: \$169.00 Pant
	Jacket	Pant





### **TALUS HYBRID PANT**

A true hybrid, engineered for the constantly changing conditions hunters encounter in the mountains.

### What is a hybrid garment?

A combination of design techniques, fabrics, and technologies to make a garment more versatile, allowing the wearer to use the garment in a wider range of conditions.

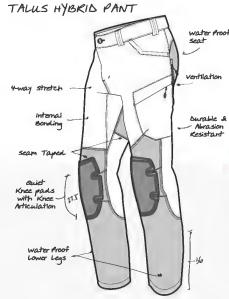
The unique design combines both waterproof and non-waterproof fabrics into a single garment. This hybrid pant combines a highly functional design, breathable high-stretch fabrics, ULTRASUEDE® foam-lined knee pads, and strategically placed waterproof panels. The 3-layer waterproof panels in the seat, knees, and lower legs provide protection when sitting or walking in wet conditions.

Strategic patterning for ease of movement, and a new highly durable Toray Primeflex® stretch woven fabric, makes this midto-late-season hybrid pant capable of handling just about everything expected on the toughest mountain hunts when the ground is always wet.

### 66 Get you a pair!!!!!!

The Talus Hybrid pants are by far the best hunting pant that I've owned... I have recommended that all of my guides get a pair and I would recommend these to anyone else as well.

Cody Brown Wind River Backcountry Outfitters, LLC





## **TALUS HYBRID PANT**

CATEGORY: Outer Layer | season: | Mid-Late

Easily adapting to changing moisture conditions, this part combines breathable high-stretch fabrics and panels of waterproof fabric in the lower legs and seat, with ULTRASUEDE® foam-lined knee pads.

colors: Vias (shown) / Verde 2.0 / Caribou

PRICE: \$209.00



## **PRO PANT**

CATEGORY:	SEASON:	WEIGHT:
Outer Layer	All	19.6 oz

DESCRIPTION:

An all-season, all-terrain hunting pant with new durable
Primeflex® polyester fabric and quiet ULTRASUEDE® foam-lined
knee pads providing protection when kneeling or crawling.

COLORS: Vias / Verde 2.0 (shown) / Dusty Olive PRICE: \$179.00

AVAILABLE ONLY AT KUIU.COM OR 800-848-9717 15





### **AXIS HYBRID JACKET AND PANT**

The Axis breaks the paradigm of restrictive and heavy late-season hunting clothing, and provides the best performance we can design into these critically important garments.

The Axis defines performance and comfort for the active late-season hunter. Featuring an entirely new soft and quiet Toray high-stretch, fleece-backed fabric, enhanced wind resistance through bonding technology, and hybrid waterproof panels to protect from melting snow and wet ground.

Plowing through knee-deep snow on a hunt can be the most physically demanding hunting challenge of your life, plus it's a technical test for hunting equipment. To maximize success, a clothing system that works with your body is paramount: high stretch, breathability, and strategically built waterproofness. These features protect you from the elements while regulating body temperature and perspiration, so you don't get wet.

# OUTER LAYER

## HYBRID DESIGN

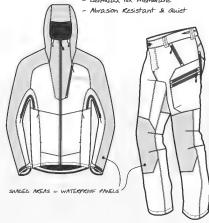
NEW Fabric Development

NEW

Toray high Stretch fleece backed fabric

Hybrid waterproof construction
- Enhanced wind resistance

- Dermizax NX membrane





## **AXIS HYBRID JACKET**

CATEGORY:	season:	WEIGHT:	
Outer Layer	Late	22.3 oz	

Combines design techniques, fabrics, and technologies to make it more versatile, and allow it to be worn in a wider range of conditions. Waterproof hood, shoulders, and tops of arms.

colors: Vias (shown) / Verde 2.0 / Gunmetal \$269.00



# **AXIS HYBRID PANT**

CATEGORY:	SEASON:	WEIGHT:
Outer Layer	Late	23.5 oz

DESCRIPTION:
This hybrid-designed pant redefines comfort and performance for the active late-season hunter. Waterproof seat and knees provide added protection.

COLORS: Vias (shown) / Verde 2.0 / Gunmetal PRICE:

\$229.00



### **RAIN SHELL**

Designed primarily for protection from the rain, this layer also provides protection from the wind and retains warmth.

A complete waterproof, windproof and breathable outermost layer.

All rain shells are not equal. There are many types available: 2-layer, 2.5-layer, 3-layer, rubber and others. If you are in the market for a new rain shell, do your research. All KUIU rain gear features 3-layer construction, the highest-quality Toray DWR-treated stretch fabrics, industry-leading waterproof breathable membranes, taped seams and waterproof zippers. KUIU's 3-layer shells have incredible stretch and durability. Durability is determined by the external DWR-treated face fabric. The Yukon is our most durable, followed by the Chugach NX and then the Northridge.

Designed and manufactured by industry leaders and tested by guides, outfitters, and hunters all over the world.







## YUKON RAIN JACKET & PANT

CATEGORY:	SEASON:	JACKET WT:	PANT WT:
Rain Shell	Mid-Late	23.9 oz	22.3 oz

DESCRIPTION:
Engineered to meet the demands of guides and outfitters in the most demanding conditions. Durable and breathable, the 3-layer reinforced construction allows it to be worn as a primary jacket and pant, reducing weight and bulk.

COLORS:	PRICE:	PRICE:
Vias / Verde 2.0 (shown)	\$379.00 Jacket	\$329.00 Pant

## **CHUGACH NX RAIN JACKET & PANT**

CATEGORY:	season:	JACKETWT:	PANTWT:
Rain Shell	Early-Late	16.7 oz	13.4 oz

DESCRIPTION:
KUIU's award-winning, best-selling 3-layer rain shell is versatile, breathable, and performs in a wide range of conditions.
The Chugach NX is ideal for mountain hunters looking for lightweight, packable rain gear that still provides durability.

olors: ias (shown) / Verde 2.0 / Gunmetal	PRICE: \$299.00 Jacket	PRICE: \$249.00 Pant
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## **NORTHRIDGE RAIN JACKET & PANT**

CATEGORY:	SEASON:	13.6 oz	PANT WT:
Rain Shell	Early-Late		11.2 oz

#### DESCRIPTION:

Made with Toray fabric and waterproof-breathable membrane, this streamlined rain shell provides full protection. Comfortable and durable, the Northridge is an ideal weight and fit for hunts with the potential for unexpected downpours.

COLORS:		PRICE:
Vias / Verde 2.0 (shown)	\$249.00	\$199.00
	Jacket	Pant

#### TECHNOLOGY BEHIND OUR PRODUCTS

## TECH NOL OGY

#### Leading the Way in Innovation and Technology.

KUIU is the leader in the ultralight hunting apparel industry. Through innovation, technology, advanced engineering, and manufacturing, KUIU has set a new

quality and performance standard for apparel and gear. Realizing needs, finding areas that can use improvement, and then solving these problems is our focus. Pushing the boundaries of lightweight, durability, and functionality, and "real world field testing" by guides, outfitters, and hunters, our product line is designed to be dependable in the most extreme conditions in the world.

#### **Advanced Technology Found in KUIU Products**

3DeFX+® Carbon Fiber

Primeflex® Cordura® Fabric QUIX DOWN®

Dermizax® NX Makspec® Odor Control

Dot Air Nuyarn® TPU-Coated Nylon Spacer Air Mesh Duraflex® Hardware Scarpa Boot Technology Easton® Carbon Fiber Stunner® Stretch

Fujix® Resilon Thread Toray® Sports Division Fabric

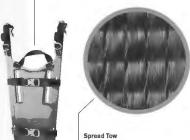
Karushi Fleece Toray Delfy®

ULTRASUEDE® Fabric Kudos® XR DWR

YKK Zipper® Technology

Pittards® Oil-Tac Leather

# **CARBON FIBER**



Carbon Fiber Frame Stacked and stitched (not woven) for optimal strength, stiffness and weight.

#### KUIU created the world's first molded carbon fiber pack frame.

Designed for optimal balance between strength and stiffness, without added weight, to move with your body more comfortably. KUIU has taken advantage of the latest developments in the carbon fiber composite industry to create the ultimate lightweight and durable backpack frame. Carbon fiber is used in airplanes, racing cars, bicycles, and now backpack frames.

FEATURED IN: Pack Frames

KUIU's patented carbon fiber frame weighs only 11

ounces, yet carries heavy loads easily.

# NUYARN® BY THE MERINO WOOL CO.



Nuvarn compared to traditional

35% stretchier

38% loftier 25% warmer

16% stronger and dries 5x faster



#### Nuyarn® is not a new fabric, it's a new way of making fabric.

KUIU's quest for the finest ingredients led us to New Zealand, and Nuyarn. Nuyarn takes the twist out of yarn, and instead lays fibers along the same orientation, so the fabric is less prickly, loftier, warmer and more comfortable yet becomes stronger. Changing the very fabric of yarn, Nuyarn technology allows lighter-weight garments to outperform heavier traditional ring spun garments.

FEATURED IN: ULTRA Merino Products

#### TECHNOLOGY BEHIND OUR PRODUCTS

# QUIX DOWN® BY TORAY



Waterproof

In a real-world technology test, two jars were filled with equal amounts of water and thoroughly shaken to expose the down to water.

Regular down became saturated and lost its loft. QUIX DOWN® repelled the water and kept its loft.

#### Unmatched in the industry. No other **DWR-treated down compares.**

Each individual down cluster is treated with DWR, making it essentially waterproof. After several hours of testing by the International Down and Feather Laboratory, other leading DWR-treated down failed. The IDFL could not get QUIX DOWN® to fail. 850+ fill power, and a 95/5 down to feather ratio, QUIX DOWN® is only made from the highest quality Polish goose down.

FEATURED IN:

Super Down Pro and ULTRA, Sleeping Bags, and Glassing Glomitt

# 3DeFX+® BY TORAY



3DeFX+® Insulation Four types of coil-shaped, spiraling yarns form this unique stretch insulation. The high loft of hollow-core varns traps air. retaining warmth.

#### Active insulation - made to breathe while on the move.

This Toray innovation combines proprietary insulation made from coil-shaped fibers with an array of stretch fabrics to provide a garment with unmatched breathability, warmth and freedom of movement. Its continuous fiber technology is loftier, stretchier and more durable than other synthetic insulation. The perfect activewear for on-the-move use when hunting.

FEATURED IN:

Kenai ULTRA, Versa, and Insulated Snap Shirt

#### PRIMEFLEX® BYTORAY



Spiral Yarn Toray's innovative spiral yarn technology increases fabric durability and decreases weight and drying time.

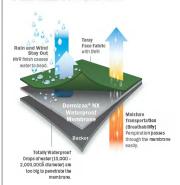
#### Primeflex® fabrics stretch without the addition of elastomers.

Stretch without elastics is critical to performance and fit of a garment. Patented Primeflex® spiral yarn is engineered to stretch and recover without elastic fibers. The result is a high-performance, more comfortable, durable fabric that weighs 40% less than traditional yarns. Traditional yarns use elastic to create stretch, are heavier, absorb water, and wear out quickly.

FEATURED IN:

Most Jackets, Pants, Rain Gear, and Synthetic Base Layers

## **DERMIZAX® NX** BY TORAY



#### Setting a new standard in waterproof breathable membrane technology.

Toray's Dermizax® NX membrane is completely waterproof and windproof, and offers four-way-stretch comfort while eliminating bulk and weight. Its smooth texture and lightweight configuration make Dermizax® NX up to four times more breathable than other waterproof membranes, and the perfect choice for super lightweight, waterproof breathable apparel.

Yukon and Chugach NX Rain Gear





#### **KUIU YOUTH COLLECTION**

Cash Hairston's love of hunting with his father was the inspiration for the KUIU youth line. For hunters with kids, your children can enjoy the same comfort and function of KUIU, staying warm in the field and carrying on the tradition of hunting.

#### YOUTH ICON CAP

CATEGORY: | WEIGHT: Headwear | 2 oz PRICE: \$16.00

colors: Vias / Verde 2.0 / Major Brown (shown)





#### **YOUTH PELOTON 240 BEANIE**

category: Headwear | SEASON: | WEIGHT: | Early-Late | 1.1 oz

DESCRIPTION:

Lightweight, wind-resistant and very warm, this fleece beanie can be used in a wide range of conditions.

coLors: PRICE: \$29.00

#### YOUTH FLEXFIT® **AIR MESH DELTA CAP**

CATEGORY: CATEGORY: WEIGHT: Headwear 2.6 oz PRICE: \$24.00

colors: Vias / Verde 2.0 (shown) / Stone











#### YOUTH ENDURO LS CREW-T

CATEGORY: Base Layer (Synthetic)	SEASON:	WEIGHT:	
base Layer (Synthetic)	Larry-Lave	4.5 02	

DESCRIPTION:

ldeal as an outer-layer tee in warm weather or a base layer in the cold, this lightweight synthetic shirt wicks moisture and dries quickly to assure your young hunter stays warm in the field.

COLORS:	
Vias (shown) / Verde 2.0	

PRICE: \$39.00

#### YOUTH REVERSIBLE VERSA JACKET

CATEGORY:	SEASON:	WEIGHT:	
Insulation (Synthetic)	Mid-Late	8.3 oz	

DESCRIPTION:

Lightweight, durable, and reversible, this breathable synthetic-fill jacket is comfortable during strenuous activity when it's cold. Wear as an insulation layer or outer layer jacket.

OLORS:	PRICE:
ias-Smoke / Verde 2.0-Smoke	\$139.00
shown)	

## YOUTH SIERRA PANT

CATEGORY: Outer Layer Pant		WEIGHT: 10.7 oz
odter Edyor Fant	Lany wild	1 10.7 02

DESCRIPTION:

Designed to withstend the abuse of a youth hunter, this versatile, durable, and water-resistant stretch woven pant has an ideal weight and fit for year-round adventures in the field.

colors:	PRICE:
Vias (shown) / Verde 2.0	\$89.00

## YOUTH RUBICON JACKET

CATEGORY:	SEASON:	WEIGHT:
Soft Shell	Mid-Late	13.5 oz

DESCRIPTION:

Durable, versatile, and highly wind- and water-resistant, the softshell Rubicon jacket delivers essential protection in mixed weather conditions. A fitted hood adds warmth and concealment.

COLORS:	PRICE:
Vias / Verde 2.0 (shown)	\$119.00



Ultralight warm weather kit.

An early-season, warm-weather, ultralight backpack hunt. Game is typically found at the highest elevations of the hunt area, often requiring long ascents from the valley floor. Temperatures range from the mid 40's to 90 degrees and thunderstorms are expected in the afternoons. The kit we recommend for this hunt consists of our lightest weight garments to address the heat; although when layered together, this kit will keep the user warm and dry should precipitation or unexpected lows persist.

Hunt Type	2-5 Night Backpack
Season	Early
High Temp	90°F / 32°C
Low Temp	45°F / 7°C
Precipitation	Afternoon Showers
Snow	No
Wind	Light









## PELOTON 118 SS CREW-T

category:	WEIGHT:	PRICE:
Base Layer	4 oz	\$59.00

## ULTRA MERINO 125 LS CREW-T

CATEGORY:	WEIGHT:	PRICE:
Base Layer	6.1 oz	\$79.00

#### **TIBURON SNAP SHIRT**

CATEGORY:	WEIGHT:	PRICE:
Mid Layer	6.2 oz	\$129.00

#### **PELOTON 240 FULL ZIP**

12.4 oz	\$139.00
	1 '

DESCRIPTION:
A lightweight synthetic grid fleece mid layer featuring a revolutionary wind-resistant bonded construction. It can be worn as a mid layer under rain gear, or as an outer layer in dry weather.

coLors: Vias / Verde 2.0 (shown)

## SUPER DOWN ULTRA JACKET

CATEGORY:	WEIGHT:	PRICE:
Insulation Layer	6.4 oz	\$279.00

DESCRIPTION:
Designed for the hunter looking for the lightest
insulation available. DWR treatment makes
the down impervious to moisture. This jacket
should be in your pack on every hunt.

COLORS: Vias / Verde 2.0 (shown) / Major Brown / Black / Olive / Phantom

## **NORTHRIDGE RAIN JACKET**

CATEGORY:	WEIGHT:	PRICE:
Rain Shell	13.6 oz	\$249.00

DESCRIPTION:
Streamlined with an optimum weight and fit for hunts when protection from unexpected downpours are required. Made with Toray fabrics and waterproof breathable membrane.

colors: Vias / Verde 2.0 (shown)













#### **SCARPA R-EVOLUTION BOOT**

category:	WEIGHT:	PRICE:
Footwear	2 lbs 15 oz (pair)	\$279.00
TOOLHOU	T IDO TO OF (ball)	+=10.00

DESCRIPTION:
The most versatile boot KUIU offers. A light-weight, uninsulated hiker for moderate, mixed terrain. The perfect balance of weight, flexibility, and ruggedness to tackle most lower-48 hunts.

COLORS: Grey-Green

#### **TIBURON PANT**

CATEGORY:	WEIGHT:	PRICE:
Outer Layer	12.5 oz	\$139.00

DESCRIPTION:
The perfect part for warm early-season hunts.
Featuring Dot Air technology, this highlybreathable pant excels in harsh temperatures
on summer scouting trips and early fall hunts.

Vias / Verde 2.0 (shown) / Loden / Khaki / Gunmetal / Major Brown

#### **NORTHRIDGE RAIN PANT**

CATEGORY:	WEIGHT:	PRICE:
Rain Shell	11.2 oz	\$199.00

DESCRIPTION:
Made with lightweight Toray fabric and waterproof breathable membrane, this streamlined rain pant is ideal for early season hunts and unexpected downpours. It compresses for easy pack storage.

COLORS:

Vias / Verde 2.0 (shown)

#### MIDWEIGHT MOUNTAIN SOCK

CATEGORY:	WEIGHT:	PRICE:
Footwear	2.5 oz	\$25.00

#### PELOTON 118 BOXER BRIEFS

CATEGORY:	WEIGHT:	PRICE:
Base Laver	3 oz	\$39.00

#### **SCREE GAITER**

CATEGORY:	WEIGHT:	PRICE:
Footwear	4.4 oz (pair)	\$49.00













#### **ULTRA MERINO 145 NECK GAITER**

CATEGORY:	WEIGHT:	PRICE:
Headwear	0.9 oz	\$26.00

## **ULTRA MERINO 145 BEANIE**

CATEGORY:	WEIGHT:	PRICE:
Headwear	0,7 oz	\$26.00

#### PRO MESH BACK CAP

CATEGORY:	WEIGHT:	PRICE:
Headwear	2.1 oz	\$25.00

#### **ULTRA 5500 FULL KIT**

CATEGORY:	WEIGHT:	PRICE:	Glo
Packs	3 lbs. 15.8 oz (full kit)	\$419.00	
Facks	3 lbs. 13.0 02 (luli kit/	3423.00	GIG

DESCRIPTION:
Sized to carry food, water, and lightweight gear
for up to 7-day backpack hurts. The ULTRA pack
line focuses on simplicity and minimal features
to provide a truly ultralight base pack weight.

COLORS:

Vias / Verde 2.0 (shown) / Phantom-Olive

### ATTACK GLOVE

CATEGORY:	WEIGHT:	PRICE:
Gloves	2.9 oz (pair)	\$59.00

DESCRIPTION:

Designed to provide incredible dexterity while keeping your hands protected. Durable and quick-drying with second-skin feel, the Attack Glove is an amazing early-season do-it-all glove.

COLORS:

Vias / Verde 2.0 (shown)

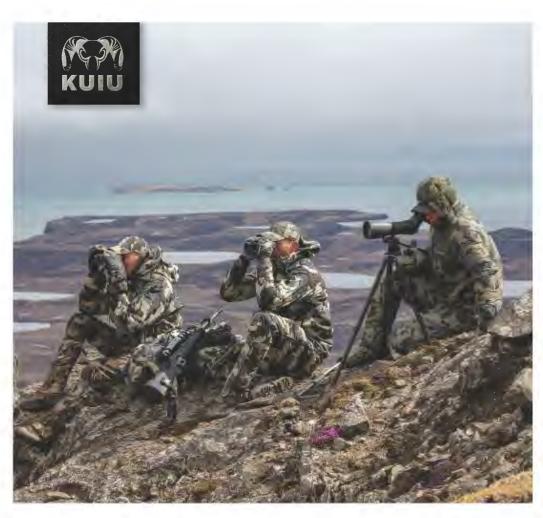
## SUMMIT STAR 1P TENT

CATEGORY: Sleep System	WEIGHT: 15 oz (tent fly)	\$239.00

DESCRIPTION:

An ultralight single-person shelter with incredible versatility, modularity, and ample area for sleeping and gear storage. Trekking pole pitch, single- and double-wall configuration options.

Gunmetal-Orange / Gunmetal-Camel (shown)



A kit for unpredictable conditions.

A mid-season, cool-weather, ultralight backpack hunt where a lightweight kit is vital to cover ground quickly and efficiently. The kit for this hunt must address unpredictable weather and much cooler conditions. The optimal system includes warmer base layers, an additional mid layer, heavier outer layers, and more accessories. These kit adjustments will keep the user comfortable during the colder mornings and evenings, and during unexpected weather changes.

Hunt Type 5-7 Night Backpack

Season Mid

 High Temp
 70°F / 21°C

 Low Temp
 35°F / 2°C

Precipitation Thunder Showers

Snow No

Wind Periodic Gusts











#### **ULTRA MERINO 145 ZIP-T**

CATEGORY:	WEIGHT:	PRICE:
Base Layer	8 oz	\$99.00

#### PELOTON 97 FLEECE ZIP-T HOODIE

CATEGORY:	WEIGHT:	PRICE:
Base Layer	5 oz	\$99.00

#### **SUPER DOWN ULTRA JACKET**

CATEGORY: WEIGHT: Insulation Layer 6.4 oz	\$279.00
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DESCRIPTION:
Designed for the hunter looking for the lightest and warmest insulation available. DWR-treated, making the down impervious to moisture. This highly compressible jacket should be in your pack on every hunt.

Vias (shown) / Verde 2.0 / Major Brown / Black / Olive / Phantom

#### **KENAI ULTRA VEST**

	/EIGHT: PRICE: <b>\$159.00</b>
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DESCRIPTION:

An ultralight core insulator for day or extended hunts. This synthetic insulation layer adds warmth for active adventures in cold places.

The insulation is body-mapped for comfortable use with a backpack.

Vias (shown) / Verde 2.0 / Gunmetal

## **CHUGACH NX RAIN JACKET**

CATEGORY:	WEIGHT:	PRICE:
Rain Shell	16.7 oz	\$299.00
	1	

DESCRIPTION:
This customer favorite is a great choice for backpack and day hunts. Constructed with a waterproof breathable 3-layer laminate, and four-way-stretch fabric, this rain shell performs in a wide range of conditions.

Vias (shown) / Verde 2.0











#### **SCARPA REBEL K GTX**

CATEGORY:	WEIGHT:	PRICE:
Footwear	3 lbs 2 oz (pair)	\$449.00

#### **ULTRA MERINO CREW SOCK**

CATEGORY:		PRICE:
Footwear	3.1 oz (pair)	\$30.00

## YUKON GAITER

category:	WEIGHT:	PRICE:
Footwear	12 oz (pair)	\$89.00

#### **PELOTON 118 BOXER BRIEFS**

category: Base Layer	WEIGHT: 3 oz	\$39.00	
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# PELOTON 97 FLEECE ZIP-OFF BOTTOM

CATEGORY:	WEIGHT:	PRICE:
Base Layer	4.5 oz	\$89.00

## PRO PANT

CATEGORY:	WEIGHT:	PRICE:
Outer Layer	19.6 oz	\$179.00

DESCRIPTION:
An all-season, all-terrain hunting pant with new
durable Primeflex® polyester fabric and quiet
ULTRASUEDE® foam-lined knee pads to provide
protection when kneeling or crawling.

COLORS: Vias (shown) / Verde 2.0 / Dusty Olive

## **CHUGACH NX RAIN PANT**

CATEGORY:	WEIGHT:	PRICE:
Outer Layer	13.4 oz	\$249.00

DESCRIPTION:

Our most popular rain pant is constructed with a high-stretch 3-layer highly-breathable laminate, is durable, packable, and absolutely waterproof. Full-length leg zips for easy on and off and ventilation.

colors: Vias (shown) / Verde 2.0 / Gunmetal















## **PELOTON 97 FLEECE NECK GAITER**

CATEGORY:		PRICE:
Headwear	0.8 oz	\$25.00

## **PELOTON 97 FLEECE BEANIE**

CATEGORY:	WEIGHT:	PRICE:
Headwear	0.4 oz	\$25.00

#### **KUIU PRO CAP**

CATEGORY:	WEIGHT:	PRICE:
Headwear	2.3 oz	\$25.00

#### **ICON PRO 7200 FULL KIT**

CATEGORY: Packs	WEIGHT: 6 lbs 0.9 oz (full kit)	\$529.00

DESCRIPTION:
A full-featured pack capable of carrying enough gear for up to 14 days in the field. Functional and lightweight, this guide caliber pack is designed to comfortably carry the heaviest loads.

Vias (shown) / Verde 2.0 / Phantom-Olive

## **ULTRA MERINO 210 GLOVE**

CATEGORY: Gloves		PRICE: \$39.00
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## YUKON PRO GLOVE

CATEGORY:		PRICE:
Gloves	4.6 oz (pair)	\$109.00

## **MOUNTAIN STAR 2P TENT**

CATEGORY:	WEIGHT:	PRICE:
Sleep System	3 lbs 3.3 oz	\$450.00
Sleep System	3 IDS 3.3 0Z	3450.00

DESCRIPTION:

A free-standing, double-wall, 3+ season tent with an exterior pole design, built to be light, durable, and storm worthy. Dual vestibule with side access for easy entry and storage.

Gunmetal-Orange / Gunmetal-Olive (shown)

# PACK SYSTEM



# ICON PRO 1850 | 2200 | 3200 | 5200 | 7200 (SHOWN)

category: Packs	SEASON:	<b>weight</b> :   6 lbs 0.9 oz (7200 full kit)	
DESCRIPTION			

Designed to be durable and carry massive loads comfortably. The very functional ICON PRO offers extensive internal and external pocketing to organize and carry gear. Fully modular with all ICON PRO and ULTRA bags and suspensions.

OLORS:	PRICE:
ias / Verde 2.0 /	\$529.00
Pharitom-Steel Grey (shown)	(7200 full kit)



# **ULTRA** 2200 | 4000 | 3200 | 5500 | 7000 (SHOWN)

CATEGORY: Packs	SEASON:	WEIGHT: 4 lbs 6 o	z (7000 t	full kit)	

DESCRIPTION:
KUIU's ULTRA Pack line is the lightest hunting pack system
available. These packs minimize weight while maintaining
performance, durability, and the versatility of a modular pack
system. Tear-resistant, featuring a streamlined minimalist design.

#### **FULLY MODULAR FOR ALL TYPES OF HUNTS**

1 Frame 2 Suspensions 9 Bags

The Choice of Outfitters, Guides, and Hunters Worldwide

- Over 60,000 Sold



#### ICON PRO PACK SYSTEM

Guide-caliber durability. Full-featured and designed to carry heavy loads comfortably, providing unparalleled functionality and storage.

#### **ULTRA PACK SYSTEM**

The lightest hunting pack system available. Brilliantly simple, minimizing weight while maintaining performance and durability.

Select a frame and a suspension, and any of the 9 bags will fit. Change from one bag to another quickly.



















ICON PRO 1850 ICON PRO 2200 ICON PRO 3200

ICON PRO 5200

ICON PRO 7200

**ULTRA 7000** 

ULTRA 5500

**ULTRA 4000** 









#### **VENTURE 2300**

CATEGORY:	SEASON:	WEIGHT:
Stand-Alone Day Pack	All	3 lbs 9.4 oz

DESCRIPTION:

A larger-capacity technical day pack for gear-intensive hunts and/ or those carrying large optics. Made with an internal frame, and many organizational features, this day pack is designed for the hunter that demands durability, versatility, and all-day comfort. Not compatible with the ICON PRO or ULTRA Packs.

COLORS:	
Vias / Verde 2.0 (shown) / Phantom-Olive	

**VENTURE 1800** CATEGORY: SEASON: Stand-Alone Day Pack All

PRICE: \$219.00

DESCRIPTION: DESCRIPTION:
A stand-alone day pack for scouting and short-duration hunts.
An internal frame provides structure and comfort when carrying
a load, and sufficient pocketing for storage and organization.
Ideal for carrying a minimal amount of gear and optics for those
days you're not planning to venture too far.

WEIGHT: 3 lbs 3 oz

OLORS:	PRICE:
ias / Verde 2.0 / Phantom-Olive (shown)	\$189.00

## **STALKER 500**

CATEGORY: S Compact Day Pack	EASON: WEIGHT: 8.6 oz
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DESCRIPTION:

A dual-purpose, compact day pack designed to carry essential small items and doubles as a hydration bag holder for our larger packs. Hangs inside the larger ICON PRO and ULTRA packs, and is easily removed to be used during a final stalk or as a small lightweight pack.

COLORS:	PRICE:
Vias (shown) / Verde 2.0 / Phantom / Major Brown	\$59.00















#### SUMMIT REFUGE COMPONENTS

Tent Fly | 1 lb 8.6 cz | \$300.00

Mesh Tent Body | 1 lb 1.8 cz | \$170.00

Footprint | 8.9 cz | \$90.00

Stove Jack | 4.7 cz | \$40.00



\$300.00 Tent Fly





PRICE: \$450.00

## SUMMIT STAR 1P COMPONENTS

Tent Fly | 15 cz | \$239.00 Mesh Tent Body | 10.5 cz | \$129.00 Footprint | 4.8 cz | \$79.00 Pole | 4.2 cz | \$20.00

Modularity: Configuration options similar to Summit Refuge 3P



#### **SUMMIT REFUGE 3 PERSON TENT**

CATEGORY:	SEASON:	WEIGHT:
Sleep System	3+	1 lb 8.6 oz

The ultimate in versatility, modularity, and a huge floor area at an incredible weight.
Three configurations in this 3+ season shelter: Fly, Fly & Footprint, and Fly, Body & Footprint.

FEATURES:	
Dual vestibules / Trekking	
pole supported / Wood stove	
compatible / Waterproof	

#### **STORM STAR 2 PERSON TENT**

CATEGORY:	SEASON:	WEIGHT:	
Sleep System	4	5 lbs 5 oz	

Storm-worthy and lightweight, this free-standing, double-wall tent with an exterior pole design was built for the hunter needing 4-season protection. Dual side vestibule for easy entry.

	PRICE:
	\$600.00
Dual vestibules / Highly waterproof	

#### **MOUNTAIN STAR 2 PERSON TENT**

category:	SEASON:	WEIGHT:	
Sleep System	3+	3 lbs 3.3 oz	

DESCRIPTION:
A free-standing, double-wall, 3+ season tent with an exterior pole design, built to be light, durable, and storm-worthy. Dual vestibule with side access for easy entry and lots of storage.

FEATURES:
Asymmetric shape /
Dual vestibules / Waterproof

# **SUMMIT STAR 1 PERSON TENT**

CATEGORY:	SEASON:	WEIGHT:
Sleep System	3+	15 oz

NEW

DESCRIPTION:
An ultralight single-person shelter with incredible wersatility, modularity, and ample area for sleeping and gear storage. Trekking pole pitch, increased doublewall confiduration options. single- and double-wall configuration options.

Asymmetric shape / Trekking pole supported / Single vestibule / Waterproof

\$239.00 Tent Fly



#### **GLOVE SYSTEM**



SUPER DOWN PRO GLASSING GLOMITT

SEASON:	WEIGHT:	PRICE:
Mid-Late	5.9 oz (pair)	\$119.00

DESCRIPTION:

This updated glassing mitt now includes an independent index finger with a trigger slot for more dexterity.



TRIGGER GLOMITT

season:	WEIGHT:	PRICE:
Mid-Late	8.3 oz (pair)	\$119.00
IVIIG LUCC	O.S OZ (Pall)	9220.00

DESCRIPTION:

Heavily-insulated synthetic glomitt-style glove with gauntlet cuff and Pittards<sup>®</sup> leather on the palm.



**EXPEDITION GLOVE** 

SEASON:		PRICE:
Mid-Late	7.2 oz (pair)	\$119.00

DESCRIPTION:

Form-fitting, mid-to-late-season waterproof insulated glove for wet and cold conditions.



NORTHSTAR GLOVE

SEASON:	WEIGHT:	PRICE:
Mid-Late	7.1 oz (pair)	\$129.00

DESCRIPTION:

Waterproof, windproof and insulated, this glove excels in late-season extreme weather conditions.



# **KUIU GLOVE SYSTEM**

KUIU offers a complete line of gloves totally effective in all hunting conditions and temperatures. Gloves can be worn alone for protection during hunts or layered for additional warmth in extreme conditions.



YUKON PRO GLOVE

SEASON:	WEIGHT:	PRICE:
Early Mid	16 oz (pair)	6100 00

DESCRIPTION: Incredibly versatile, lightly-insulated waterproof glove perfect for mid-to-late-season hunts.



ASON:	WEIGHT:	PRICE:
arlv-Mid	A oz (pair)	\$69.00

DESCRIPTION:
A proven all-around winner from the beginning, this glove provides durability, dexterity, and protection.



ATTACK GLOVE

SEASON:	WEIGHT:	PRICE:
Farly	2.9 nz /nair)	\$59.00

PESCRIPTION:
Form fitting do-it-all hunting glove providing dexterity while keeping your hands protected.



AXIS GLOVE

SEASON:	WEIGHT:	PRICE:
Corbs	2 E pr (poir)	640.00

A wind and highly water-resistant form-fitting glove. Provides great dexterity, and is ideal for bow hunting.



**ULTRA MERINO 210 GLOVE** 

SEASON:	WEIGHT:	PRICE:
Early	1.4 oz (pair)	\$39.00

A base-layer glove with a perfect balance of durability and comfort. Effective in a range of conditions.









# **SCREE GAITERS**

WEIGHT:	PRICE:
4.4 oz (pair)	\$49.00

DESCRIPTION:
LOW-profile gaiter designed to keep rocks and debris out of your boots. Four-way-stretch and highly-breathable, these gaiters are perfect for early-season and dry-weather hunts.

COLORS:

Vias / Verde 2.0 (shown) / Graphite

## **YUKON GAITERS**

weight: PRICE: 12 oz (pair) \$89.00
-------------------------------------

DESCRIPTION:

Designed with only one thought: DURABILITY. Full-length and waterproof, the front line of defense against the constant abuse that the lower leg receives when hunting.

COLORS:

Vias (shown) / Verde 2.0 / Graphite / Loden / Major Brown

## **ULTRA MERINO CREW SOCK**

WEIGHT:	PRICE:
3.1 oz (pair)	\$30.00

DESCRIPTION:
Wear comfortably for days on end. This
lightweight, technical sock is designed for
high-stress outdoor activity where additional
technical support of the feet is required.

COLORS: Grey-Green

## **CLIMBING BELT**

WEIGHT:	PRICE:
3.5 oz	\$20.00 - \$25.00

DESCRIPTION:

bescription: Lightweight and durable, the Climbing Belt is perfect for hurting or everyday wear. Made with 100% nylon and a molded aluminum buckle that doubles as a safety clip for climbing.

COLORS:

Vias / Verde 2.0 / Major Brown (shown) / Phantom







## **PELOTON 200 BALACLAVA**

WEIGHT: 1.8 oz PRICE: \$30.00

DESCRIPTION:
Comfortable, moisture-wicking and quick-drying, the synthetic mid-layer Baladava covers the whole head and neck making it perfect for full concealment in cold weather.

COLORS:

Vias (shown) / Verde 2.0

#### **DOPP KIT**

WEIGHT: 2.1 oz PRICE: \$19.00

DESCRIPTION:

A minimalist waterproof, rugged, and compact bag designed for organizing tolletries or other small gear. A perfect size for your next hunting trip or traditional travel.

COLORS:

# **KUIU BONED-OUT GAME BAG**

WEIGHT: 2.3 - 2.9 oz \$19.00 - \$29.00

DESCRIPTION:

KUIU has taken a technical approach to game bag design, applying advanced construction and patterning to make a better-performing and longer-lasting system for meat care.

COLORS:

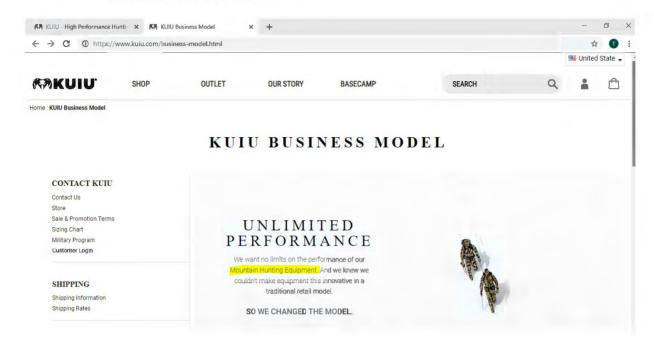
## **KUIU QUARTER GAME BAG**

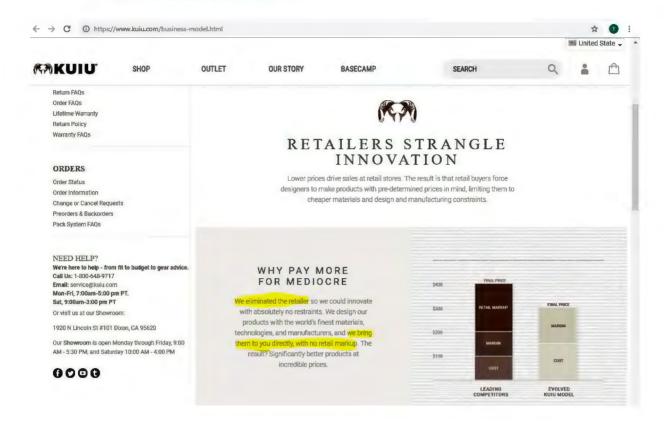
WEIGHT: 2.1 oz - 7.2 oz \$14.00 - \$29.00

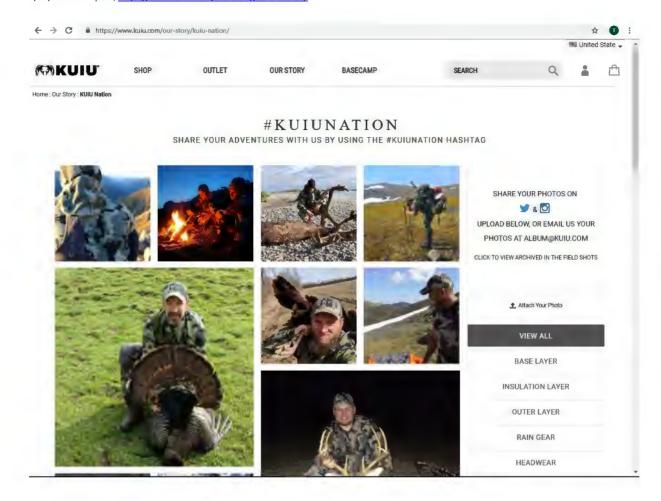
DESCRIPTION:
Made with lightweight, high-strength, and
extremely-breathable nylon fabric, our game
bags will protect meet from debris and flies
while allowing it to cool and dry quickly.

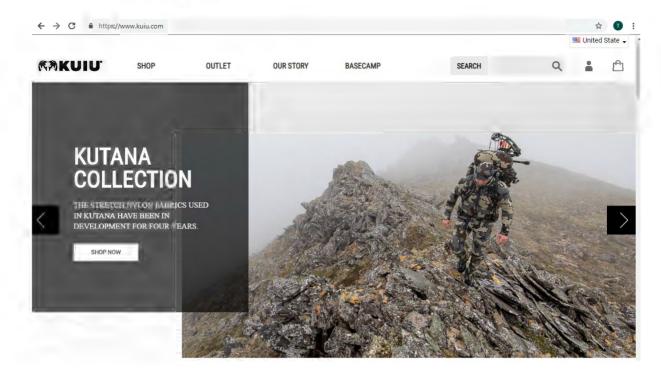
COLORS: White-Orange

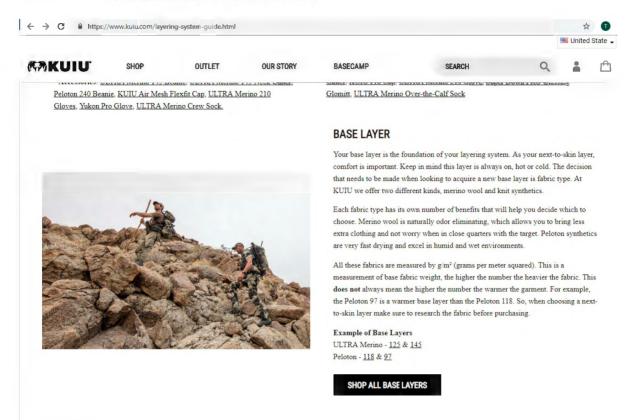




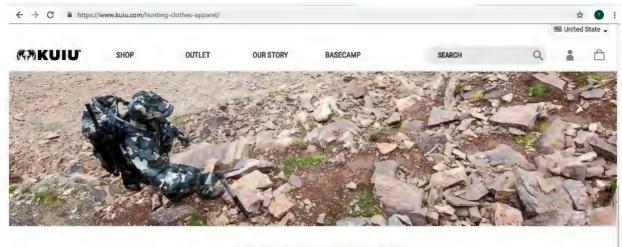








MID I AVED



# LAYERING SYSTEM

OUR LAYERING SYSTEM IS DESIGNED TO KEEP YOU COMFORTABLE AND DRY ON ANY HUNT, WHILE REDUCING WEIGHT AT EVERY OPPORTUNITY.



SHOP BASE LAYER



SHOP MID LAYER





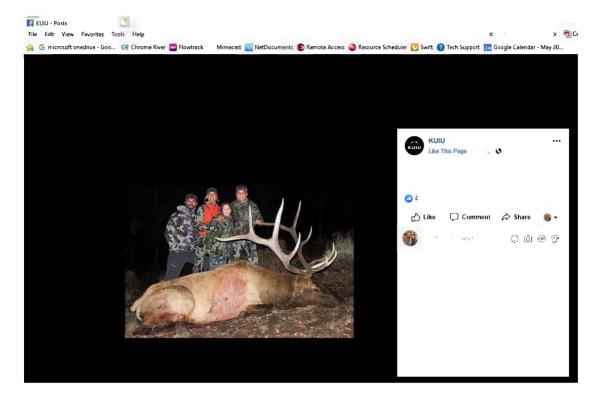


SHOP RAIN GEAR

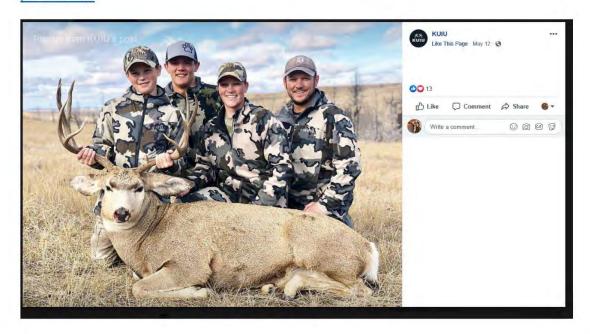




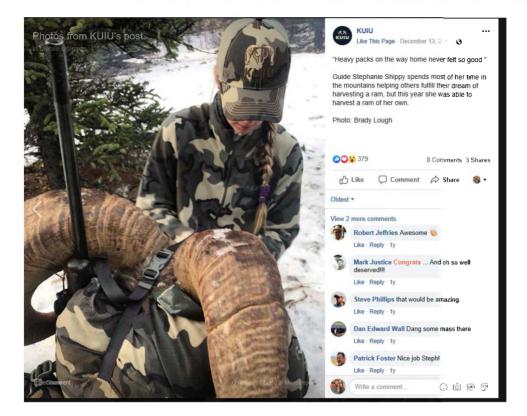
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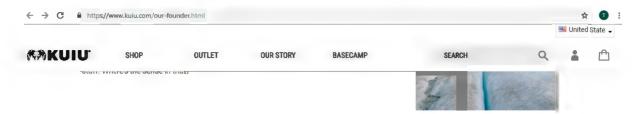


 $6/26/19 \text{ at 2:03 p.m.,} \\ \underline{\text{https://www.facebook.com/KUIUultralight/photos/pcb.10158448947364951/10158448946844951/?tv} \\ \underline{\text{pe=3\&theater}}$ 









## Roots and tradition of hunting

I grew up reading about hunting lore and legend (Fred Bear, Saxton Pope, Art Young) and listening to hunting stories told around the campfire. Hunting has always been as much about adventure and experience and survival as anything else. I mean, the kill is the reason for taking a bush plane into Unalakleet, landing on a gravel bar and floating a river for nine days. Without a tag and the hunt you wouldn't have a reason to be there. But the whole process—the gear selection and packing, the travel, all of the pieces that need to come together, and all of the hard work and effort hiking and setting up camp and dealing with the weather—that's all a part of the experience.



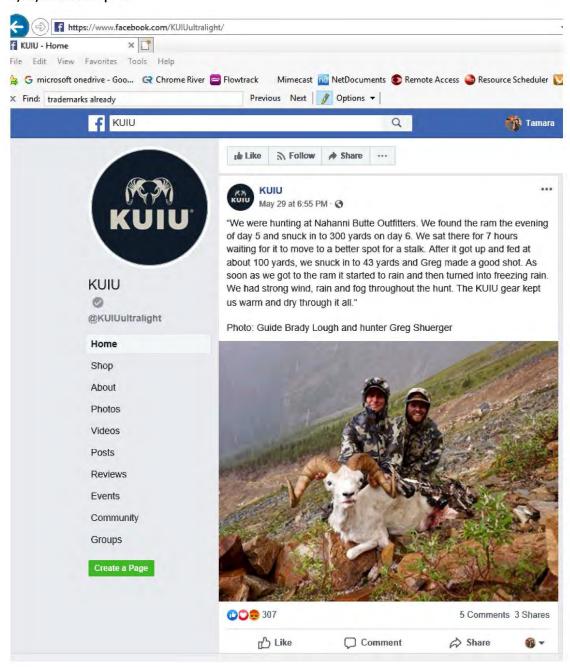
The roots and tradition of hunting have always been important to me. I want KUIU to continue to contribute to the tradition through storytelling. I want KUIU to be a source of inspiration by living and breathing Mountain Hunting.

# The pinnacle of hunting

I also want our customers to know they can absolutely and unconditionally trust KUIU. I want them to know we live and breath Mountain Hunting, that we do our homework and research, that we're out there hunting in and testing all of our products—in the hardest and most demanding of environments and conditions. In fact, the standard against which we measure and test KUIU is sheep hunting. Sheep hunting is an expedition. Weather and storms are always an issue, temperatures swing wildly, and it's often wet and cold. The landscape is harsh and unforgiving—steep rock fields, glaciers, roaring river crossings, often requiring bouldering and sidehilling. Sheep hunting requires huge investments in terms of money and time. It requires massive amounts of physical and mental preparation. It's the pinnacle of Mountain Hunting, and as such, it's the most demanding on gear. That's why we exist, to build gear that meets these demands.



# 6/26/19 at 12:34 p.m.





KUTANA

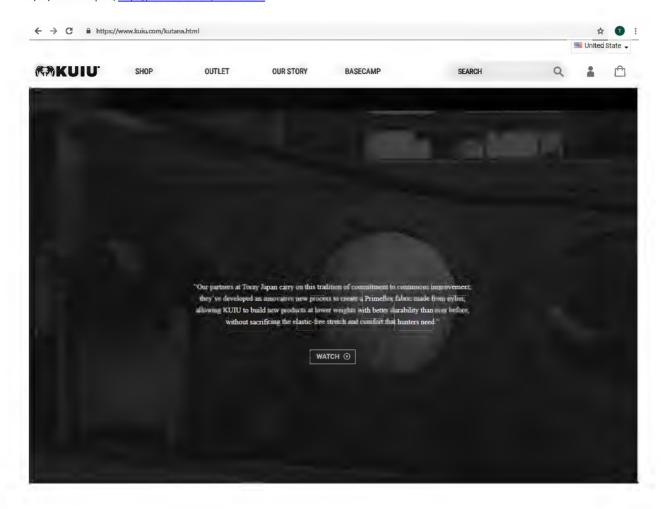
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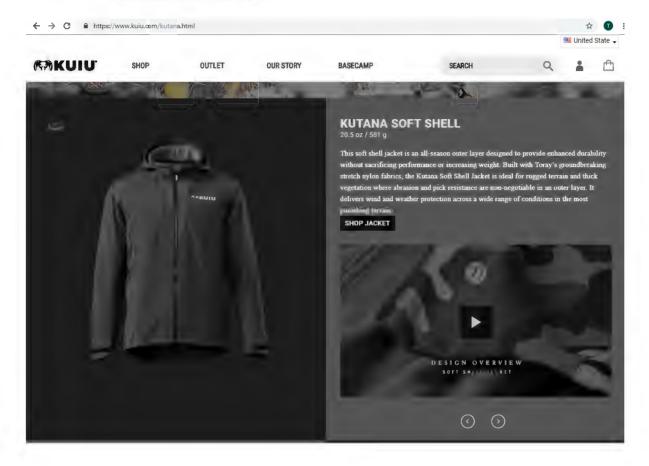


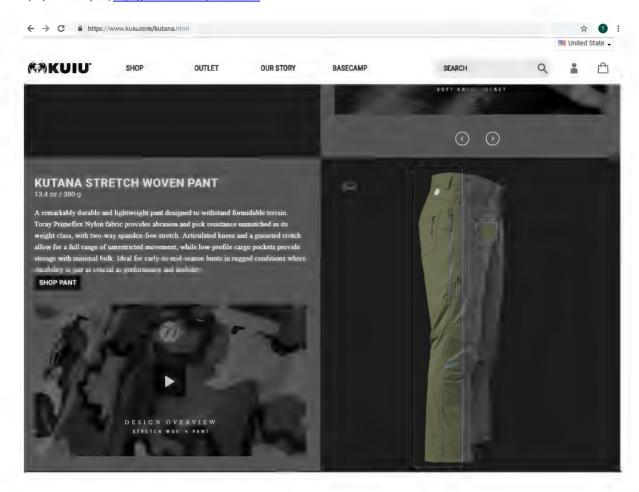
# **ULTRALIGHT DURABILITY**

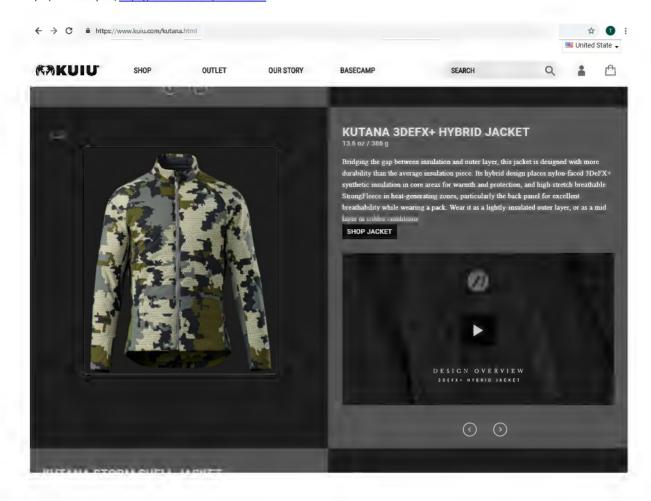
Innovation is embedded in KUIU's DNA. We are obsessed not only with improving our products but with improving our customers' overall hunting experience. The stretch nylon fabrics used in Kutana have been in development for four years due to our relentless commitment to improving durability and performance while reducing weight. Through continuous development and testing, we created our next line of innovation, a collection of products that bring a new level of durability unmatched in its weight class.

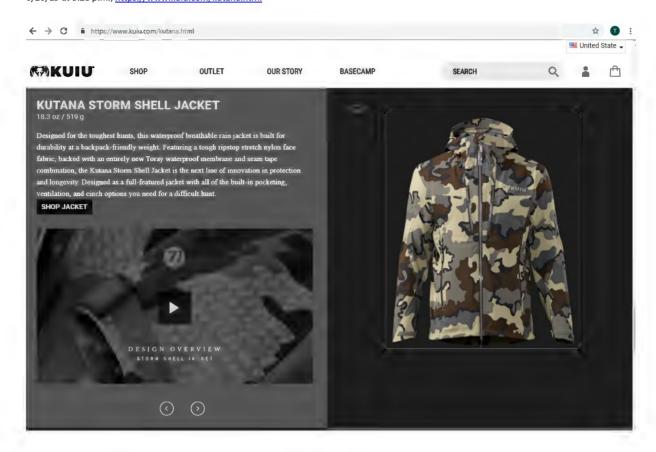


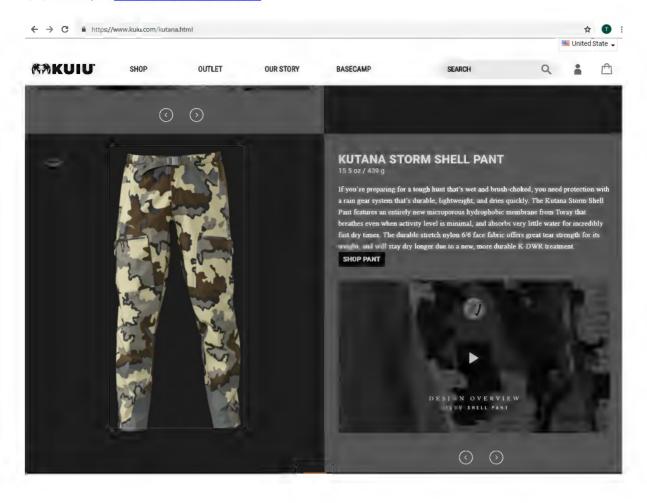


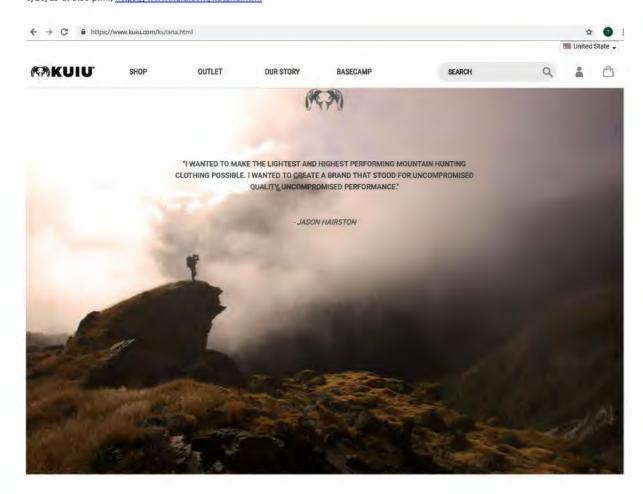


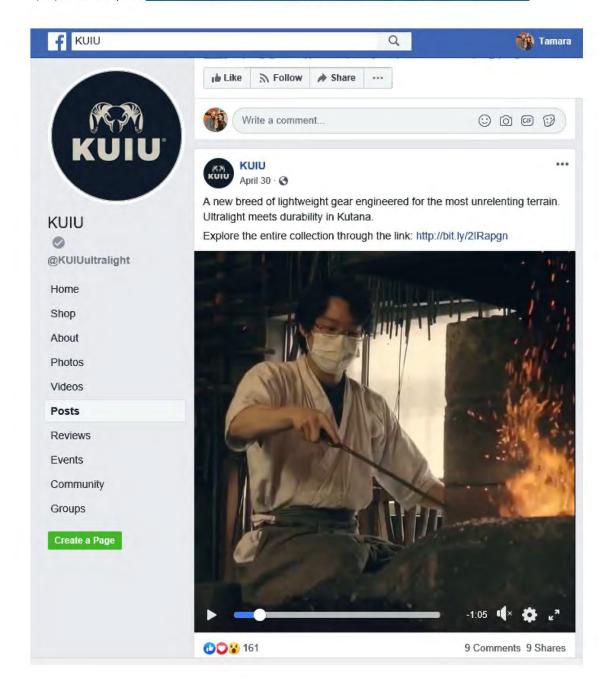








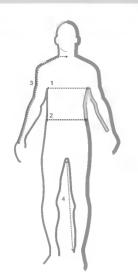




### **KUIU** SIZE CHART AND LAYERING GUIDE

STEP 1- MEASURE STEP 2- FIND YOUR SIZE STEP 3- ORDER SIZE BASED ON DESIRED FIT & LAYERING NEEDS

#### MEASURE



CHEST - Place the measuring tape around the large	st part
of your chest. The tape should be flat but not too	tight.

WAIST - Measure just above your belly button (between your bottom ribs and iliac crest) all the way around. Do not suck in while measuring.

SLEEVE - With your arm in a slightly bent position, measure from the center of the back of your neck, along the length of your arm, to the wrist.

INSEAM - Stand with your feet about shoulder-width apart. Measure from the very top of your inner leg (crotch) to the bottom of your inner ankle.

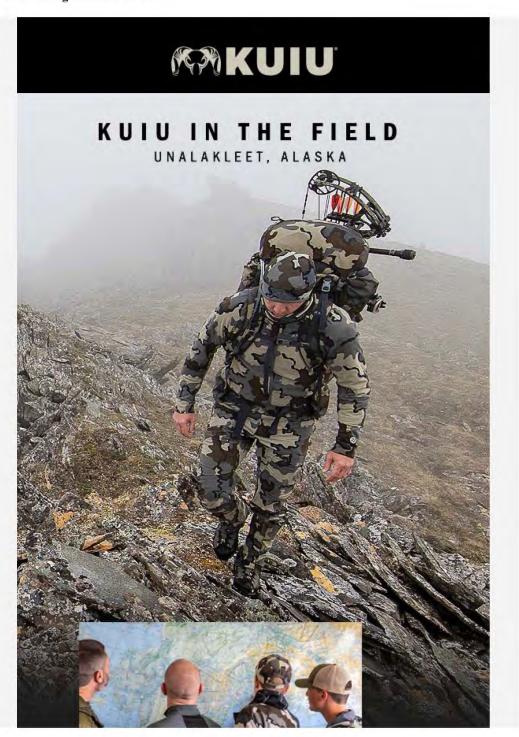
					SIZE UP OR	L SEZING BAS	SED ON JULIUS A ON JESSRED FI	THLETIC FIT	NG MEEDIS					
BODY SIZE	30		32		M/34		L/36		XL/38		2XL/40		3XL/42	
	inch	cm	inch	cm	inch	cm	inch	cm	inch	cm	inch	cm	inch	cm
CHEST	N/A	N/A	N/A	N/A	40	102	43	109	46	117	49	124	53	135
SLEEVE	N/A	N/A	N/A	N/A	34	86	35	89	36	91	37	94	38	96
WAIST	30	79	31	81	33	84	35	89	37	94	39	99	43	109
HIP	38	97	39	99	40	102	42	107	44	112	46	117	50	127

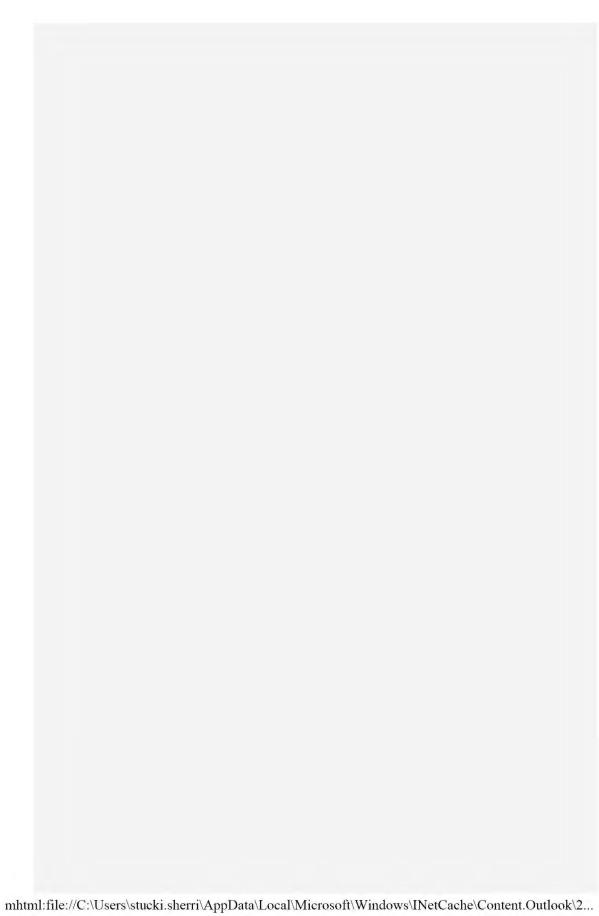
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	LAYERING : GARMENT SIZING INCREASES WIT		
LAYER 1	LAYER 2	LAYER 3	LAYER 4
BASE LAYER	INSULATION	OUTERWEAR	RAINWEAR

WHEN IN DOUBT, ORDER YOUR TYPICAL GARMENT SIZE. FOR ALL OTHER OUESTIONS CALL CUSTOMER SERVICE AT 855-367-5848

## Begin forwarded message:

From: "KUIU" < service@kuiu.com>
Date: June 18, 2019 at 6:00:31 AM MDT
To: tamara stevenson@yahoo.com
Subject: Introducing Kutana Gaiters







# THE IDEAL ULTRALIGHT GAITER FOR HUNTS WHERE MINIMIZING TOTAL WEIGHT IS OF THE UTMOST IMPORTANCE



split ends to avoid snags

Adjustable drawcord top closure-

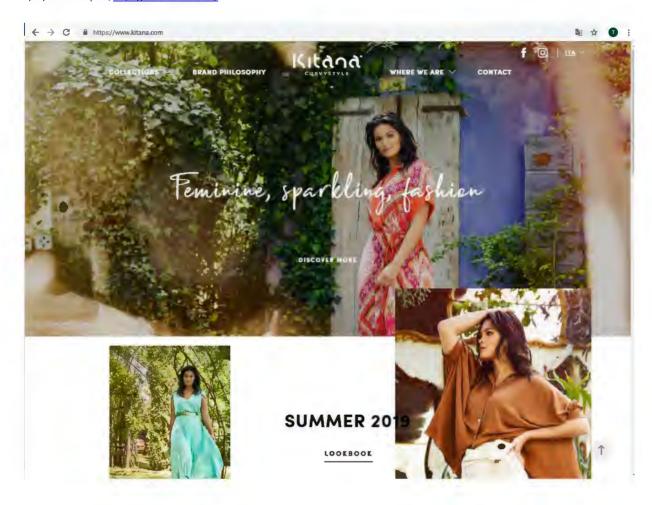
- Metal snap button at top closure
- 2-way stretch Durable Nylon 6/6 face fabric
- Waterproof and breathable Toray ENTRANT membrane
- Easy-adjust internal hook and loop boot-strap
- 330D Cordura reinforced lower interior for added durability
- Seamless design eliminates failure points
- Silicone print traction strip keeps the gaiter held in place





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BRAND PHILOSOPHY

COLLECTIONS V





■ ☆ ①



Feeling exclusive, cool, glamorous, at ease in all situations, feeling ... Kitana makes the dream come true. The undisputed star is the real woman, the Mediterranean woman, the one with all the curves in the right place, the one who is not afraid of her body and her full and luxuriant femininity.



COLLECTIONS

BRAND PHILOSOPHY



WHERE WE ARE

CONTACT





Kitana knows fashion, trends, style, but also the female body and it is precisely for this reason that she carefully selects her garments to emphasize and enhance the softness of the curves. The Italian quality and taste come together in Kitana with the variety of ready-to-wear. Ready fashion is the ability to understand trends and the immediacy of interpreting them, translating them into concrete garments to give women the opportunity to choose weekly new and trendy proposals.

COLLECTIONS

BRAND PHILOSOPHY



WHERE WE ARE



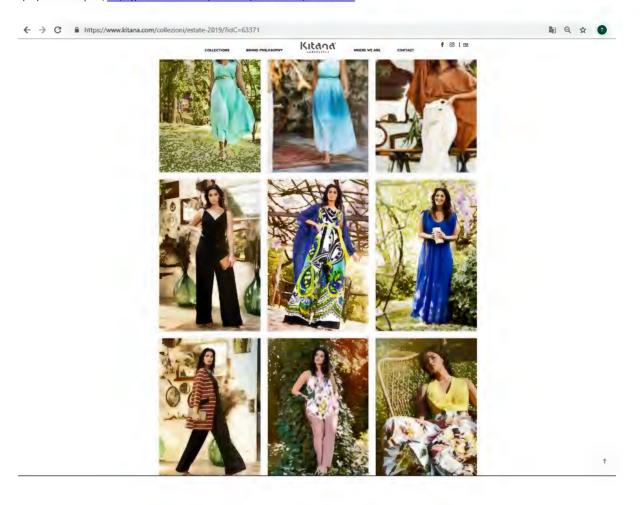


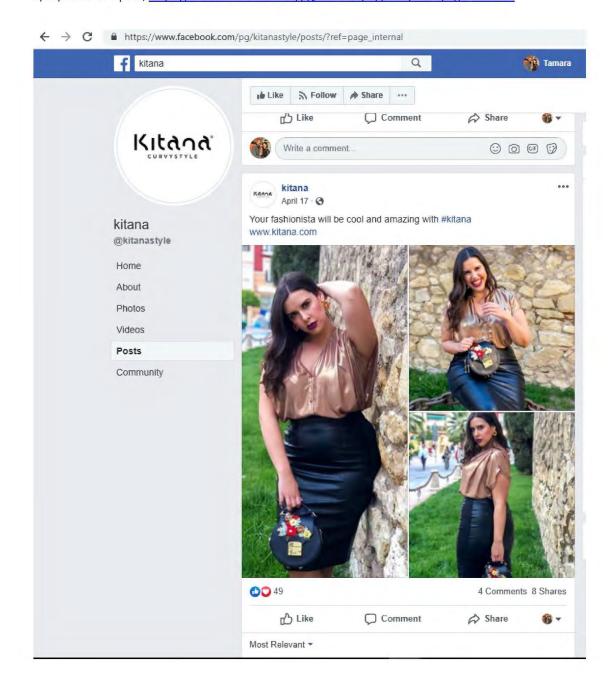
The goal is not to hide the body but exalt it. The Kitana collection thinks of all the moments of the modern womans day, from the most casual or formal morning to the unpredictable and brilliant evenings.

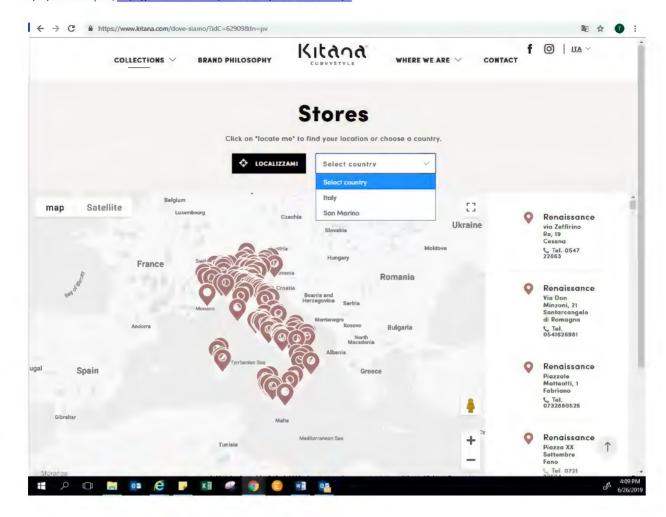
Always in love with glamor and beauty, our designers aim for a young and trendy collection for a curvaceous woman who finds her dimension without renouncing to be fashion and seductive.

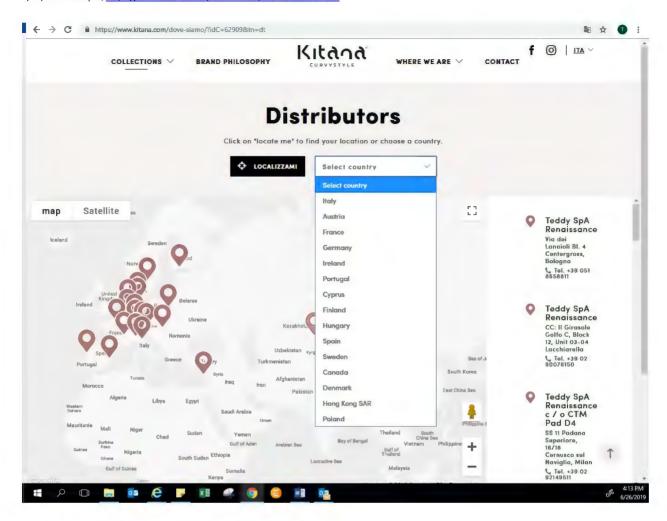
Made in Italy, continuous search for the best, attention to wearability, innovative proposals, current look, multifaceted taste, attention to detail, freshness, beauty, femininity ..

Kitana is all this and much more: Kitana is you!

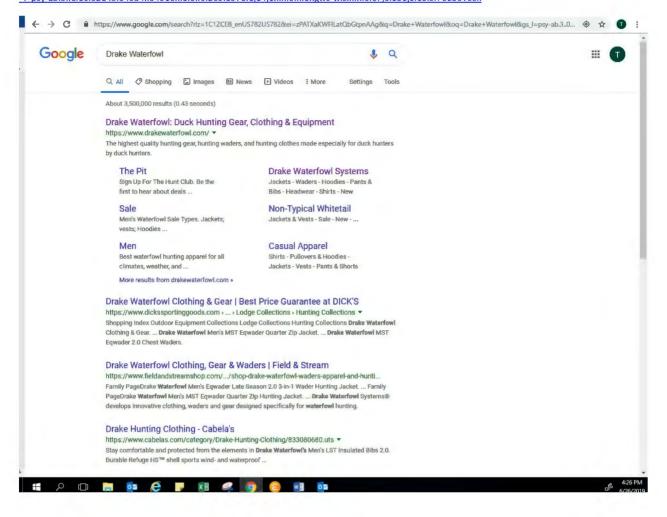


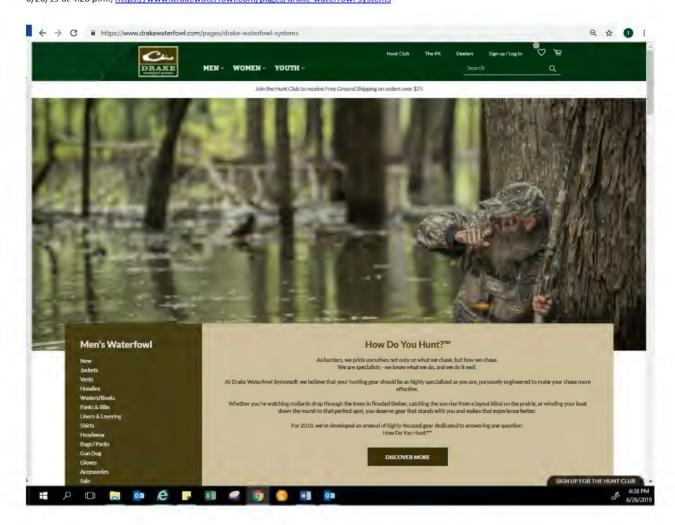




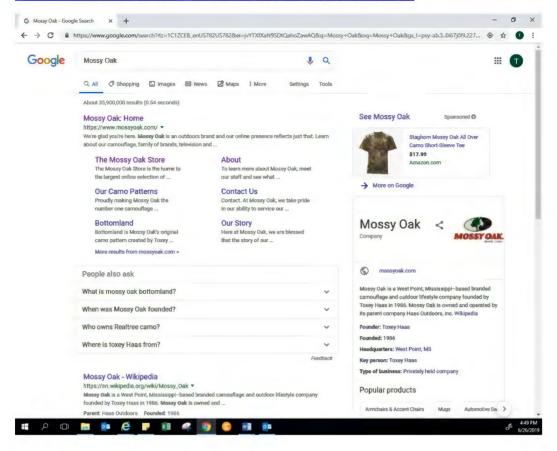


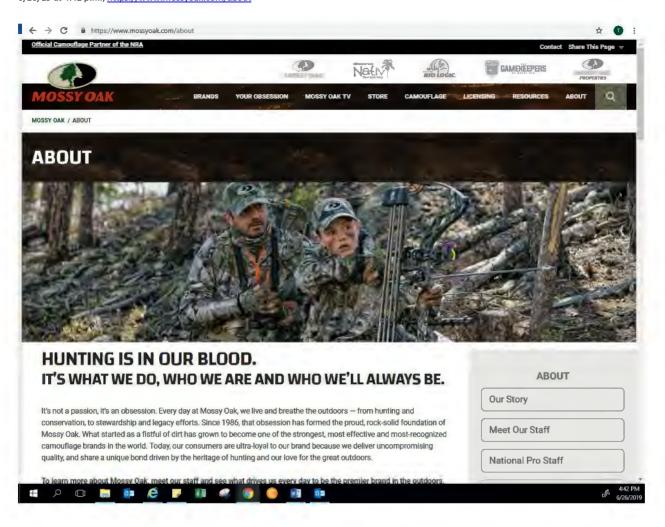
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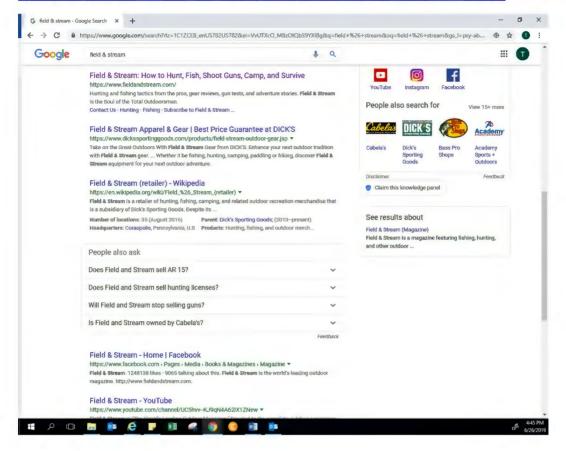
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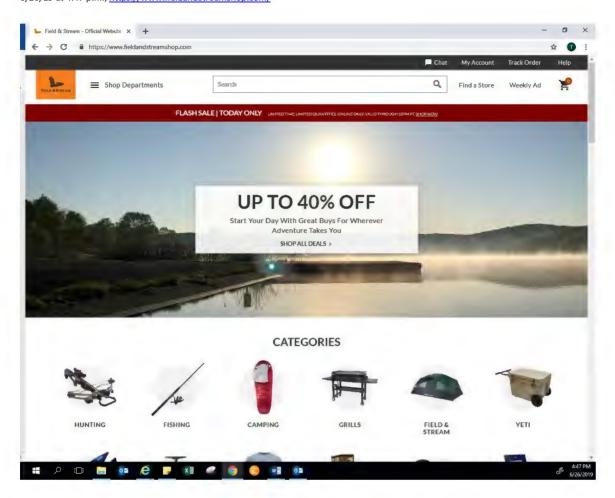




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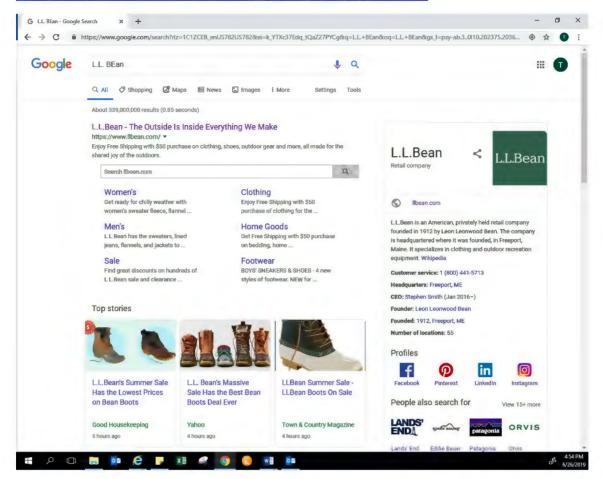
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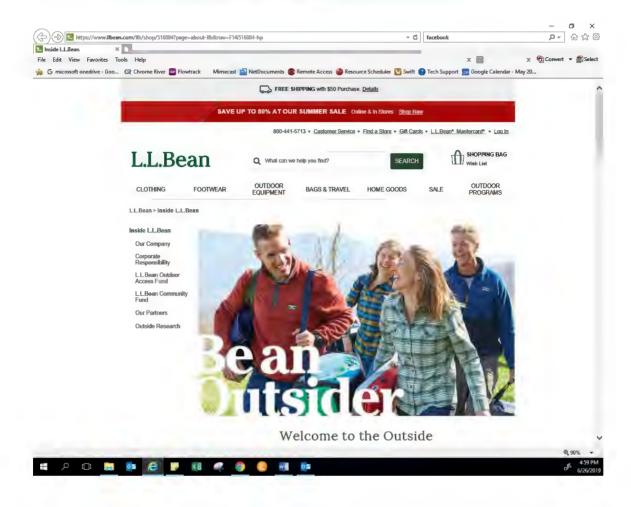




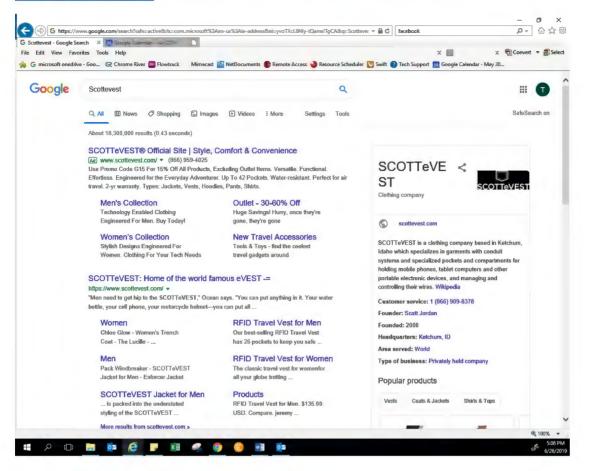
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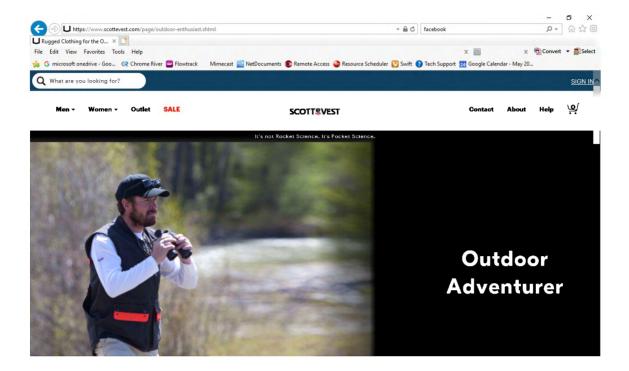
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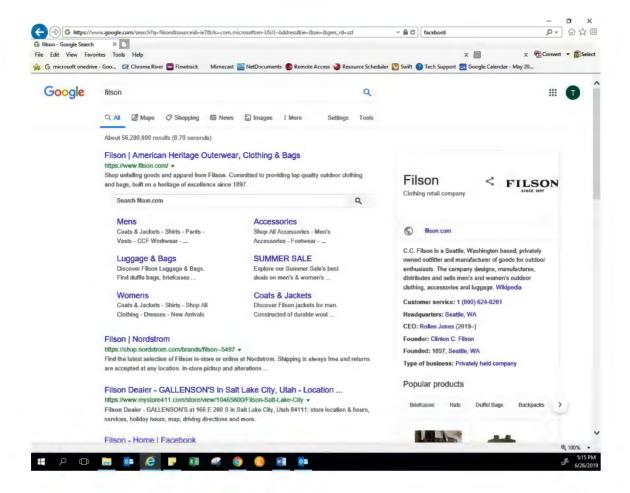
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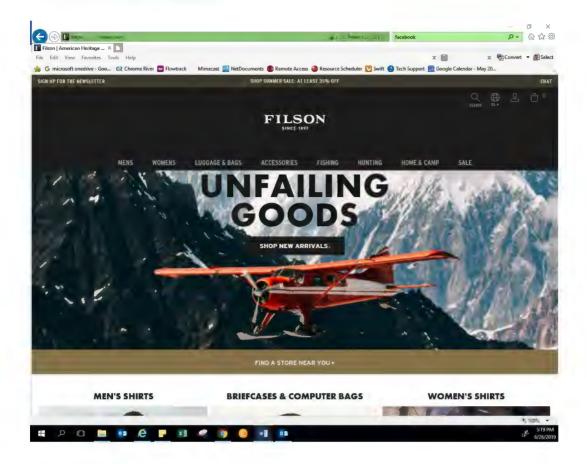


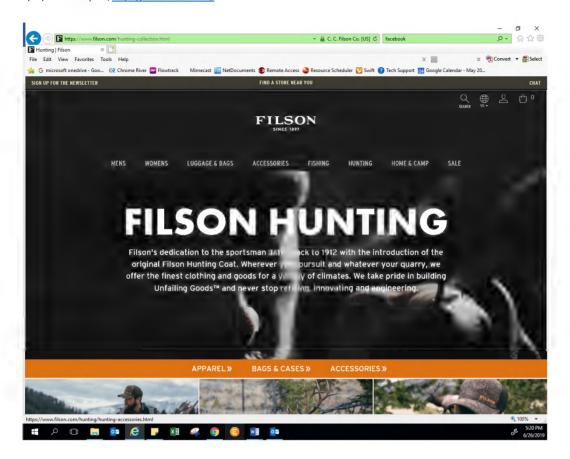


# **What To Carry**

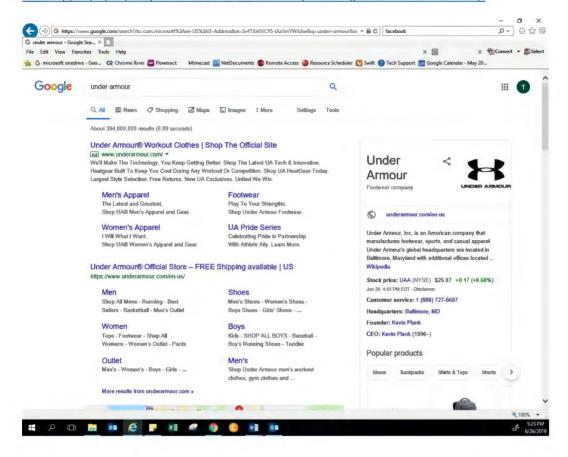


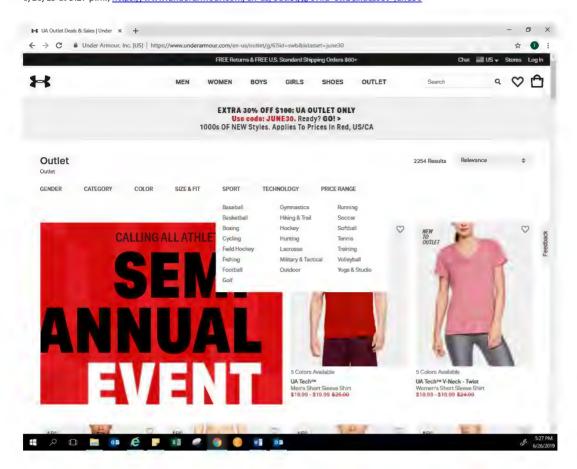






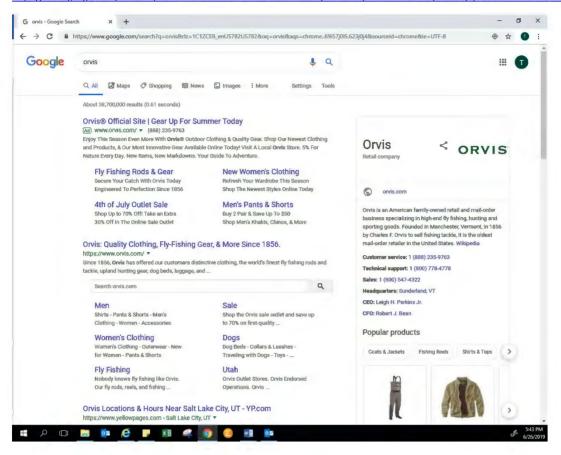
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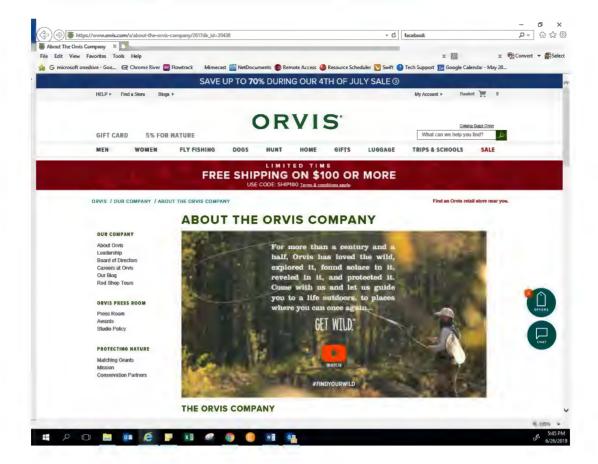




6/26/19 at 5:27 p.m., https://www.underarmour.com/en-us/outlet/g/6?iid=swb&iidasset=june30

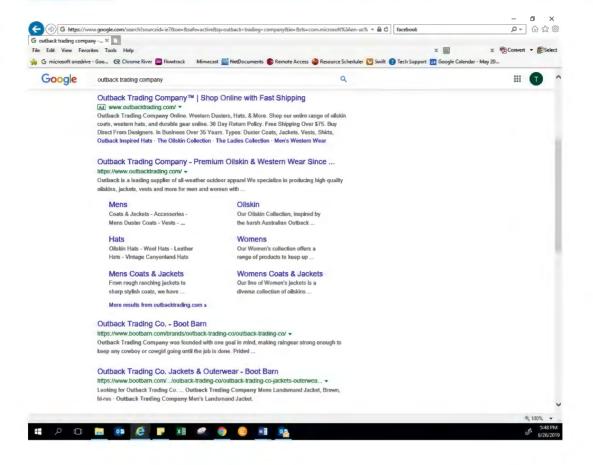
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#### 6/26/19 at 5:48 p.m.,

 $\frac{\text{https://www.google.com/search?sourceid=ie7\&oe=\&safe=active\&q=outback+trading+company\&ie=\&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address\&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=com.microsoft%3Aen-us%3Aie-address&gws\_rd=ssl\_extrading+company&ie=&rls=company&ie=$ 







## Premium Oilskin & Outdoor Clothing Since 1983

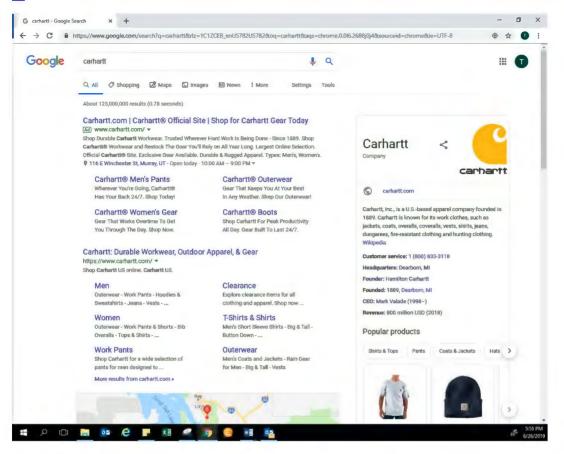
Outback Trading Company is a leading supplier of all-weather outdoor apparel. Established in 1983, Outback Trading Company stays true to its reputation of producing durable and rugged high performing apparel. We are committed to producing hard wearing comfortable clothes for working lifestyles, as well as functional fashlon apparel.

Outback Trading Company has a style and fit for all.

SHOP OIL SKIN

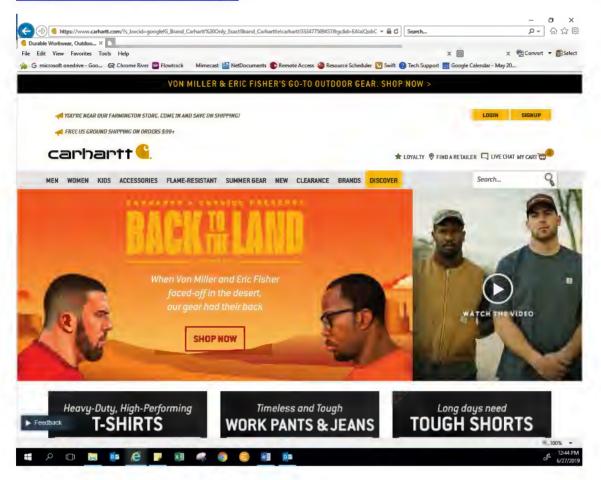


 $\underline{\text{https://www.google.com/search?q=carhartt\&rlz=1C1ZCEB}} \quad \underline{\text{enUS782US782\&oq=carhartt\&aqs=chrome.0.0l6.2688j0j4\&sourceid=chrome\&ie=UT}} \\ \underline{F-8}$ 



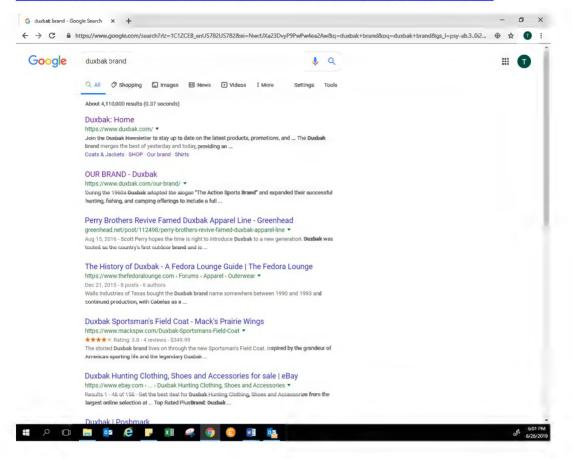
### 6/27/19 at 12:44 p.m.,

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#### 6/26/19 at 6:01 p.m.,

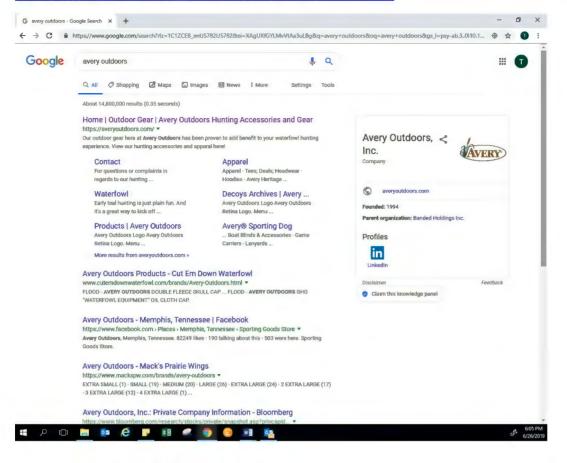
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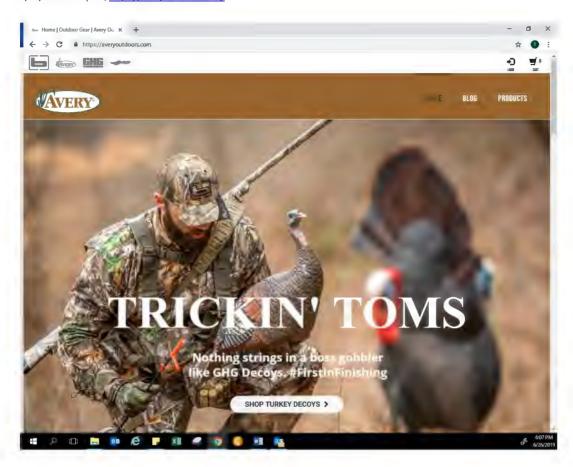




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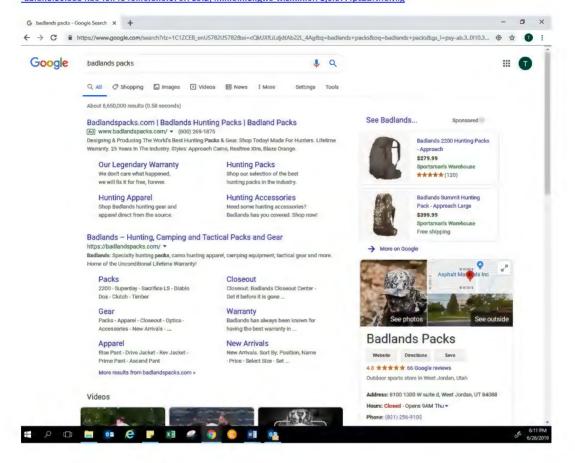
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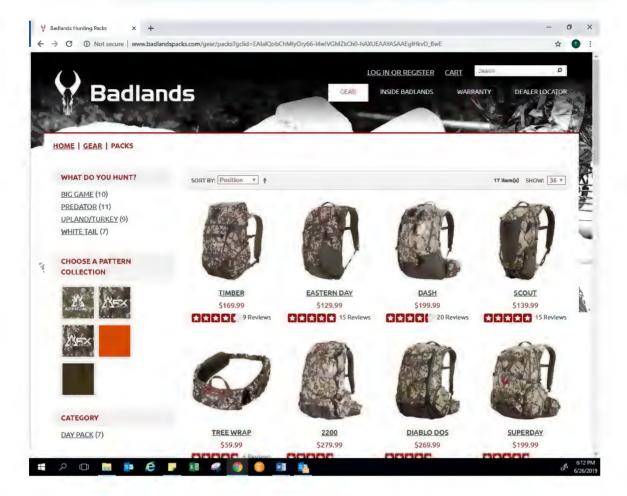




#### 6/26/19 at 6:11 p.m.,

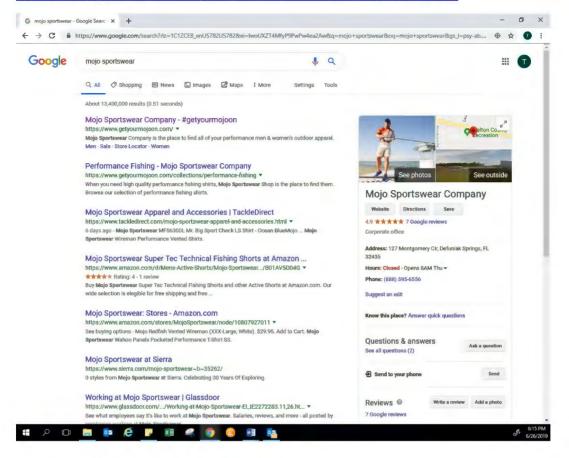
https://www.google.com/search?rlz=1C1ZCEB\_enUS782US782&ei=cQkUXfLiLdjdtAb22L\_4Ag&q=badlands+packs&oq=badlands+packs&gs\_l=psy\_ab.3..0l10.3334.3940..4646...0.0..0.179.719.2j4......0....1.gws-wiz......0i71j0i67.4pcZbNnoMig

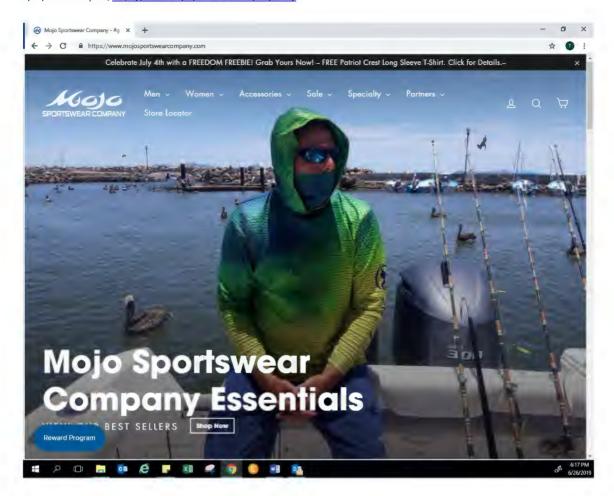




#### 6/26/19 at 6:15 p.m.,

https://www.google.com/search?rlz=1C1ZCEB\_enUS782US782&ei=lwoUXZT4MfyP9PwPw4ea2Aw&q=mojo+sportswear&oq=mojo+sportswear&gs\_l=psy-ab.3..0l10.1555.3473..4466...0.0.0.154.1042.9j2.....0....1.gws-wiz......0i71j0i67j0i10.Td\_EoCkhq\_E





Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,359,099 Registered Dec. 25, 2007

United States Patent and Trademark Office

TRADEMARK PRINCIPAL REGISTER

## **KITANICA**

WILLIAM J. CRONIN (UNITED STATES INDIVIDUAL)
1184 OCEAN AVE.
OAKLAND, CA 94608 AND
WILLIAM J. CRONIN (UNITED STATES INDIVIDUAL)
1184 OCEAN AVE.
OAKLAND, CA 94608

FOR: MEN AND WOMEN JACKETS, COATS, TROUSERS, VESTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-24-1998; IN COMMERCE 3-24-1998.

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

SER, NO. 77-153,364, FILED 4-10-2007.

HEATHER SAPP, EXAMINING ATTORNEY

# United States of America United States Patent and Trademark Office

# **KINONA**

Reg. No. 5,515,630 Fore All, LLC (DELAWARE LIMITED LIABILITY COMPANY)

2711 Centerville Rd, Suite 400 Wilmington, DELAWARE 19808

Int. Cl.: 25 CLASS 25: women's apparel, namely, pants, tops, shorts, capris, dresses, skirts, skirts,

camisoles

Registered Jul. 10, 2018

Trademark FIRST USE 1-16-2018; IN COMMERCE 1-16-2018

Principal Register The Mark consists of standard characters without claim to any

PARTICULAR FONT STYLE, SIZE OR COLOR

The English translation of "KINONA" in the mark is "SHAPE".



Director of the United States Patent and Trademark Office

#### REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

## Requirements in the First Ten Years\* What and When to File:

- First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

• You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with

the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at http://www.uspto.gov.

Page: 2 of 2 / RN # 5515630

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 2,491,463

United States Patent and Trademark Office

Registered Sep. 18, 2001

## TRADEMARK PRINCIPAL REGISTER

## **KIANA**

SALOMON S.A. (FRANCE CORPORATION) LIEUDIT "LA RAVOIRE" 74370 METZ-TESSY, FRANCE

FOR: SPORTS EQUIPMENT, NAMELY SKI BOOTS AND SNOWBOARD BOOTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-6-2000; IN COMMERCE 3-6-2000.

SN 75-906,925, FILED 1-31-2000.

RICHARD DONNELL, EXAMINING ATTORNEY

## United States of America United States Patent and Trademark Office

# KIYONNA

Reg. No. 4,567,648

KIYONNA CLOTHING, INC. (CALIFORNIA CORPORATION) 1315 N. BRASHER STREET

Registered July 15, 2014 ANAHEIM, CA 92807

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

FOR: CLOTHING, NAMELY, TOPS, BOTTOMS, SHIRTS, BLOUSES, T-SHIRTS, TOPS, WORK SHIRTS, OUTER SHORTS, BOXER SHORTS, PANTS, TROUSERS, OVERALLS, SLACKS, JEANS, SOCKS, TIES, FOOTWEAR, HEADWEAR, SKI HATS, LINGERIE, UNDER-WEAR, SLEEPWEAR, FLEECE SWEATERS AND SHIRTS, SWEATPANTS, SKIRTS, DRESSES. SWEATERS, JACKETS, SUITS, SLIPS, JACKETS, COATS, SWEATERS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 4-1-1999; IN COMMERCE 4-1-1999.

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

THE WORD(S) "KIYONNA" HAS NO MEANING IN A FOREIGN LANGUAGE.

SER. NO. 86-132,035, FILED 11-30-2013.

JIM RINGLE, EXAMINING ATTORNEY



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

## REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.



Coffee Religion Exclusives

Summer Must-Haves







## 100% Curated by Fashion Stylist

**Katana** babes are the strongest, sweetest & sharpest!

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Religion Collection so you can get
your best looks!

KatanaFashion Stylist, Personal Image Expert



Curated Stylist's Picks

Shoes Sunglasses

Tops Denim Trending T-Shirts

Trends

White

Animal Print Trend



Summer Dresses

Trending Jewelry

Coffee Religion Watches Collection

Trendy Earrings

Success Jewelry Collection

Rings

Necklaces & Pendants

Bracelets







ABOUT KATANA

## "I believe that You can achieve anything in the world! But You have to be dressed right!"

#### leva Katana

Style Expert, Designer, CEO, Founder of KATANA STYLE STUDIOS

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1

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BLOG MENU HOW TO WEAR NEON CHIC WAY SIZING CHART CONTACT US CELEBRITY STYLE TIPS PRIVACY POLICY POWERFUL COLORS SHOP INSTAGRAM FIRST IMPRESSION SCIENCE FACTS BUSINESS DRESS CODE FAQ 20 RULES TO LOOK YOUR BEST

























# United States of America United States Patent and Trademark Office

# Katana

Reg. No. 5,384,778

Registered Jan. 23, 2018

Int. Cl.: 9

**Trademark** 

**Principal Register** 

Polar Pro Filters (DELAWARE CORPORATION)

1987 Placentia Ave

Costa Mesa, CALIFORNIA 92627

CLASS 9: Camera Mounts; Camera Trays; Camera Stabilizer in the form of gyroscope stabilizers for cameras; Camera Stabilizer in the form of a camera stability accessory, namely, a support arm, vest and sled for photography, film and video cameras to absorb shaking moves while shooting; Camera Mounts and structural parts thereof; Camera grips; Camera monitor mounts; Camera stands

FIRST USE 5-1-2017; IN COMMERCE 5-1-2017

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



Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office

#### REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

## Requirements in the First Ten Years\* What and When to File:

- First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

• You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with

the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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Page: 2 of 2 / RN # 5384778

Int. Cl.: 12

Prior U.S. Cl.: 19

Reg. No. 1,944,879

## United States Patent and Trademark Office

Registered Jan. 2, 1996

### TRADEMARK PRINCIPAL REGISTER

### **KATANA**

DIAMOND AIRCRAFT INDUSTRIES INC. (CANADA CORPORATION)
690 CRUMLIN SIDEROAD
LONDON, ONTARIO, CANADA N5NV 1S2, BY
CHANGE OF NAME FROM DIMONA AIRCRAFT (CANADA) CORPORATION
(CANADA CORPORATION) LONDON, ON-

TARIO, CANADA N5V 1S2

FOR: AIRPLANES AND STRUCTURAL PARTS THEREOF, IN CLASS 12 (U.S. CL. 19).

PRIORITY CLAIMED UNDER SEC. 44(D) ON CANADA APPLICATION NO. 727,907, FILED 4-29-1993, REG. NO. 428694, DATED 6-10-1994, EXPIRES 6-10-2009.

THE WORD "KATANA" IS A TRANSLIT-ERATION OF THE JAPANESE WORD MEAN-ING "SWORD".

SER. NO. 74-418,423, FILED 7-30-1993.

DAVID H. STINE, EXAMINING ATTORNEY

## United States of America Huited States Patent and Arademark Office United States Patent and Trademark Office

## KATANA

Reg. No. 4,415,015

Registered Oct. 8, 2013

Int. Cl.: 7

TRADEMARK

PRINCIPAL REGISTER

VAREL INTERNATIONAL IND., L.P. (DELAWARE LIMITED PARTNERSHIP)

1625 W. CROSBY ROAD, SUITE 124 CARROLLTON, TX 75006

FOR: STEEL BODY OR MATRIX BODY PDC (POLYCRYSTALLINE DIAMOND COMPACT) DRILL BITS FOR OIL WELL, NATURAL GAS, OR MINING DRILLING MACHINES, IN

CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 6-3-2013; IN COMMERCE 6-3-2013.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

SN 76-712,411, FILED 9-17-2012.

ALYSSA STEEL, EXAMINING ATTORNEY



### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

Int. Cl.: 10

Prior U.S. Cls.: 26, 39, and 44

United States Patent and Trademark Office

Reg. No. 3,412,086 Registered Apr. 15, 2008

#### TRADEMARK PRINCIPAL REGISTER

## **KATANA**

LINVATEC CORPORATION (FLORIDA COR-PORATION) 11311 CONCEPT BOULEVARD LARGO, FL 33773

FOR: SURGICAL INSTRUMENT, NAMELY, AN ELONGATED SUTURE CUTTER FOR USE IN ENDOSCOPIC SURGERY FOR FOLLOWING ONE OR MORE SUTURES AND FOR CUTTING THE SUTURE(S) AT THE DISTAL END OF THE INSTRUMENT, IN CLASS 10 (U.S. CLS. 26, 39 AND 44).

FIRST USE 3-5-2007; IN COMMERCE 3-5-2007.

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

SN 77-013,188, FILED 10-4-2006.

NORA BUCHANAN WILL, EXAMINING ATTORNEY

## **KATANA**

Reg. No. 3,800,195 ISHIHARA SANGYO KAISHA, LTD. (JAPAN CORPORATION)

3-15, EDOBORI, 1-CHOME, NISHI-KÙ

Registered June 8, 2010 OSAKA, JAPAN

Int. Cl.: 5 FOR: HERBICIDES, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 2-10-2010; IN COMMERCE 2-10-2010. TRADEMARK

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

PRINCIPAL REGISTER TICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-517,014, FILED 7-8-2008.

JOHN GARTNER, EXAMINING ATTORNEY



Director of the United States Patent and Trademark Office

## KATANA

Reg. No. 3,904,911

KABUSHIKI KAISHA UMEDA SHOKAI (JAPAN CORPORATION) 28-2, SUGAMO 4-CHOME, TOSHIMA-KU

Registered Jan. 11, 2011 TOKYO, JAPAN

Int. Cl.: 28

TRADEMARK

PRINCIPAL REGISTER

FOR: GOLF EQUIPMENT, NAMELY, DIVOT REPAIR TOOLS, GOLF BAGS COVERS, GOLF BAG PEGS, GOLF BAG TAGS, GOLF BAGS, GOLF BALL MARKERS, GOLF BALL RETRIEV-ERS, GOLF BALL SLEEVES, GOLF BALLS, GOLF CLUB HEADS, GOLF CLUB INSERTS, GOLF CLUB SHAFTS, GOLF CLUBS, GOLF FLAGS, GOLF GLOVES, GOLF IRONS, GOLF PUTTER COVERS, GOLF PUTTERS, GOLF TEE MARKERS, GOLF TEES, GOLF TOWEL CLIPS FOR ATTACHMENT TO GOLF BAGS, GRIP TAPES FOR GOLF CLUBS, HAND GRIPS FOR GOLF CLUBS, HEAD COVERS FOR GOLF CLUBS, NON-MOTORIZED GOLF CARTS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FIRST USE 9-0-1998; IN COMMERCE 1-0-2009.

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

OWNER OF U.S. REG. NO. 2,746,477.

THE ENGLISH TRANSLATION OF "KATANA" IN THE MARK IS "SWORD".

SN 77-682,165, FILED 3-3-2009.

PAUL F. GAST, EXAMINING ATTORNEY



# Katana

Reg. No. 5,742,343

Registered May 07, 2019

Int. Cl.: 9

**Trademark** 

Principal Register

USU Software AG (GERMANY CORPORATION) Spitalhof 7 71696 Möglingen

FED REP GERMANY

CLASS 9: Industrial process control software; software for evaluating large quantities of data and software for data mining; software for the analysis of sensor data in industrial manufacturing processes; computer software to monitor and control factory manufacturing processes

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

PRIORITY DATE OF 03-29-2017 IS CLAIMED

OWNER OF INTERNATIONAL REGISTRATION 1389505 DATED 09-28-2017, EXPIRES 09-28-2027



Director of the United States Patent and Trademark Office

Andrei know

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

### Requirements in the First Ten Years\* What and When to File:

- First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

• You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with

the payment of an additional fee.

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Page: 2 of 2 / RN # 5742343

# KATANA

Reg. No. 4,027,722 EDWARD M. GEIB, JR. (UNITED STATES INDIVIDUAL)

Registered Sep. 20, 2011 ORLANDO, FL 32817

Int. Cl.: 8 FOR: PET GROOMING SHEARS FOR SALE EXCLUSIVELY TO PROFESSIONALS IN THE

PET CARE INDUSTRY, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

TRADEMARK FIRST USE 12-31-1990; IN COMMERCE 12-31-1990.

PRINCIPAL REGISTER THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

THE ENGLISH TRANSLATION OF "KATANA" IN THE MARK IS "SWORD".

SER. NO. 85-001,910, FILED 3-30-2010.

DEZMONA MIZELLE, EXAMINING ATTORNEY



Director of the United States Patent and Trademark Office

### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

#### Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration, See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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## United States of America Muitod States Patent and Arademark Office United States Patent and Trademark Office

# KATANA

Reg. No. 4,611,950

SUZUKI MOTOR CORPORATION (JAPAN CORPORATION)

Registered Sep. 30, 2014 HAMAMATSU-SHI, JAPAN SHIZUOKA-

300 TAKATSUKA-CHO, MINAMI-KU

Int. Cl.: 12

FOR: AUTOMOBILES, MOTORCYCLES, ALL-TERRAIN VEHICLES, AND STRUCTURAL

PARTS THEREFOR, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

TRADEMARK

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

PRINCIPAL REGISTER

OWNER OF JAPAN REG. NO. 1759781, DATED 4-23-1985, EXPIRES 4-23-2015.

OWNER OF U.S. REG. NO. 1,623,541.

THE ENGLISH TRANSLATION OF "KATANA" IN THE MARK IS "SWORD".

SER. NO. 85-150,397, FILED 10-12-2010.

GRETTA YAO, EXAMINING ATTORNEY



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

### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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## United States of America Hnited States Patent and Trademark Office United States Patent and Trademark Office

# KATANA

Reg. No. 4,076,358 P.D. OF MIAMI, INC. (FLORIDA CORPORATION) 1300 E INTERNATIONAL SPEEDWAY BLVD.

Registered Dec. 27, 2011 DELAND, FL 32724

Int. Cl.: 12 FOR: PARACHUTES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 8-0-2003; IN COMMERCE 8-0-2003. TRADEMARK

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-PRINCIPAL REGISTER

TICULAR FONT, STYLE, SIZE, OR COLOR.

THE ENGLISH TRANSLATION OF "KATANA" IN THE MARK IS "SWORD".

SER. NO. 85-254,747, FILED 3-1-2011. GRETTA YAO, EXAMINING ATTORNEY



### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

## United States of America Muited States Patent and Arahemark Office United States Patent and Trademark Office

# KATANA

Reg. No. 4,422,502 MONSTER, INC. (CALIFORNIA CORPORATION)

**455 VALLEY DRIVE** Registered Oct. 22, 2013 BRISBANE, CA 94005

Int. Cl.: 9 FOR: AUDIO SPEAKERS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 1-31-2013; IN COMMERCE 1-31-2013. TRADEMARK

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-PRINCIPAL REGISTER

TICULAR FONT, STYLE, SIZE, OR COLOR.

SN 85-512,309, FILED 1-9-2012.

KAREN BRACEY, EXAMINING ATTORNEY



### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

#### Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

# KATANA

Reg. No. 4,271,284 KATANA, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)

Registered Jan. 8, 2013 9601 WILSHIRE BLVD #1113 BEVERLY HILLS, CA 90210

Int. Cl.: 32 FOR: NON-ALCOHOLIC BEVERAGES, NAMELY, ENERGY DRINKS AND ENERGY SHOTS,

IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

TRADEMARK FIRST USE 1-20-2012; IN COMMERCE 4-26-2012.

PRINCIPAL REGISTER THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

THE ENGLISH TRANSLATION OF "KATANA" IN THE MARK IS "SWORD".

SER. NO. 85-612,797, FILED 5-1-2012.

IRA J. GOODSAID, EXAMINING ATTORNEY



Director of the United States Patent and Trademark Office

### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at http://www.uspto.gov.

# KATANA

Reg. No. 4,723,824 NORITAKE CO., LIMITED (JAPAN CORPORATION)

1-36, NORITAKE-SHINMACHI 3-CHOME Registered Apr. 21, 2015 NISHI-KU, NAGOYA, JAPAN

Registered ripr. 21, 2015 Mishi-Ro, Nadora, sarah

Int. Cl.: 5 FOR: CERAMIC MATERIALS USED TO MAKE ARTIFICIAL TEETH; MATERIALS USED

TO MAKE ARTIFICIAL TEETH, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

TRADEMARK FIRST USE 0-0-2006; IN COMMERCE 0-0-2006.

PRINCIPAL REGISTER THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-

TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,840,368.

SER. NO. 86-413,444, FILED 10-2-2014.

KARANENDRA S. CHHINA, EXAMINING ATTORNEY



Director of the United States Patent and Trademark Office

### WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years\* What and When to File:

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods\* What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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## KATANA

Reg. No. 5,594,582 Pacific Summit Energy LLC (DELAWARE LIMITED LIABILITY COMPANY)

2010 Main Street, Suite 1200

Registered Oct. 30, 2018 Irvine, CALIFORNIA 92614

Int. Cl.: 9, 42 CLASS 9: Computer software for capturing trades and managing risks in the field of energy

trading

Service Mark FIRST USE 2-00-2016; IN COMMERCE 2-00-2016

Trademark CLASS 42: Software as a service (SaaS) featuring software for capturing trades and

managing risks in the field of energy trading

Principal Register
FIRST USE 1-8-2015; IN COMMERCE 1-8-2015

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

SER. NO. 87-806,123, FILED 02-21-2018



Director of the United States Patent and Trademark Office

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

### Requirements in the First Ten Years\* What and When to File:

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- Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

• You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with

the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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# Anited States of America Muitod States Antent and Trahemark Office United States Patent and Trademark Office

# KATANA

Reg. No. 5,751,446

Registered May 14, 2019 London, UNITED KINGDOM W1F9HT

Int. Cl.: 9

**Trademark** 

**Principal Register** 

The Foundry Visionmongers Limited (UNITED KINGDOM limited company (ltd.))

5 Golden Square

CLASS 9: Downloadable software plugins for rendering film and animation; 3D animation and visual effects software for films and videos; downloadable computer software for creating visual and lighting effects, namely, tools for visual, lighting effects and look development for films and videos; visualization software for entertainment, films, video games, and videos, namely, software for digital look development and lighting; all of the aforesaid goods for creating visual effects for entertainment films and videos

FIRST USE 5-1-2011; IN COMMERCE 5-1-2011

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY

#### PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 88-231,733, FILED 12-17-2018



Director of the United States Patent and Trademark Office

## WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

### Requirements in the First Ten Years\* What and When to File:

- First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.\* See 15 U.S.C. §1059.

## Requirements in Successive Ten-Year Periods\* What and When to File:

• You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

#### **Grace Period Filings\***

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the payment of an additional fee.

\*ATTENTION MADRID PROTOCOL REGISTRANTS: The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see http://www.wipo.int/madrid/en/.

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Page: 2 of 2 / RN # 5751446



Founder Jason Hairston wearing Kuiu in the Yukon. | Kuiu

#### FEATURES

# How a Hunting Gear Brand Gets Huge

The popular pastime is controversial, but Kuiu is only growing. By Noah Davis | Dec 13, 2016, 10:02am EST

Racked is no longer publishing. Thank you to everyone who read our work over the years. The archives will remain available here; for new stories, head over to Vox.com, where our staff is covering consumer culture for <u>The Goods by Vox</u>. You can also see what we're up to by <u>signing</u> up here.

Jason Hairston didn't intend to start a multi-million dollar clothing and gear company. At first, he simply wanted some equipment that would hold up to the demands of his chosen hobby. Along the way, however, he found that millions of other people had his needs, too, and he built a thriving business to outfit them.

Hairston, who had a short stint as a professional football player with the San Francisco 49ers and the Denver Broncos before retiring due to injury, is an expedition hunter. He's the type of person who takes long trips into the untamed wilderness in search of big game, flying in a bush plane to a remote airstrip and then rafting down a river in search of big game. For many people, expedition hunting — and hunting in general — is a controversial pastime, a pursuit that is cruel and unnecessary.

But hunting is also very popular, with the US Fish and Wildlife Service estimating that about 15 million people buy hunting licenses every year. While the majority of them don't participate in the type of intense hunting Hairston does, plenty of recreational hunters would purchase clothing from a brand designed specifically with the needs of the expedition hunting community in mind.



Founder Jason Hairston in Kuiu in Alaska. | Photo: Kuiu

In 2005, Hairston and his business partner, Jonathan Hart, realized there was a gap in the market. They were wearing gear designed for climbing and mountaineering, sports that aren't as demanding as expedition hunting. "When the weather is bad, they stay in their tents," Hairston said during a phone call last month. "[Expedition hunters] go out in it, so we were finding limitations." Sitka, the company they founded, was a response to those failures. It quickly gained traction and after a few years, W. L. Gore & Associates, a massive manufacturing company best known as the inventors of Gore-Tex, came calling. Hart and Hairston sold Sitka, despite Hairston's objections.

Sensing there was more opportunity and wanting to be in control again, Hairston started over in 2011 with <u>Kuiu</u>, named for <u>an Alaskan island just east of the town of Sitka</u>. He bootstrapped the company, hired former Gymboree director of customer services Melissa Woolf to run the operations side of the business, and started developing ultralight hunting <u>clothing</u> and <u>gear</u>. He traveled constantly, sourcing carbon fiber developed for aerospace to make backpacks, individually waterproofed down feathers from Japan for jackets, and patented, elastic-free spiral yarn for pants.

Hairston also adopted a direct-to-consumer business model that cuts out retail stores, allowing him to charge 30 percent less for similar quality. He hoped his success at Sitka, along with lower prices, would attract a small but dedicated following. He was wrong. His Sitka customers not only followed him, they told their friends. "We created the technical apparel hunting gear category with Sitka, which gave me a ton of trust and credibility that nobody else in our market has or could have," he said. "Our customers feel like they are smarter because they buy Kuiu." The company sold \$500,000 worth of merchandise its first day and hasn't looked back. In the original business plan, Hairston wanted his 2014 revenue to be \$4 million; instead, he said it was just under \$30 million and that they'll hit \$50 million this year. Kuiu expanded to Europe, adding two sales reps, and plans to launch a dedicated website on the continent next year. Australia and New Zealand are top markets as well. "I really thought I would build a little niche," Hairston said. "I didn't think it could get to these numbers without retailers because no one could touch it and feel it."



Mountain climbing in Kuiu.

Early this month, Hairston launched an initiative to build on the success. <u>Giru</u> is a Kickstarter-esque platform that allows the company to determine the level of interest in new product lines outside its traditional expertise, like luggage. Expedition hunting requires a lot of gear, much of it that has sharp edges and comes in strange shapes, and Hairston struggled to find commercially available luggage that was durable enough to handle the beating it took during transit yet also space-efficient when unused. "I was wearing out bags left and right." he said. But he wasn't sure his customers would agree.

Enter Giru, which solves two problems. It serves as proof of concept for the demand on a new product line. The crowdfunding platform ensured that Hairston and his team wouldn't waste their time and money designing a dud. "Some of those ideas and concepts that we're questioning, we'll be able to tell if there is demand before going into production," he said. "It's a great way for us to dip our toe in the water." The <u>Taku Gear Bag System</u> served as a perfect test case for Giru. It funded within an hour and a half, and the second purchase order increased by 500 percent due to the sustained demand.





Kuiu in the forest. | Photo: Kuiu

The second Giru goal is to more effectively get input from potential consumers. With Kuiu, Hairston solicited opinions from customers, but collecting those thoughts became unwieldy as the base grew from hundreds and thousands to tens and ultimately hundreds of thousands of people. Giru allows the people who will be buying the new product a chance to weigh in on its final design, everything from the features that are included to color and quality of the materials, all with an eye on the final cost. The Taku Gear Bag project allowed customers to choose if they wanted the YKK Aquaguard #8 or YKK Aquaguard #10 zippers, the former being cheaper and lighter but not quite as durable as the latter. "The purpose is to gather information from our customers about how they like to see products developed, and to let them better understand how those choices affect price," Hairston said. "They are not just getting the product that they want but it creates an emotional attachment. They feel like it's their bag, they want to have it."

Going forward, he plans to continue using Giru to fund new projects — the <u>Summit Refuge Shelter</u> is a second offering — while also opening up the platform to like-minded, non-competing companies. Kestrel Knives ran a campaign for the <u>Mountain Caper</u> knife, asking whether people wanted AEB-L steel or CPM-S90V for an additional \$5. Anyone who submitted a design was able to fund the project at up to 50 percent off the eventual full price. For allowing other brands to use the Giru platform, Hairston's company takes a small percentage of the money raised.

In addition to new product lines aimed at hunters, Hairston hopes to expand beyond his traditional base. Kuiu is developing a mountain fitness line, which was originally scheduled for next year but has been pushed until spring 2018. The line features similar materials as other products but it's designed to be lighter and dry faster, targeted to hunters who want to train by trail running and other athletic pursuits, or outdoorsmen seeking durable workout gear. The Guide Jacket is now available in brown and gray in addition to the traditional camouflage, an attempt to target snowboarders. Hairston says he's expanding the number of items offered in

solid colors. A version of the Attack Pants (the company's biggest seller) without the hip vents that provide airflow during long hunting treks and cargo pockets are coming. "Guys can wear them to work and on the weekends," Hairston said. "We're filling up the closet."



Hairston calling moose in the Yukon | Photo: Kuiu

There is, however, a question about how far Kuiu can penetrate the mainstream. Will a trail runner purchase shorts made by the company, given the stigma associated with hunting?

Hairston understands the controversy behind hunting but argues that hunters are some of the most conservation-minded people on the planet, pointing to the <a href="reported">reported</a> \$200 million that hunting licenses contribute to wildlife management support programs every year, and other studies <a href="note similar financial benefit">note similar financial benefit</a>. There's some truth to that point. There's also the fact that the idea of hunting is unacceptable to millions. For Hairston, that's fine, too. "Obviously, there are those people who won't purchase from a hunting company, but I can't cater to those people," he said. "I can't worry about them." It probably doesn't matter if a certain section of the population, even a large percentage, has no interest in owning Kuiu. Add the 15 million people who applied for a hunting permit last year in the United States to millions who did so across Canada, Europe, the South Pacific, and elsewhere, and Kuiu has plenty of room to expand in the hunting world.

It can also appeal to people after moderately-priced quality equipment that will handle the rigors of outdoors. Kuiu sent me a sample of the Gear Bag System to test out, and while a few of the plastic clips feel a tad flimsy, I can see the appeal. It's a smartly designed bag with plenty of space and well-placed straps for easy hauling. The thick nylon feels indestructible while also being

incredibly light. The large and obvious company logo of a Dall sheep is a turnoff for me since I have no desire to be affiliated with Kuiu or hunting, but it's obvious that to carry this bag, or wear a Kuiu product, is to be part of a club. It's not one that I want to be in, but \$50 million and counting says they don't need me anyway. Hairston has his luggage, and a whole lot more.

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