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7  
8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 MAREN FLAGG, an individual,

12 Plaintiff,

13 v.

14 TAYLOR SWIFT, an individual;  
15 TAS RIGHTS MANAGEMENT,  
16 LLC, a Tennessee limited liability  
17 company; UMG RECORDINGS,  
18 INC., a Delaware corporation;  
19 BRAVADO INTERNATIONAL  
20 GROUP MERCHANDISING  
21 SERVICES INC., a California  
22 corporation; and DOES 1-25,

23 Defendants.

Case No. 2:26-cv-3354

**COMPLAINT FOR:**

1. **TRADEMARK INFRINGEMENT  
(15 U.S.C. § 1114)**
2. **FALSE DESIGNATION OF ORIGIN  
AND UNFAIR COMPETITION  
(15 U.S.C. § 1125)**
3. **CALIFORNIA UNFAIR  
COMPETITION  
(CAL. BUS. & PROF. CODE  
§§ 17200 et seq.)**

**ACTION SEEKING STATEWIDE  
OR NATIONWIDE RELIEF**

**DEMAND FOR JURY TRIAL**

1 Plaintiff Maren Flagg alleges as follows based on personal knowledge as to her  
2 own conduct and on information and belief as to all other matters:

3 **INTRODUCTION**

4 1. In 2014, in the pages of *Las Vegas Weekly*, a working performer began  
5 writing candidly about her life inside the entertainment industry. Maren Flagg,  
6 professionally known as Maren Wade (“Plaintiff”), called it CONFESSIONS OF A  
7 SHOWGIRL. The name stuck.

8 2. What began as a weekly column became a live show. The show became a  
9 touring production. Over the course of a decade, CONFESSIONS OF A SHOWGIRL  
10 grew into a brand encompassing performances, writing, and digital media—built by  
11 one person, city by city and show by show.

12 3. Plaintiff has performed CONFESSIONS OF A SHOWGIRL across the  
13 United States, including at established venues such as New York City’s Laurie  
14 Beechman Theatre and Myron’s at The Smith Center in Las Vegas. She has appeared  
15 on television under that name, earned press coverage in national publications, and  
16 expanded the brand into a book, a podcast, and video content.

17 4. In 2015, the United States Patent and Trademark Office (“USPTO”)  
18 registered CONFESSIONS OF A SHOWGIRL for entertainment services. After years  
19 of continuous use, the mark achieved incontestable status under 15 U.S.C. § 1065—a  
20 statutory recognition of the goodwill Plaintiff earned through her sustained, personal  
21 effort.

22 5. For more than a decade, CONFESSIONS OF A SHOWGIRL identified a  
23 single source: Plaintiff.

24 6. Then in 2025, Defendant Taylor Swift and her affiliated business entities<sup>1</sup>  
25 adopted the designation THE LIFE OF A SHOWGIRL and began using it in  
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27 <sup>1</sup> Taylor Swift (“Swift”) and her affiliated business entities, TAS Rights Management,  
28 LLC (“TAS”), UMG Recordings, Inc. (“UMG”), and Bravado International Group  
Merchandising Services Inc. (“Bravado”) are referred to collectively as “Defendants.”

1 commerce. They did not do so quietly. Within weeks, the designation was affixed to  
2 consumer goods, stamped onto labels, tags, and packaging, and deployed as a source  
3 identifier across retail channels—all directed at the same audience Plaintiff had spent  
4 years cultivating.

5 7. The similarity between CONFESSIONS OF A SHOWGIRL and THE  
6 LIFE OF A SHOWGIRL is immediate. Both share the same structure, the same  
7 dominant phrase, and the same overall commercial impression. Both are used in  
8 overlapping markets and are directed at the same consumers.

9 8. That similarity would not have escaped Defendants' notice. Even a  
10 cursory trademark search would have revealed Plaintiff's federally registered mark and  
11 her years of continuous prior use. Defendants are sophisticated commercial actors with  
12 dedicated legal and brand management teams responsible for Swift's portfolio of more  
13 than 170 active and pending trademark registrations. Indeed, they are not merely  
14 familiar with trademark law—they are among its most vigorous enforcers, having filed  
15 multiple federal actions to seize goods from vendors selling trademarked merchandise  
16 near concert venues. They possess direct knowledge of the harm that trademark  
17 infringement inflicts on a brand, having leveraged that very harm in federal court when  
18 it served their interests to do so.

19 9. The USPTO confirmed what any competent search would have revealed.  
20 When Defendants applied to register THE LIFE OF A SHOWGIRL, the Office refused  
21 on the ground that Defendants' designation is confusingly similar to Plaintiff's  
22 established mark. Defendants were therefore placed on actual notice that their chosen  
23 designation was likely to be confused with a mark that already belonged to someone  
24 else. They continued using it anyway, expanding it across a coordinated commercial  
25 program and distributing it through retail channels reaching millions of consumers.  
26 Plaintiff was never contacted.

27 10. The result is textbook reverse confusion: a junior user's overwhelming  
28 commercial presence drowns out the senior user's mark, until consumers begin to

1 assume that the original is the imitation. What Plaintiff had built over twelve years,  
2 Defendants threatened to swallow in weeks.

3 11. Defendants may contend that THE LIFE OF A SHOWGIRL, as the title  
4 of a musical work, is beyond the reach of trademark law. Not so. Whatever protection  
5 might attach to creative expression, it does not immunize Defendants' separate  
6 decision to adopt a confusingly similar designation as a trademark, affix it to goods,  
7 and deploy it as a source identifier in commerce.

8 12. Plaintiff, as a performer herself, respects Taylor Swift's right to creative  
9 expression, and nothing in this action challenges it. But what Defendants did here was  
10 not expression—it is infringing trademark use. The USPTO told Defendants as much  
11 when it refused their application. They proceeded anyway, at a scale that threatens to  
12 erase Plaintiff from her very own brand.

13 13. Those are not artistic choices. They are commercial decisions, and they  
14 have consequences.

15 14. Plaintiff brings this action to protect the goodwill she has built, to halt  
16 further confusion in the marketplace, and to ensure that the identity of her brand  
17 remains hers.

18 **JURISDICTION AND VENUE**

19 15. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331  
20 and 1338(a) because Plaintiff asserts claims arising under the Trademark Act of 1946,  
21 15 U.S.C. §§ 1051 *et seq.* (the "Lanham Act"). The Court has supplemental jurisdiction  
22 over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367 because those claims  
23 arise from the same nucleus of operative facts.

24 16. This Court has personal jurisdiction over Defendants because they  
25 purposefully directed commercial activities toward California, including the sale of  
26 goods bearing THE LIFE OF A SHOWGIRL designation to consumers in this District,  
27 and Plaintiff's claims arise from those activities.

28 17. Defendant Swift is an individual who directs substantial commercial

1 activity from this District, including recording, production, and management of her  
2 entertainment projects, through facilities and business relationships located in Los  
3 Angeles County. Swift also maintains a residence in this District, including a property  
4 in Beverly Hills, California.

5 18. Defendant TAS conducts business in California and participates in the  
6 ownership, control, licensing, and commercialization of intellectual property  
7 associated with Swift's entertainment projects, including THE LIFE OF A  
8 SHOWGIRL. TAS authorized, directed, and/or approved the use of THE LIFE OF A  
9 SHOWGIRL designation in connection with goods offered for sale to consumers in  
10 California, including through retail channels operated by or in coordination with  
11 Defendants UMG and Bravado. TAS's activities are not limited to passive licensing,  
12 but include active participation in the commercial exploitation of the designation in  
13 this District.

14 19. Defendant UMG maintains its principal place of business in Santa  
15 Monica, California, and directs and participates in the commercial exploitation of  
16 goods associated with THE LIFE OF A SHOWGIRL.

17 20. Defendant Bravado maintains its principal place of business in Santa  
18 Monica, California, and is responsible for the design, manufacture, and sale of goods  
19 bearing THE LIFE OF A SHOWGIRL designation.

20 21. Defendants have purposefully availed themselves of the privilege of  
21 conducting business in California by offering and selling goods bearing THE LIFE OF  
22 A SHOWGIRL designation to consumers in this District through online and retail  
23 channels, including through coordinated activities directed, authorized, and controlled  
24 in part by Swift and TAS in conjunction with UMG and Bravado. Those goods are  
25 offered through websites accessible to, and used by, consumers in this District, and are  
26 fulfilled, distributed, and/or otherwise provided to consumers here through operations  
27 directed from UMG and Bravado, which are headquartered in this District.

28 22. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1) and

1 (b)(2). Swift maintains a residence in this District and conducts substantial business  
2 here, and UMG and Bravado maintain their principal places of business here. In  
3 addition, a substantial part of the events giving rise to Plaintiff's claims occurred in  
4 this District, including Defendants' authorization, direction, and execution of the use  
5 of THE LIFE OF A SHOWGIRL designation in connection with goods offered to  
6 consumers in this District, the sale and distribution of those goods to consumers located  
7 here, and the resulting consumer confusion and harm to Plaintiff within this District.

8 **PARTIES**

9 23. Plaintiff Maren Flagg, professionally known as Maren Wade, is an  
10 individual and a resident of Nevada. She is a singer, songwriter, comedian, and writer  
11 who has developed and performed under the CONFESSIONS OF A SHOWGIRL mark  
12 since at least 2014.

13 24. Defendant Swift is an individual and a resident of California. She is a  
14 performer who releases music and related goods and services under her name and  
15 associated designations.

16 25. Defendant TAS is a limited liability company organized under the laws of  
17 Tennessee with its principal place of business in Nashville, Tennessee. TAS manages  
18 and licenses intellectual property associated with Swift's projects, including THE LIFE  
19 OF A SHOWGIRL.

20 26. Defendant UMG is a corporation organized under the laws of Delaware  
21 with its principal place of business in Santa Monica, California. UMG distributes and  
22 commercially exploits Swift's music releases and related projects, including those  
23 associated with THE LIFE OF A SHOWGIRL.

24 27. Defendant Bravado is a corporation organized under the laws of  
25 California with its principal place of business in Santa Monica, California. Bravado is  
26 responsible for the design, manufacture, distribution, and sale of goods bearing THE  
27 LIFE OF A SHOWGIRL designation.

28

1 28. Plaintiff is informed and believes, and on that basis alleges, that  
2 Defendants sued herein as Does 1 through 25 are responsible in some manner for the  
3 acts alleged herein and that Plaintiff's injuries were proximately caused by their  
4 conduct. The true names and capacities of these defendants are presently unknown to  
5 Plaintiff. Plaintiff will amend this Complaint to allege their true names and capacities  
6 when ascertained.

7 29. At all relevant times, each Defendant participated in, directed, controlled,  
8 or knowingly approved the adoption and use of THE LIFE OF A SHOWGIRL  
9 designation in connection with the goods and commercial activities alleged herein.  
10 Defendants acted in concert and with a unity of interest in developing, distributing, and  
11 selling goods bearing that designation, and each is liable for the acts of the others.  
12 Defendant Swift personally selected, approved, and promoted THE LIFE OF A  
13 SHOWGIRL as the identifying designation for her album and associated commercial  
14 program. As the controlling creative and commercial principal of the enterprise, Swift  
15 is personally liable for the infringing activities she directed and controlled.

16 30. At all relevant times, Defendants' acts alleged herein occurred in  
17 interstate commerce within the meaning of the Lanham Act.

18 **FACTUAL ALLEGATIONS**

19 **Plaintiff's Development of the CONFESSIONS OF A SHOWGIRL Brand**

20 31. Plaintiff is a singer, songwriter, comedian, and writer who has developed  
21 and operated the CONFESSIONS OF A SHOWGIRL brand for more than a decade.

22 32. Plaintiff began using the CONFESSIONS OF A SHOWGIRL mark in  
23 commerce in or about 2014 in connection with writing and entertainment content. The  
24 brand originated from a column she published in *Las Vegas Weekly*, writing candidly  
25 about her experiences as a working performer in the Las Vegas entertainment industry.

26 33. The column evolved into a live theatrical production presented under the  
27 CONFESSIONS OF A SHOWGIRL name. That production combines original music,  
28 singing, storytelling, and comedy drawn from Plaintiff's life as a working performer,

1 including candid and often humorous accounts of the challenges and absurdities of a  
2 career in the entertainment industry, from getting stuck inside a giant birthday cake to  
3 impersonating a Madonna impersonator.

4 34. Since 2014, Plaintiff has performed CONFESIONS OF A SHOWGIRL  
5 at venues across the United States, including in Arizona, Florida, Indiana, Nevada,  
6 New Jersey, and New York. Performances have been staged at established venues such  
7 as the Laurie Beechman Theatre in New York City and Myron's at The Smith Center  
8 in Las Vegas, and have been presented to audiences numbering in the thousands.  
9 Plaintiff most recently performed the production in January 2026.

10 35. The production is musically directed by Keith Thompson, whose credits  
11 include *Jersey Boys*, *Mamma Mia*, and *We Will Rock You*.

12 36. Plaintiff's performances have also been featured in entertainment  
13 publications, including *Broadway World*. She has made numerous television  
14 appearances and hosted entertainment segments under the CONFESIONS OF A  
15 SHOWGIRL name.

16 37. In addition to live performances, Plaintiff has expanded the  
17 CONFESIONS OF A SHOWGIRL brand across multiple platforms and consumer-  
18 facing offerings. She has published written works under that name, including a book,  
19 and has produced video content distributed online, including through YouTube and  
20 social media. Plaintiff has also launched a podcast under the CONFESIONS OF A  
21 SHOWGIRL name, extending the mark into an additional medium.

22 38. Plaintiff maintains an online presence through the website  
23 [www.confessionsofashowgirl.com](http://www.confessionsofashowgirl.com) and associated social media channels, through  
24 which she promotes and offers her performances, media, and related branded content.

25 39. Plaintiff has continuously used CONFESIONS OF A SHOWGIRL as  
26 the identifying name for her entertainment services and related works since 2014.

27 40. Through this continuous use, CONFESIONS OF A SHOWGIRL has  
28 come to identify Plaintiff as the source of those services and has developed goodwill

1 in the marketplace, reflected in Plaintiff’s sustained booking history at established  
2 venues across the U.S., her audience recognition across multiple platforms, more than  
3 a decade of exclusive, unchallenged use of the mark, and her continued expansion of  
4 the brand into new entertainment markets and media.

5 41. Plaintiff owns U.S. Trademark Registration No. 4800625 for  
6 CONFESSIONS OF A SHOWGIRL in connection with entertainment services in  
7 International Class 41. That registration is valid, subsisting, and has achieved  
8 incontestable status under federal trademark law.

9 **Defendants’ Adoption and Use of THE LIFE OF A SHOWGIRL**

10 42. In or around August 2025, Defendant Swift personally selected and  
11 adopted the designation THE LIFE OF A SHOWGIRL for use in connection with a  
12 musical release and, more broadly, as a source-identifying designation on goods  
13 offered to the public. Swift has personally promoted the designation through public  
14 appearances and social media. The remaining Defendants executed the commercial  
15 program behind it: TAS authorized, directed, and controlled the use of the designation  
16 as a trademark across goods and services; UMG distributed and commercially  
17 exploited the musical recordings and related goods bearing the designation; and  
18 Bravado designed, manufactured, and fulfilled the consumer goods sold under it.  
19 Together, these entities operated as a coordinated enterprise to bring THE LIFE OF A  
20 SHOWGIRL to market as a commercial brand.

21 43. Through retail channels operated by or on behalf of Defendants, including  
22 Defendants’ online store, Defendants offer for sale numerous goods identified by THE  
23 LIFE OF A SHOWGIRL designation, including through a dedicated retail section  
24 labeled “THE LIFE OF A SHOWGIRL SHOP.”

25 44. Within that retail program, Defendants use THE LIFE OF A SHOWGIRL  
26 as a product designation affixed to individual goods offered to consumers. Those goods  
27 span a range of products including drinkware, candles, personal care accessories, and  
28 home goods—each bearing THE LIFE OF A SHOWGIRL not as artistic expression,

1 but as a source-identifying mark.

2 45. Defendants use THE LIFE OF A SHOWGIRL as a trademark in  
3 connection with these goods, including as part of product names (e.g., “The Life of a  
4 Showgirl Candle,” “The Life of a Showgirl Tumbler,” and “The Life of a Showgirl  
5 Hairbrush”) and as a source-identifying label for those goods.

6 46. Defendants further use THE LIFE OF A SHOWGIRL on product labels  
7 and inventory tags. Apparel items include interior garment labels bearing the  
8 designation in the position customarily used to identify the source or product line of  
9 clothing, and packaging labels likewise display THE LIFE OF A SHOWGIRL  
10 designation.

11 47. Defendants have also incorporated THE LIFE OF A SHOWGIRL into  
12 consumer-facing commercial offerings with national brands, including Uber, Uber  
13 Eats, KitchenAid, Starbucks, and Krispy Kreme, directing consumers to Defendants’  
14 online store for purchase of goods bearing the designation.

15 48. Through these activities, Defendants have used THE LIFE OF A  
16 SHOWGIRL as a trademark and source-identifying designation for a coordinated line  
17 of goods offered to the public, including in connection with the labeling, packaging,  
18 and sale of those goods across Defendants’ retail channels.

19 **The USPTO’s Refusal and Defendants’ Continued Use**

20 49. Defendants sought federal trademark protection for the designation THE  
21 LIFE OF A SHOWGIRL by filing U.S. Trademark Application Serial No. 99331566  
22 with the USPTO. The application seeks registration across multiple international  
23 classes, including Class 41—the same class in which Plaintiff’s mark is registered—  
24 encompassing musical performances and live entertainment services. The application  
25 extends well beyond that shared class to cover additional categories of goods and  
26 services, confirming that Defendants intend THE LIFE OF A SHOWGIRL to function  
27 as a broad commercial trademark across every category in which Plaintiff operates,  
28 and more.

1           50. On November 5, 2025, the USPTO issued an Office Action refusing  
2 registration of THE LIFE OF A SHOWGIRL under Section 2(d) of the Lanham Act,  
3 15 U.S.C. § 1052(d), based on a likelihood of confusion with Plaintiff’s federally  
4 registered CONFESSIONS OF A SHOWGIRL mark. The examining attorney found  
5 that the marks are identical in their shared terms “OF A SHOWGIRL,” are similar in  
6 appearance and sound, and convey a similar overall commercial impression. The  
7 examining attorney further found that the parties’ goods and services are closely  
8 related, noting that both marks are used in connection with entertainment services  
9 involving musical and theatrical performances, and that consumers encountering both  
10 marks would be likely to assume a connection between the parties.<sup>2</sup>

11           51. Defendants are sophisticated commercial actors with dedicated legal and  
12 brand management teams. Trademark clearance is a routine part of their operations. A  
13 standard search would have revealed Plaintiff’s federally registered mark and her  
14 longstanding prior use in commerce. Defendants are among trademark law’s most  
15 active enforcers. Through Swift and TAS, Defendants have filed multiple federal  
16 actions seeking injunctive relief and seizure orders against the sale of merchandise  
17 bearing their designations. In each action, Swift and TAS took the position that such  
18 designations function as trademarks on consumer goods and obtained federal court  
19 orders on that basis. Defendants thus possess direct, firsthand knowledge that affixing  
20 a designation associated with a musical release to consumer goods constitutes  
21 trademark use, because they have repeatedly argued as much when it served their  
22 interests to do so.

23           52. Despite the USPTO’s refusal, Defendants have continued to use THE  
24 LIFE OF A SHOWGIRL in commerce as a trademark in connection with goods offered  
25 to the public.

26 \_\_\_\_\_  
27 <sup>2</sup> As of the filing of this Complaint, Defendants’ application is suspended. The USPTO  
28 has maintained its likelihood-of-confusion refusal based on Plaintiff’s registered  
CONFESSIONS OF A SHOWGIRL mark and has indicated that the refusal will be  
made final once the suspension lifts.

1 53. Through Defendants' substantially greater commercial scale and retail  
2 reach, including a global merchandising operation and national brand collaborations,  
3 goods bearing THE LIFE OF A SHOWGIRL designation have been widely offered  
4 and sold to consumers in the same channels in which Plaintiff offers her services and  
5 related works.

6 54. At no point have Defendants sought or obtained Plaintiff's consent or  
7 authorization to use THE LIFE OF A SHOWGIRL or any similar designation.

8 55. Defendants' use of THE LIFE OF A SHOWGIRL is ongoing and  
9 expanding. Defendants continue to manufacture, distribute, and offer for sale goods  
10 bearing the designation through retail channels reaching consumers nationwide. Each  
11 additional sale compounds the confusion in the marketplace and further erodes  
12 Plaintiff's ability to be recognized as the sole source of her CONFESSIONS OF A  
13 SHOWGIRL brand. The harm to Plaintiff's goodwill is not fully compensable through  
14 monetary damages.

15 56. As a result, consumers encountering Plaintiff's CONFESSIONS OF A  
16 SHOWGIRL mark, including through search engines and online platforms where  
17 Defendants' content now dominates results for Plaintiff's mark, are likely to believe  
18 that Plaintiff's services originate with, are affiliated with, or are authorized by  
19 Defendants. The consequences of this reverse confusion have been felt by Plaintiff  
20 directly. As a solo performer operating in the same entertainment space, she found  
21 herself having to navigate the wave of consumer attention Defendants' program had  
22 generated and attempting to maintain her presence in a conversation and a marketplace  
23 that Defendants had overtaken.

24 57. Defendants' use of THE LIFE OF A SHOWGIRL, backed by the  
25 substantial commercial infrastructure of Swift, TAS, UMG, and Bravado and amplified  
26 through national brand collaborations reaching millions of consumers, has threatened  
27 to overwhelm Plaintiff's senior mark and to impair Plaintiff's ability to control the  
28 identity and goodwill associated with her brand.

1 58. THE LIFE OF A SHOWGIRL is one designation among more than 170  
2 active or pending trademark registrations managed by Defendant TAS on behalf of  
3 Swift, spanning names, phrases, and commercial designations across one of the most  
4 extensive trademark portfolios in the entertainment industry. Defendants' broader  
5 enterprise does not depend on the continued use of any single designation. By contrast,  
6 CONFESSIONS OF A SHOWGIRL is the sole trademark under which Plaintiff has  
7 built her professional identity for more than a decade. It is not one mark among  
8 hundreds. It is the only one she has. The continued erosion of that mark threatens the  
9 entirety of Plaintiff's brand.

10 59. Defendants adopted THE LIFE OF A SHOWGIRL with knowledge of  
11 Plaintiff's federally registered mark, continued to expand their use after the USPTO  
12 refused their application on likelihood-of-confusion grounds, and have at no point  
13 sought Plaintiff's consent. Plaintiff is entitled to relief.

14 **COUNT I: TRADEMARK INFRINGEMENT**

15 **15 U.S.C. § 1114**

16 ***(Against All Defendants)***

17 60. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

18 61. Plaintiff is the owner of U.S. Trademark Registration No. 4800625 for the  
19 mark CONFESSIONS OF A SHOWGIRL, registered on the Principal Register of the  
20 USPTO in connection with entertainment services.

21 62. Plaintiff's registration is valid, subsisting, and in full force and effect, and  
22 has achieved incontestable status pursuant to 15 U.S.C. § 1065.

23 63. Through continuous use in commerce since at least 2014, the  
24 CONFESSIONS OF A SHOWGIRL mark has come to identify Plaintiff as the source  
25 of the services and related offerings provided under that name and embodies substantial  
26 goodwill.

27 64. Defendants have used and continue to use the designation THE LIFE OF  
28 A SHOWGIRL in commerce as a source-identifying trademark in connection with

1 goods offered for sale to consumers.

2 65. Defendants' use of THE LIFE OF A SHOWGIRL has occurred without  
3 Plaintiff's authorization.

4 66. THE LIFE OF A SHOWGIRL is confusingly similar to Plaintiff's  
5 CONFESSIONS OF A SHOWGIRL mark in sight, sound, and commercial impression.

6 67. Defendants' use of THE LIFE OF A SHOWGIRL in connection with  
7 goods offered to consumers is likely to cause confusion, mistake, or deception as to the  
8 affiliation, connection, or association between Plaintiff and Defendants, including by  
9 causing consumers to believe that Plaintiff's CONFESSIONS OF A SHOWGIRL  
10 brand is derived from, affiliated with, sponsored by, or associated with Defendants, or  
11 that Defendants' use of THE LIFE OF A SHOWGIRL is affiliated with or derived  
12 from Plaintiff's CONFESSIONS OF A SHOWGIRL brand.

13 68. Consumers have, in fact, been confused as to the affiliation, connection,  
14 or association between Plaintiff and Defendants' use of THE LIFE OF A SHOWGIRL.  
15 Even within the brief period since the marks have been in concurrent use, multiple  
16 instances of actual consumer confusion have been documented across public platforms,  
17 including consumers who have referred to Defendants' album by Plaintiff's mark and  
18 consumers who have used Plaintiff's mark as a hashtag when discussing Defendants'  
19 products. Additionally, online searches for Plaintiff's mark now return results  
20 dominated by content associated with Defendants' designation, further compounding  
21 consumer confusion at the point of search.

22 69. Defendants' substantially greater commercial scale and use of THE LIFE  
23 OF A SHOWGIRL as a trademark is likely to cause reverse confusion by leading  
24 consumers to believe that Plaintiff's CONFESSIONS OF A SHOWGIRL brand is  
25 affiliated with, sponsored by, or derived from Defendants.

26 70. Defendants' conduct threatens to overwhelm Plaintiff's senior mark and  
27 to impair Plaintiff's ability to control the identity and goodwill associated with her  
28 brand.

1 71. Defendants are sophisticated commercial actors with dedicated legal and  
2 brand management teams. Trademark clearance is a routine part of their operations. A  
3 standard search would have revealed Plaintiff's federally registered mark and her  
4 longstanding prior use in commerce. The USPTO itself confirmed the conflict when it  
5 refused Defendants' application on the ground of likelihood of confusion. Despite  
6 actual notice of Plaintiff's rights, Defendants proceeded with and expanded their use  
7 of the designation in commerce. Their infringement was not inadvertent. It was  
8 deliberate.

9 72. Defendants' acts constitute trademark infringement in violation of 15  
10 U.S.C. § 1114.

11 73. As a direct and proximate result of Defendants' infringement, Plaintiff has  
12 suffered and will continue to suffer irreparable harm to her business, reputation, and  
13 goodwill, including impairment of the source-identifying function of her mark in the  
14 marketplace and displacement of her brand in the digital channels through which she  
15 reaches her audience. There is no adequate remedy at law.

16 74. Plaintiff is entitled to injunctive relief pursuant to 15 U.S.C. § 1116 and  
17 to recover Defendants' profits, Plaintiff's damages, and the costs of this action pursuant  
18 to 15 U.S.C. § 1117.

19 75. Because Defendants acted with knowledge of Plaintiff's rights, this is an  
20 exceptional case entitling Plaintiff to recover attorneys' fees pursuant to 15 U.S.C.  
21 § 1117(a).

22 **COUNT II: FALSE DESIGNATION OF ORIGIN**

23 **AND UNFAIR COMPETITION**

24 **15 U.S.C. § 1125(a)**

25 ***(Against All Defendants)***

26 76. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

27 77. Plaintiff has used the CONFESIONS OF A SHOWGIRL mark in  
28 commerce in connection with entertainment services and related offerings since 2014.

1 78. Through continuous use in commerce, the CONFESSIONS OF A  
2 SHOWGIRL mark has come to identify Plaintiff as the source of those services and  
3 has acquired substantial goodwill.

4 79. Defendants have used and continue to use THE LIFE OF A SHOWGIRL  
5 in commerce as a trademark in connection with goods offered for sale to consumers.

6 80. Defendants' use of THE LIFE OF A SHOWGIRL is likely to cause  
7 confusion, mistake, or deception as to the origin, sponsorship, or association of  
8 Plaintiff's services, including by causing consumers to attribute Plaintiff's brand to  
9 Defendants.

10 81. Defendants' substantially greater commercial scale is likely to compound  
11 that confusion by causing consumers to believe that Plaintiff's CONFESSIONS OF A  
12 SHOWGIRL brand is derived from or subordinate to Defendants' brand—the hallmark  
13 of reverse confusion.

14 82. Defendants' conduct threatens to overwhelm Plaintiff's earlier mark and  
15 to impair Plaintiff's ability to control the identity and goodwill associated with her  
16 brand.

17 83. By reason of the foregoing, Defendants have engaged in false designation  
18 of origin and unfair competition in violation of 15 U.S.C. § 1125(a).

19 84. As a direct and proximate result of Defendants' conduct, Plaintiff has  
20 suffered and will continue to suffer irreparable harm to her business, reputation, and  
21 goodwill, for which there is no adequate remedy at law.

22 85. Plaintiff is entitled to injunctive relief pursuant to 15 U.S.C. § 1116, and  
23 to recover Defendants' profits, Plaintiff's damages, and the costs of this action pursuant  
24 to 15 U.S.C. § 1117.

25 86. Defendants' conduct has been willful, rendering this an exceptional case  
26 entitling Plaintiff to recover attorneys' fees pursuant to 15 U.S.C. § 1117(a).

27 ///

28



1 95. Unless enjoined by this Court, Defendants will continue to engage in the  
2 unlawful and unfair acts and practices alleged herein.

3 96. Plaintiff is entitled to injunctive relief and restitution pursuant to Cal. Bus.  
4 & Prof. Code § 17203.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in  
7 her favor and against Defendants as follows:

8 1. For a permanent injunction pursuant to 15 U.S.C. § 1116 and Cal. Bus. &  
9 Prof. Code § 17203 enjoining Defendants, and their officers, agents, servants,  
10 employees, attorneys, successors, assigns, and all persons acting in concert or  
11 participation with them, from using THE LIFE OF A SHOWGIRL, or any other mark  
12 confusingly similar to Plaintiff's CONFESIONS OF A SHOWGIRL mark, as a  
13 trademark or other source-identifying designation in connection with goods or services  
14 in a manner likely to cause confusion;

15 2. For a preliminary injunction during the pendency of this action, on the  
16 same terms as the permanent injunction described above, restraining Defendants from  
17 using THE LIFE OF A SHOWGIRL, or any confusingly similar designation, as a  
18 trademark or source-identifying designation in connection with goods or services  
19 pending final resolution of this matter;

20 3. For an order requiring Defendants to cease and permanently discontinue  
21 all use of THE LIFE OF A SHOWGIRL, or any confusingly similar designation, as a  
22 trademark or source-identifying designation in connection with any goods or services;

23 4. For an accounting and disgorgement of all profits earned by Defendants  
24 attributable to their use of THE LIFE OF A SHOWGIRL, or any confusingly similar  
25 designation, including profits derived from the sale of goods bearing that designation  
26 and other source-identifying uses thereof, pursuant to 15 U.S.C. § 1117;

27 5. For an award of Plaintiff's actual damages sustained as a result of  
28 Defendants' unlawful conduct;

