

**IN THE UNITED STATES DISTRICT COURT OF GEORGIA
NORTHERN DISTRICT**

Pure Earth Botanics, LLC)	
)	
Plaintiff,)	
	)	Civil Action No. 1:23-mi-99999
)	
	)	Hon. Judge
v.)	
)	
Google LLC	)	COMPLAINT FOR TRADEMARK
	)	INFRINGEMENT, UNFAIR COMPETITION AND
Wal-mart.com USA, LLC, Walmart, Inc.	)	DILUTION, TORTIOUS BUSINESS
	)	INTERFERENCE
eBay Commerce Inc.)	
)	
Amazon. Com Sales, Inc.)	
	)	15 U.S.C. Section 1114
Vitalina LLC,	)	Federal Trademark Infringement
)	
VAAD Holdings, LLC.)	
	)	Violation of 15 U.S.C. Section 112(a)
Health & Wellness Plus dba and	)	Federal Unfair Competition
)	
Balboa Wholesale LLC)	
)	
Malibu Labs	)	Violation of 1s u.s.c. Section 112 (c)
	)	Federal Dilution
Ideal Performance)	
)	
Defendants.	)	Tortious Business Interference

**COMPLAINT FOR TRADEMARK INFRINGEMENT, UNFAIR COMPETITION AND
DILUTION, TORTIOUS BUSINESS INTERFERENCE**

1. Plaintiff, Pure Earth Botanics, LLC, by its attorneys identified below, brings this action against Defendants, Corporation and Limited Liability Companies (Defendants"), and alleges that:

THE PARTIES

2. Plaintiff is a Limited Liability Company organized and existing under the laws of Georgia, having corporate offices at 2285 Peachtree Road NE #805, Atlanta GA 30309.

3. On information and belief, Defendant Vitalina LLC is a Limited Liability Company organized and existing under the laws of Florida, having corporate offices at 5052 The Oaks Circle, Orlando, FL 32809, and is conducting business in this District and elsewhere; Defendant VAAD Holdings, LLC. is a Limited Liability Company organized and existing under the laws of Florida, having corporate offices at. 4800 Lyons Rd. Technology Parkway #3, Coconut Creek, FL 33073 and is conducting business in this District and elsewhere, Defendant Health & Wellness Plus appears to be a dba having corporate offices at 2327 E. Deer Park Lane, Draper, Utah 84020, and is conducting business in this District and elsewhere; Defendant Wal-mart.com USA, LLC, organized and existing under the laws of California, having corporate offices at 850 Cherry Ave, San Bruno, CA, 94066 and is conducting business in this District and elsewhere, and Walmart, Inc. organized and existing under the laws of Delaware, having corporate offices at 708 SW 8th Street, Bentonville, AR, 72716, USA and is conducting business in this District and elsewhere, Defendant eBay Commerce Inc.

organized and existing under the laws of Delaware, having corporate offices at 2065 Hamilton Avenue, San Jose, CA 95125, and is conducting business in this District and elsewhere; Defendant Amazon.Com Services, LLC. organized and existing under the laws of Delaware, having corporate offices at 410 Terry Avenue North Seattle, WA 98109, and is conducting business in this District and elsewhere; and Defendant Google LLC organized and existing under the laws of Delaware, having corporate offices at 1600 Amphitheatre Parkway, Mountain View, CA 94043, and is conducting business in this District and elsewhere, Defendant Balboa Wholesale LLC, (aka dab Rillvo, and Lunar Canyon Organics) organized and existing under the laws of Wyoming having corporate offices at 30 N Gould St, Ste 21737, Sheridan, WY 8280; Malibu Labs organized and existing under the laws of California having corporate offices at 21392 Palomar St #906 Wildomar 92595 CA and is conducting business in this District and elsewhere; Ideal Performance doing business in New York and having an address at Farmingdale, New York 11735 and is conducting business in this District and elsewhere.

4. On information and belief, Defendants each have its officer and/or members who directs the operations of Defendant Corporation or Limited Liability Company, and resides in this district.

ALLEGATIONS COMMON TO ALL COUNTS

5. This action arises under the federal trademark, unfair competition, and dilution laws for trademark infringement, as a result of Defendants' willful infringement of valid rights in "KETOMELT" as hereinafter defined, and other unlawful activities conducted by Defendants in connection with such infringement.

6. This court has jurisdiction under 15 U.S.C. Section 1121, 28 U.S.C. Sections 1331, 1332 and 1338, and the doctrine of supplemental jurisdiction. The

amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs. Venue is proper under 28 U.S.C. Sections 1391(b) and (c).

7. Plaintiff has been and now is extensively engaged in the business of selling dietary and nutritional supplements used for weight loss ("Plaintiff's Goods and Services") under the trademark "KETOMELT" ("the Mark") (See Exhibit A - KetoMelt Product) continuously since at least 2019 in interstate commerce (Exhibit B - US Registration No. 6116781).

8. The Mark is used extensively on and in connection with Plaintiff's Goods and Services, e.g., on the goods or packaging therefor, in brochures and on the Internet promotional materials distributed by Plaintiff (See www.ketomelt.com Exhibit C - KetoMelt Sales Funnel).

9. Plaintiff's Goods and Services in connection with which the Mark has been used have been extensively promoted and marketed through various forms of media and spent nearly \$1,000,000 in advertising through at least one said Defendant, namely, Google (See - Exhibit D - Google Ads Expenditures). As a result of such promotional and marketing efforts, and the quality of Plaintiff's Goods and Services, the Mark has become widely and favorably known, a valuable asset of Plaintiff and symbol of its goodwill, and has acquired distinctiveness and secondary meaning. Google owns over 90% of the Internet Search market - See Exhibit S - Google Search Market.

10. In recognition of the valuable goodwill and rights in the Mark owned by Plaintiff, the United States Patent and Trademark Office has granted United States Trademark Registration No. 6116781 to the KETOMELT. (Exhibit B - US Registration No. 6116781).

11. The registration is in full force and effect and uncanceled. The registration constitutes conclusive evidence of the validity of the Mark, Plaintiff's

ownership thereof, and its exclusive right to use the Mark throughout the United States.

12. On information and belief, Defendants are also engaged in the business of selling dietary and nutritional supplements used for weight loss (Exhibit E - Google KetoMelt, Exhibit F - Wal-mart.com USA, LLC, Walmart, Inc., Exhibit G - eBay Commerce Inc., Exhibit H - Amazon. Com Sales, Inc., Exhibit I - Vitalina LLC, Exhibit J - Balboa Wholesale LLC, aka Lunar Canyon Organics, and Rillvo, Exhibit K - Malibu Labs, Exhibit L - Ideal Performance, Exhibit M - Health & Wellness Plus, Exhibit N - VAAD Holdings, LLC., Exhibit O - Shopping EZ LLC ("Defendants' Goods and Services") in competition with Plaintiff. Defendants conduct these activities from at least one business establishment in this district and over the Internet.

13. Notwithstanding Plaintiff's continuous and exclusive use of and well-known prior rights in its Mark, Defendants have sought to compete unfairly with Plaintiff by appropriating for use the Mark on and in connection with goods and services identical or substantially identical to Plaintiff's Goods and Services. In addition to the Mark of Plaintiff, on information and belief, Defendants may have appropriated other marks of Plaintiff. To this end, this Complaint may be amended.

Internet Domains

14. The Internet is a shorthand notation for the interconnection of different networks of computers throughout the world. According to press reports and market surveys, as many as one hundred million web servers in the United States and proportionately that amount of computers in the United States are interconnected together to form the Internet (Exhibit R - Number of computers make up Internet).

15. As in the so-called "real" (non-computer) world, sending mail or visiting a particular location on the Internet requires an address. An Internet address consists of a series of numbers separated by periods. To provide more useful information and to simplify memorization, however, the Domain Name System cross-references numerical addresses to names using a hierarchical approach. Under the Domain Name System a domain name is a unique series of letters, numbers, and characters which is a unique identifier for a group of one or more computers. The beginning of a domain name is a signifier for a particular host or type of service (e.g., a service known as the World Wide Web is identified using the letters WWW) while the very end of the domain name, commonly called a Top Level Domain Name ("TLD"), indicates whether the entity is a company (.com), organization (.org) or the like. Each portion of a domain name is separated by a period (".").

16. The TLD for companies originating in the United States (.com) is under the control of an organization known as the InterNIC, which was created by the federal government pursuant to contracts with various corporations. The InterNIC's domain name registration services are provided by Network Solutions Inc. (NSI), a company incorporated under the laws of the State of Virginia with its principal place at 13861 Sunrise Valley Dr., Ste. 300 Herndon, VA 20170. NSI issues all second level domain names which precede the .com suffix. In turn, the owner of the second level domain name may subdivide the name into so-called subdomains representing specific machines or services noted above.

17. Examples of actual second level domain names issued under the .com TLD include FORD.COM for Ford Motor Company; GM.COM for General Motors Corporation; PONTIAC.COM, CHEVROLET.COM, and BUICK.COM all for operating divisions of General Motors Corporation; COCACOLA.COM for Coca-Cola, and PEPSI.COM for PepsiCo. When each of these second level domain names is preceded by WWW, a service is identified which allows computer software understanding the nature of the service to access so-called World Wide

Web sites comprising "home pages" and "hyperlinks" to other information. The home page is crafted by the owner of the second level domain name and usually includes text and graphics that inform the visitor of other related information available through the hyperlinks.

18. NSI issues the second level domain names on a first-come-first served basis. However, when a non-owner of a second level domain name shows ownership of a trademark representing that second level domain name which is registered at a national level (e.g., a United States trademark registration certificate), under certain conditions the NSI will suspend the second level domain name so that the domain name owner cannot use it as an identifier on the Internet.

19. On information and belief, many Internet users regularly attempt to contact a Web site associated with a given trademark simply by using the designation WWW, followed by the trademark, and then the TLD .com. (e.g. WWW.GM.COM).

20. Because of the activity described above, as well as the convenience to consumers of having a second level domain name being the same as a registered trademark, the ability of a company to use its registered trademarks as an integral part of its domain name is a substantial and critical part of the marketing and promotional value associated with having a World Wide Web site on the Internet.

Defendants' Use of KETOMELT.COM, KETO MELT and/or KETOMELT

21. In connection with Defendant's Goods and Services, Defendants adopted the Mark subsequent to Plaintiff's first use of its Mark. Defendants continue to use the Mark on the same or nearly same type goods. Upon information and belief Defendants have not registered the Mark to itself in the United States or elsewhere.

22. Notwithstanding Plaintiff's well-established trademark rights in its KETOMELT, Defendants sought to infringe and dilute the Mark and compete unfairly with Plaintiff by using the Internet and Domain name, namely, KETOMELT, KETO MELT, KETOMELT.COM to identify their respective home page in connection with the service known as the World Wide Web.

23. When an Internet user accesses the Web site identified by the domain name WWW.KETOMELT.COM, using the appropriate software commonly known as a browser, the home page of Defendants' Web Site is displayed on the user's computer monitor.

24. Plaintiff learned of Defendants of the acts complained of herein in with respect to their use of the Mark in connection with their Internet activities within the last several years.

25. Defendants use at the time the pages were printed is attached in the Exhibit P and other Exhibits herewith.

26. Defendants continue to reference KETOMELT, KETO MELT, KETOMELT.COM on various pages of their Web sites to misdirect users of various search engines into visiting Defendants' web site as opposed to Plaintiff's site. For example, an Internet search engine called HotBot found several of Defendants' such uses see Exhibit Q - hotbot search.

27. Even apart from the continued use of the KETOMELT, KETO MELT, KETOMELT.COM domain name on their Web site to misdirect Internet users, Defendants also use the Mark and other marks of Plaintiff in other ways. For example, various of Plaintiff's other registered marks are embedded in the Defendant's Web site's HTML language (including its slogans). All of these infringing uses are picked up by Internet search engines such as HotBot.

28. Defendants personally know of Plaintiff's rights in the Mark. For example, Defendant Google, has been paid by Plaintiff nearly \$1,000,000 (Exhibit D - Google Ads Expenditures) through its own Google Ads advisory Group which was informed of Plaintiff's proprietary Mark as applied to the Goods.

29. Despite actual knowledge of Plaintiff's rights in its Mark, Defendants are still actively involved with the continued willful infringement of such rights and other unlawful acts complained of herein. As a result of personally directing the infringing activities, Defendant Individual is jointly and severally liable with the other Defendant for the judgment to be rendered.

COUNT I

Violation of 15 U.S.C. Section 1114

Federal Trademark Infringement

30. Plaintiff incorporates by reference the allegations of Paragraphs 1-29.

31. The unauthorized use by Defendants of Plaintiff's Mark on goods and services identical or substantially identical to those of Plaintiff is likely to cause confusion, mistake, or deception and thus infringes Plaintiff's trademark rights in its federally registered mark under 15 U.S.C. Section 1114.

32. On information and belief, the misappropriation of the Mark by Defendants on and in connection with goods and services identical or substantially identical to those of Plaintiff is part of a deliberate plan to trade on the valuable goodwill established in such marks. With knowledge of the Plaintiff's ownership of the Mark, and with the deliberate intention to unfairly benefit from the goodwill generated thereby, the actions of Defendants have been carried out in willful disregard of Plaintiff's rights in violation of 15 U.S.C. Section 1114.

COUNT II

Violation of 15 U.S.C. Section 112(a)

Federal Unfair Competition

33. Plaintiff incorporates by reference the allegations of Paragraphs 1-32.

34. The unauthorized use by Defendants in commerce of Plaintiff's Mark on goods and services identical or substantially identical to that of Plaintiff is likely to cause the public to mistakenly believe that Defendants' business activities and goods and services originate from, are sponsored by, or are in some way associated with Plaintiff, constitutes false designations of origin or false descriptions or representations, and is likely to cause the Mark to lose its significance as indicators of origin. The actions by Defendants are in violation of 15 U.S.C. Section 1125 (a).

35. Defendants' unauthorized use of the Mark on goods and services identical or substantially identical to that of Plaintiff was and is being conducted with full knowledge of Plaintiff's rights. Thus, Defendants have willfully infringed and are infringing such rights in violation of 15 U.S.C. Section 1125(a)

COUNT III

Violation of 15 U.S.C. Section 112(c)

Federal Dilution

36. Plaintiff incorporates by reference the allegations of Paragraphs 1-35.

37. Plaintiff's Mark is distinctive and famous according to a number of factors, including, but not limited to, the degree of distinctiveness of the mark; the duration and extent of use of the mark in connection with Plaintiff's Goods and Services; the degree of recognition of the Mark in the trading areas and channels

of trade of Plaintiff and Defendants; the nature and extent of use of the same or similar marks by third parties; and the existence of a federal registration on the Principal Register for Plaintiff's Mark.

38. Defendants' commercial use in commerce of Plaintiff's Mark after such mark has become famous has caused dilution of the distinctive quality of the mark, and infringes Plaintiff's rights to its mark in violation of 15 U.S.C. Section 1125(c)(1).

39. Defendants adopted and are displaying the Mark with full knowledge of Plaintiff's rights to its well known mark and with the willful intention to trade on Plaintiff's reputation as embodied in its mark or to cause dilution of such mark. Thus, Defendants have willfully violated Plaintiff's rights under 15 U.S.C. Section 1125(c)(2).

COUNT IV

Tortious Business Interference

40. Plaintiff incorporates by reference the allegations of Paragraphs 1-39.

41. At all times material hereto, Plaintiff was the owner of a on-line store www.ketomelt.com.

42. Plaintiff worked through online marketing companies, for example, Google, to promote its Products under its Mark and spent more than \$1,000,000 in promoting and driving traffic to promote its Mark and Product (Exhibit D - Google Ads Expenditures).

43. Defendant(s) had knowledge of Plaintiff's rapidly growing sales in the mark which were increasing at a rate of over \$100,000 per month.

44. Defendant(s) wrongfully, purposefully and intentionally interfered with Plaintiff's ability to market its product in a competitive manner by shutting down Plaintiff's paid advertising through Google (Exhibit T - Google Communication).

45. As a result of Defendants' actions, Plaintiff ability to fairly compete was substantially terminated resulting in estimated losses of in excess of \$15,000,000.

RELIEF REQUESTED

WHEREFORE, Plaintiff prays that this Court enter judgment in its favor against Defendants, jointly and severally, as follows:

A. That Plaintiff is owner of the entire right, title, and interest in and to the Mark.

B. That Plaintiff's rights in its Mark are valid, enforceable, and have been infringed by Defendants, and that Defendants have violated other relevant federal and state laws and regulations.

C. That Defendants, their agents, servants, employees, attorneys, and all persons in active concert or participation with them, be preliminarily and permanently enjoined and restrained from: (1) using Plaintiff's Mark and other designations, designs, and indicia which are likely to cause confusion, mistake, or deception with respect to Plaintiff's rights; (2) causing Internet searchers who use a mark or slogan of Plaintiff to be mis directed to any Web site of the Defendants; and (3) otherwise infringing rights in the Mark, and competing unfairly with Plaintiff.

D. That Defendants willfully infringed Plaintiff's rights.

E. That Defendants be required to pay to Plaintiff such damages, statutory or otherwise, together with prejudgment interest thereon, as Plaintiff has sustained as a consequence of Defendants' wrongful acts, and to account for and return to Plaintiff any money, profits, and advantages wrongfully gained by Defendants.

F. That all damages sustained by Plaintiff be trebled.

G. That Defendants be required to pay to Plaintiff attorneys' fees, expenses, and costs incurred in this action.

H. That Defendants deliver up for impoundment during the pendency of this action, and for destruction upon entry of judgment, all products, fixtures, writings, signage, art work, and other material which infringe Plaintiff's rights, falsely designate source or origin, or otherwise facilitate Defendants' unfair competition with Plaintiff.

I. That Defendants notify all third-party search engine operators of this order and request that such operators assure there is no longer any association between any of Plaintiff's marks or slogans with any Website operated by the Defendants.

J. That Defendants be directed to file with this court and serve on Plaintiff within thirty (30) days after the service of an injunction, a written report under oath setting forth in detail the manner and form in which Defendants have complied with this injunction.

K. That Plaintiff be granted such further relief as the Court may deem appropriate.

JURY DEMAND

Plaintiff hereby requests a trial by jury.

Respectfully submitted,

/S/R. William Graham

Dated:

By: R. William Graham Bar Number GA Bar No. 682005
A Patent Lawyer LLC
150 Governors Square
Peachtree City, GA 30269
tel 937-241-5300
fax 937-221-0333

EXHIBIT A - KetoMelt Product



EXHIBIT B - US Registration No. 6116781

United States of America
United States Patent and Trademark Office



Reg. No. 6,116,781

Registered Aug. 04, 2020

Int. Cl.: 5

Trademark

Principal Register

Pure Earth Botany, LLC. (FLORIDA LIMITED LIABILITY COMPANY)
382 Ne 191st Street
Miami, FLORIDA 33179

CLASS 5: Ketogenic dietary and nutritional supplements used for weight loss

FIRST USE 5-31-2016; IN COMMERCE 5-31-2016

The color(s) black and blue is/are claimed as a feature of the mark.

The mark consists of the term "KETOMELT" with "KETO" in black letters and "MELT" in blue letters to the left of a graphic representation of an individual with arms and legs outstretched in blue, and a blue arc line extends across the term with an end encircling the individual.

SER. NO. 88-643,419, FILED 10-05-2019



Andrei Iancu

Director of the United States
Patent and Trademark Office



Exhibit C - KetoMelt Sales Funnel

100% Money Back Guaranteed that it works!

How it Works The Proof What You Get ORDER NOW

30 DAY KETOSIS THE EASIEST WAY to **BURN FAT**

Natural, Safe & Effective!



KetoMelt
KETO
ADVANCED WEIGHT LOSS
1000 MG
60 CAPSULES
DIETARY SUPPLEMENT

- ✓ BHB Ketones
- ✓ Helps Burn Fat*
- ✓ Helps Increase Energy*
- ✓ Gluten Free

Burn Fat Faster than Ever!
Doctors, nutritionists, celebrities all know the fat burning benefits of being in ketosis!

BURN FAT for Energy, Not Carbs
When your body is in Ketosis, it is burning Fat Cells for energy instead of Carbs!

Love the Way You Feel!
Burning fat for energy instead of carbs gives your body 225% more energy!

Limited Time Only!

GET YOUR RISK FREE BOTTLE
100% ALL NATURAL PURE KETOSIS FORMULA

"Find out why this keto weight loss product is going viral!"

Where do we Send your Bottle?

First Name

Last Name

United States

Your Address

Zip Code

Your City

Select State

Email Address

Phone

RUSH MY ORDER
GET YOUR PACKAGE!

256 bit secure form

Verified by VISA, McAfee SECURE, TRUSTe

Exhibit D - Google Ads Expenditures

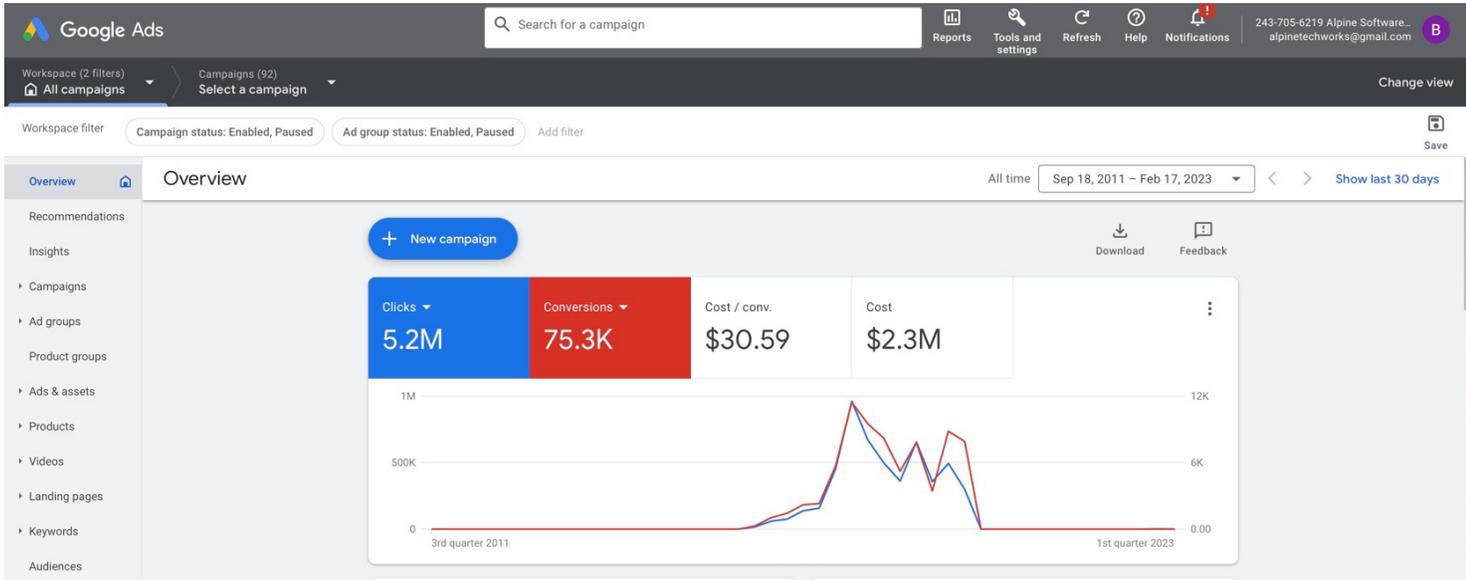


Exhibit E Google KetoMelt

11/11/22, 1:08 PM ketomelt - Google Search

 ketomelt 

[All](#) [Images](#) [Shopping](#) [Videos](#) [Maps](#) [More](#) [Tools](#)

Page 2 of about 17,100 results (0.53 seconds)

Ad · <https://p-ketoomyw.ru.com/> 

Top 2022 Fat Burner Gummies - 90% Off - Top Ranked Keto
 Top 1 USA™ - #Keto-pills will help you lose weight quickly without exhausting workouts. 2022 Keto Weight Loss Pill. Official Store-Get the Lowest Price Here.

Ad · <https://www.14ketodietfaster.cyou/keto/gummies> 

[Keto™ diet pills USA] - We1ght_Loss Pills ShakTank
 Buy 1, Get 2 for Free. Keto is a Weight Loss Supplement That Aids in Healthy Weight Loss. 2022 Keto Weight Loss Pill. Official Store-Get the Lowest Price Here.

<https://www.facebook.com> > ... > Keto Melt 

Keto Melt - Facebook
 Keto Melt Diet Pills guarantee to make it simpler. They state they can help get you into ketosis quicker! What's more, they even say they can assist you ...

<https://dealspotr.com> > ... > Health Supplements 

65% Off KetoMelt Coupon Codes & Black Friday Deals 2022
 Nov 3, 2022 — Competitor Discount Codes: Get Up To 65% Off With These KetoMelt Competitor Coupons for Dietary Supplements (November 2022).

<https://www.townscript.com> > petryyt-gertt-321211 

Keto Melt And Trim 800 - Buy Online Tickets for Upcoming ...
 Explore upcoming events of Keto Melt And Trim 800. Book tickets.

<https://groups.google.com> > keto-melt-x 

Keto Melt X Reviews 2022 - Google Groups
 Apr 21, 2022 — There are slims down like the ketogenic diet and the Atkins diet that lessen inordinate fats from the body. The keto diet is the moving choice ...

<https://www.snopes.com> > Fact Check 

Did 'Shark Tank' Endorse a Keto Diet Pill? - Snopes.com
 Claim: A "keto" diet pill was successfully presented on the television show "Shark Tank."
[Fact check by Snopes.com: Scam](#)
 Feedback

<https://www.zoominfo.com> > pure-earth-botanics-llc 

Pure Earth Botanics - Overview, News & Competitors - ZoomInfo
 View Pure Earth Botanics (www.ketomelt.com) location in Florida, United States, revenue, industry and description. Find related and similar companies as ...

<https://www.docdroid.net> > ultra-keto-melt-keto-melt-k... 

Ultra Keto Melt® _ Keto Melt Keto®.pdf - DocDroid
 Ultra Keto Melt Get in Your Trial Bottle Click Here Order Now! Ultra Keto Melt fasting has been shown to reduce the type of white blood cell called ...

<https://www.bigoven.com> > recipe > keto-melt-in-your-... 

Keto Melt in your Mouth Chicken - BigOven
 Still searching for what to cook? Find the most delicious recipes here. Recipe Test Photos

https://www.google.com/search?q=ketomelt&ei=eY5uY_26JqGzkvQP8aWuyAo&start=10&sa=N&ved=2ahUKEwi92_2r26b7AhWhmYQIHfGSC6kQ8NMDegQID... 1/2

Exhibit F - Wal-mart.com USA, LLC, Walmart, Inc.

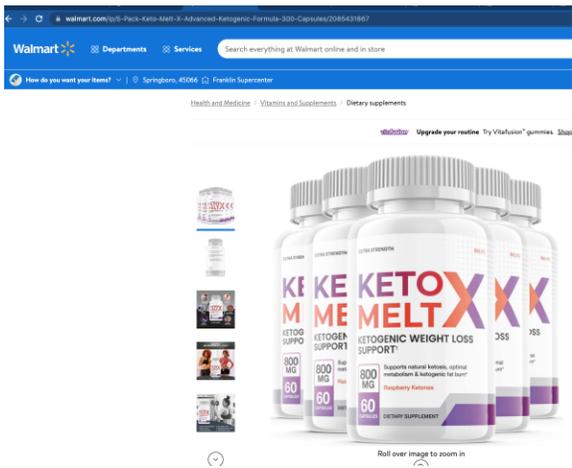
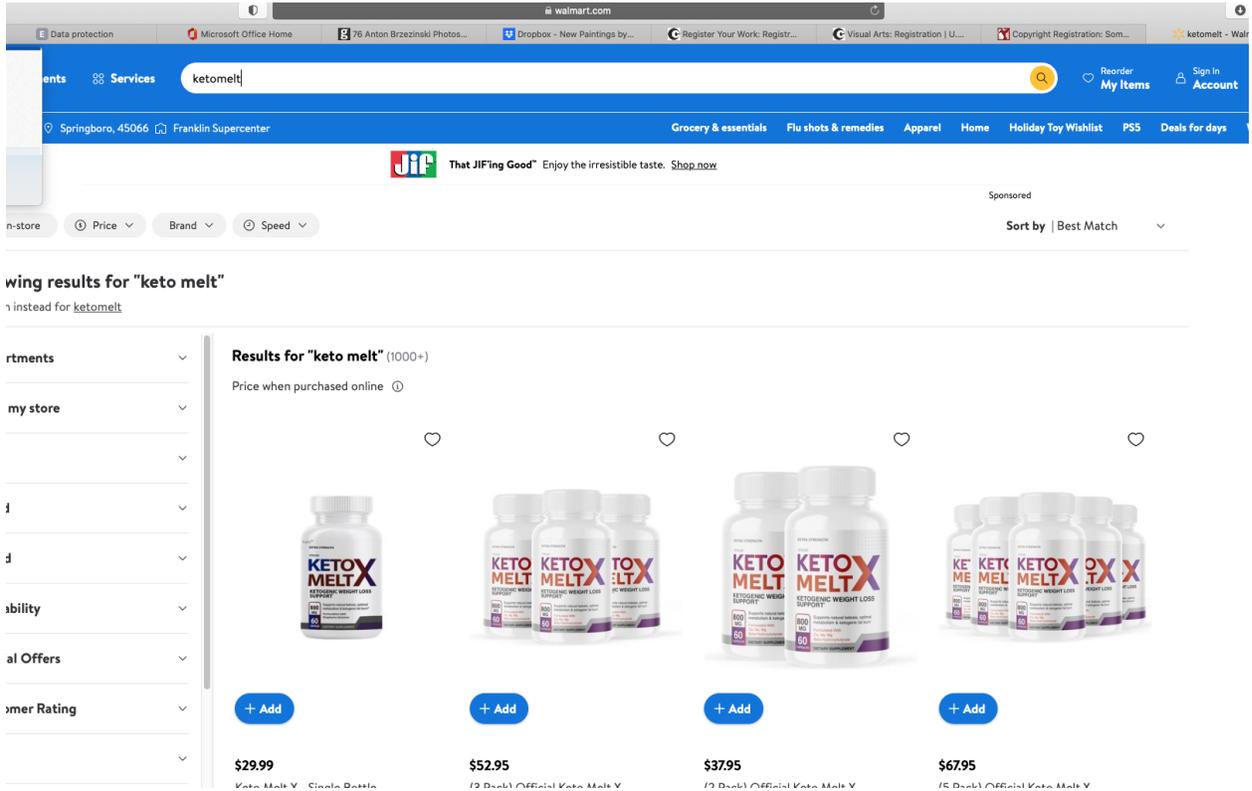


Exhibit G - eBay Commerce Inc.

Hi Bill! | Daily Deals | Brand Outlet | Help & Contact | [Get the Presidents' Day sale coupon](#) | Sell | We

Bill Graham | [bill60pu](#) (28 ★) | Search for anything | All Categories

Category: Health & Beauty > Vitamins & Lifestyle Supplements > Weight Management > Appetite Control & Suppressants



(5 Pack) Keto Melt X Advanced Ketogenic Formula (300 Capsules)

Condition: New

Price: **US \$48.95**

[Buy It Now](#) | [Add to cart](#) | [Add to Watchlist](#)

Free shipping and returns | Ships from United States

Shipping: **Free 2-4 day shipping**
Get it between **Thu, Feb 23** and **Sat, Feb 25** to 45066 | [See details](#)
Located in: Scottsdale, Arizona, United States

Returns: **30 day returns** | Seller pays for return shipping | [See details](#)

Payments: [PayPal](#) | [Google Pay](#) | [VISA](#) | [Mastercard](#) | [AMERICAN EXPRESS](#) | [DISCOVER](#)

PayPal CREDIT
Special financing available. | [See terms and apply now](#)

[Earn up to 5x points when you use your eBay Mastercard®. \[Learn more\]\(#\)](#)

[\\$ Have one to sell?](#) | [Sell now](#)

Similar sponsored items

Exhibit H - Amazon. Com Sales, Inc.

The screenshot displays five product listings on the Amazon.com website:

- Product 1:** K1000 Electrolyte Drink Mix. Price: \$12.99 (\$0.11/Count) from \$19.99. Includes a \$5.00 coupon and Prime delivery.
- Product 2:** LMNT Keto Electrolyte Powder. Price: \$20.00 (\$7.94/Ounce). Includes Prime delivery.
- Product 3:** Keto BHB Diet Pills with BioPerine. Price: \$32.99 (\$16.50/Count) from \$39.99. Includes Prime delivery.
- Product 4:** EZ Melts Multivitamin for Women & Men with Iron. Price: \$21.99 (\$0.37/Count) from \$19.79. Includes Prime delivery.
- Product 5:** (Official) Keto Melt, Advanced Formula. Price: \$24.72 (\$0.41/Count) from \$29.99. Includes Prime delivery.

The screenshot shows the product page for Keto Melt X Advanced Ketogenic Formula (300 Capsules):

- Product Name:** (5 Pack) Keto Melt X Advanced Ketogenic Formula (300 Capsules)
- Price:** \$48.00 (\$16.00/Count)
- Brand:** Ribo
- Item Form:** Capsule
- Product Benefits:** Weight Loss Support
- Age Range:** Adult
- Unit Count:** 300.00 Count
- Number of Items:** 5
- Package Form:** Capsule
- About this item:**
 - Keto Melt X Pills
 - Keto Melt X Advanced Weight Loss
 - Keto Melt X Reviews
 - Keto Melt XL
 - Keto Melt Fast with Exercise



Exhibit I - Vitalina



Exhibit J - Balboa Wholesale LLC, aka Lunar Canyon Organics, and Rillvo



ebay Shop by category All Categories Advanced

Back to home page | Listed in category: Health & Beauty > Vitamins & Lifestyle Supplements > Weight Management > Appetite Control & Suppressants Share | Add to Watchlist



(5 Pack) Keto Melt X Advanced Ketogenic Formula (300 Capsules)

Condition: New

Price: **US \$48.95**

Shop with confidence

eBay Money Back Guarantee
Get the item you ordered or get your money back. [Learn more](#)

Seller information
balboawholesale (6)
87.5% Positive feedback

[Save Seller](#)
[Contact seller](#)
[Visit store](#)



(2 Pack) Keto Melt X Advanced Ketogenic Formula (120 Capsules)

Brand: Rillvo
★ ★ ★ ☆ ☆ 24 ratings

\$28⁹⁵ (\$0.24 / Count)

Get \$125 off: Pay \$0.00 upon approval for the Amazon Business Prime Card. Terms apply.

Brand	Rillvo
Item Form	Capsule
Product Benefits	Weight Loss Support
Age Range (Description)	Adult
Unit Count	120.00 Count
Number of Items	2
Dosage Form	Capsule

\$28⁹⁵ (\$0.24 / Count)

FREE delivery Tuesday, February 28. Details

Deliver to Theresa - Gainesville 30501

In Stock

Qty: 1

Secure transaction

Ships from Lunar Canyon Organics
Sold by Lunar Canyon Organics
Returns Eligible for Refund or Replacement

Roll over image to zoom in

- About this item**
- Keto Melt X Pills
 - Keto Melt X Advanced Weight Loss
 - Keto Melt X Reviews
 - Keto Melt XL
 - Keto Melt Fast with Exercise

Have one to sell?

Exhibit K - Malibu Labs



Exhibit L - Ideal Performance



Exhibit M - Health & Wellness Plus

Health & Wellness Plus

Pro Seller



[See all 228 reviews](#)

3.8 stars out of 5



Overall Positive Rating

What makes a Pro seller

- Quality service provider
- Consistent on-time delivery
- Free online or in-store returns

Business Name: Shopping EZ

[Contact seller](#)

[\(385\) 201-3948](tel:(385)201-3948)

2327 E Deer Park Ln
Draper, Utah 84020, United States

OLLY Health goals, bite sized Multis for the whole crew. Sponsored

Tygax
Max Melt Keto - Maxmelt Keto 3 Pack
\$69.99
Price when purchased online ⓘ

[Add to cart](#)

Free shipping, arrives by Thu, Mar 2 to Sprinoboro_45066
Want it faster? [Add an address](#) to see options
[More options](#)

Sold and shipped by **Health & Wellness Plus**
★★★★☆ 228 seller reviews
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Free 30-day returns [Details](#)

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Sponsored
\$29.95
Optimal Max Keto - Ketogenic Weight Loss Formula - Energ...
★★★★☆ 3
[3+ day shipping](#)
[+ Add](#)

Shop more with Walmart brands
Similar items for you

100+ bought since yesterday [Best seller](#) [Best seller](#) 100+ bought since yesterday



Walmart

<https://www.walmart.com> > ... > All Dietary Supplements

Keto Melt X - Single Bottle - Walmart.com

Keto Melt X - Single Bottle ; Manufacturer. **Tygax** ; Ingredients. Raspberry Ketones, African Mango, Green Tea Extract, Caffeine Anhydrous, Apple Cider Vinegar ...

\$29.99



Exhibit N - VAAD Holdings, LLC.

Reseller of Keto Melt X - communication received by admitting VAAD Holdings
Infringement



<https://trademarks.justia.com> > 905 > 24 > s-o-90524441.html

S.O LABS Trademark of Vaad Holdings LLC - Registration Number 66...

Feb 11, 2021 · Vaad Holdings LLC Party Type 30- Original Registrant Legal Entity Type 16- Limited Liability Company Address Please log inwith your Justia account to see this address. Party Name Vaad Holdings LLC Party Type 20- Owner at Publication Legal Entity Type 16- Limited Liability Company Address Please log inwith your Justia account to see this address.

Exhibit O - Shopping EZ LLC



Walmart

https://www.walmart.com > ... > All Dietary Supplements

Keto Melt X - Single Bottle - Walmart.com

Keto Melt X - Single Bottle ; Manufacturer. **Tygaz** ; Ingredients. Raspberry Ketones, African Mango, Green Tea Extract, Caffeine Anhydrous, Apple Cider Vinegar ...

\$29.99



Status results found

STATUS	DOCUMENTS	Download	Print Preview
Generated on: This page was generated by TSDR on 2023-02-17 15:43:15 EST			
Mark:	TYGAZ		Tygaz
US Serial Number:	97532598	Application Filing Date:	Aug. 03, 2022
Filed as TEAS Plus:	Yes	Currently TEAS Plus:	Yes
Register:	Principal		
Mark Type:	Trademark		
TM5 Common Status Descriptor:	LIVE/APPLICATION/Awaiting Examination		
	The trademark application has been accepted by the Office (has met the minimum filing requirements) and has not yet been assigned to an examiner.		
Status:	New application awaiting assignment to an examining attorney. See current trademark processing wait times for more information.		
Status Date:	Aug. 24, 2022		
<ul style="list-style-type: none"> Mark Information Expand All Goods and Services Basis Information (Case Level) Current Owner(s) Information <ul style="list-style-type: none"> Owner Name: Shopping EZ Owner Address: 2327 E DEER PARK LN Draper, UTAH UNITED STATES 84020 Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: UTAH Attorney/Correspondence Information 			

Exhibit P

11/11/22, 12:56 PM keto melt - Google Search

[All](#) [Shopping](#) [Images](#) [Videos](#) [News](#) [More](#) [Tools](#)

About 9,160,000 results (0.74 seconds)

Ad · <https://yhabakyk.ru.com/> :

SharkTank@#1 Weight Loss Pill - Top 2022 Fat Burner Gummies

Buy 1, Get 2 for Free. **Keto** is a Weight Loss Supplement That Aids in Healthy Weight Loss. 2022 **Keto** Weight Loss Pill. Official Store-Get the Lowest Price Here.

Ad · https://www.noom.com/pills_keto™/pills_keto™ :

#1 ShakTank WeightLoss Pills - #1 Fat Burner Pill

Claim your Free Discounted Bottles Now. 90% Off Now.
Rating for noom.com: 4.3 - 3,874 reviews

Ad · <https://www.14ketodietfaster.cyou/keto/gummi> :

90% Off Today Only - [Keto™ diet pills USA]

Buy 1, Get 2 for Free. **Keto** is a Weight Loss Supplement That Aids in Healthy Weight Loss. 2022 **Keto** Weight Loss Pill. Official Store-Get the Lowest Price Here.

Ad · <https://www.topverifiedreviews.com/reviews/keto> :

2022 Top 5 Keto Pills - There's One Clear Winner 2022

We've independently tested 100 of the best rated fat-loss supps on the market today. Improves Endurance. Used By Professionals. 60-Day Money-Back Promise.
[Get In Touch](#) · [Who We Are](#)

<https://www.amazon.com> > Ketogenic-Melt-Supplement... :

Ketogenic Melt X Supplement Pills (1 Pack) - Amazon.com

Ketogenic Melt X Supplement Pills (1 Pack). +. Premium Keto Diet Pills - Utilize Fat for Energy with Ketosis - Boost Energy & Focus.

Item Weight: 2.57 ounces Package Dimensions: 3.98 x 2.05 x 2.0...

Rating: 3 - 57 reviews · \$17.95

<https://www.amazon.com> > Pack-Advanced-Ketogenic-... :

(3 Pack) Keto Melt X Advanced Ketogenic Formula (180 ...

(3 Pack) **Keto Melt X** Advanced Ketogenic Formula (180 Capsules) ; Unit Count. 180.00 Count ; Number of Items. 3 ; Package Dimensions, 6.65 x 5.2 x 2.24...

Package Dimensions: 6.65 x 5.2 x 2.24 i... Item Form: Capsule

Item Weight: 6.4 ounces

Rating: 3.3 - 25 reviews · \$38.95 · Out of stock

<https://www.ebay.com> > itm :

Keto Melt X Pills, Official Keto Melt Pills Advanced Formula ...

Find many great new & used options and get the best deals for **Keto Melt X Pills, Official Keto Melt Pills Advanced Formula, 1 Bottle Pack** at the best online ...

\$25.95 · Free 4-day delivery · In stock

Ads · Shop keto melt

 (2 Pack) Keto Melt X Pills... \$37.95 eBay Free shipping	 (official) Keto Melt X... \$25.95 Walmart Free shipping	 Approved Science Ket... \$49.95 Approved S...
 Truly Keto ACV... \$59.95 Justified La... Free by ...	 Best-Selling Keto Boost ... \$54.99 awakenedla... Free shipping	 Keto Melt X Melt Keto P... \$19.95 Bonanza Free shipping
 Extra Burn Keto... \$34.72 Amazon.com Free shipping	 Keto Blast Gummies \$49.95 Justified La... Free by ...	 Bio Lyfe Keto Gummies B... \$29.95 Justified La... Free by ...

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What is the best fat burner on keto?

11/11/22, 5:00 PM

ideal performance supplements ketomelt - Google Search



All Shopping Images Videos Maps More Tools

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Ad · https://www.dietdirect.com/ Shop Online Now - Get 30% Off - Code: DDSAVE30 Up To 35% Off Mix-N-Match Bundles, Up To 48% Off Diet Plans and a Money Back Guarantee. Shop Keto Products at Diet Direct. Free Shipping on Orders \$69+. Shop Today. High Quality Protein. Natural Energy Boost. Huge Selection Diet Foods. Rating for dietdirect.com: 4.7 - 217 reviews - Return policy: Most items 30+ days Shakes & Drinks · Subscribe & Save 5% Now · Deals & Coupons · Weight Loss Plans

https://www.amazon.com Pills-Advanced-Formula-Po... Keto Melt X Melt Keto Pills Advanced Formula Powder ... - Amazon.com Keto Melt X Melt Keto Pills Advanced Formula Powder (60 Capsules); Brand: IDEAL PERFORMANCE; Item Form. Capsule; Unit Count. 60.00 Count; Manufacturer, IDEAL ... Rating: 3.4 · 4 reviews

https://www.amazon.com Pack-Advanced-Ketogenic-... (3 Pack) Keto Melt X Advanced Ketogenic Formula (180 ... Amazon.com: (3 Pack) Keto Melt X Advanced Ketogenic Formula (180 ... Ultra Fast Prime Keto Supplement for Women and Men - Optimal Max Keto - 120 Capsules. Rating: 3.3 · 25 reviews · \$38.95 · Out of stock

https://www.ebay.com itm Keto Melt X Melt Keto Pills Advanced Formula Powder (60 ... Brand: IDEAL PERFORMANCE; Formulation: Capsule; Main Purpose: Weight Loss, Weight Management, General Wellness, Sports and Fitness Performance; Active ... \$19.95 · Free 4-day delivery · In stock

https://www.walmart.com ... All Dietary Supplements (Official) Keto Melt X, Advanced Formula, 1 Bottle Package ... Keto Melt X formula is an all natural supplement designed for men and women to help with speed-up the state of ketosis. Ketosis is the state where your body ... Rating: 1 · 1 review · \$25.95 · Free delivery · In stock

https://www.walmart.com brand ideal-performance Ideal Performance - Walmart Ideal Performance. Sugar Balance Pills Supplement for Diabetes Sugarbalance Healthy Blood Sugar Levels (2 Pack - 120 Capsules).

https://www.google.com/search?q=ideal+performance+supplements+ketomelt&ei=28VuY6POD8yWwbkP2rC-0A4&ved=0ahUKEwjip7OUkKf7AhVMSzABHVqY... 1/3

11/11/22, 1:07 PM

Keto Melt Keto Pills

Keto Melt Keto Pills

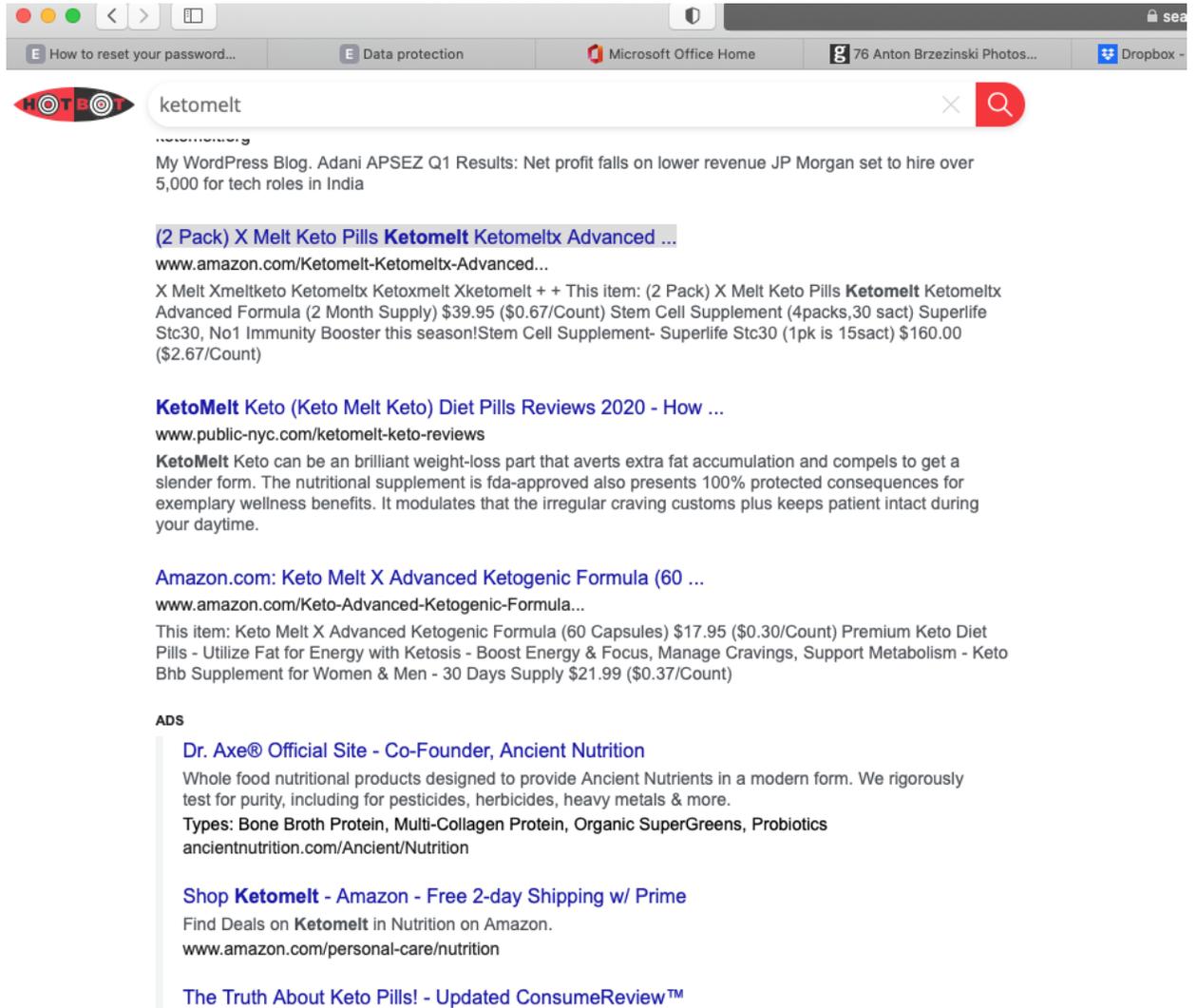
**KETO MELT KETO®
(USA) GREATEST
ADVANTAGE OF YOUR
WEIGHT REDUCTION!**

[SITEMAP](#)

Keto Melt Keto® (USA) Greatest Advantage of Your Weight Reduction!

Keto Melt Keto not start every day with newly squeezed organic products, and a huge natural product plate of mixed greens, new organic products as nature expected it. The magnificence about having organic products for breakfast and having natural product juices, is that you can have as much as you have to cause you to feel full. These nourishments to not meddle with the body's end procedure.

Exhibit Q - hot bot search



ketomelt

My WordPress Blog. Adani APSEZ Q1 Results: Net profit falls on lower revenue JP Morgan set to hire over 5,000 for tech roles in India

[\(2 Pack\) X Melt Keto Pills Ketomelt Ketomeltx Advanced ...](#)
www.amazon.com/Ketomelt-Ketomeltx-Advanced...
 X Melt Xmeltketo Ketomeltx Ketoxmelt Xketomelt + + This item: (2 Pack) X Melt Keto Pills **Ketomelt** Ketomeltx Advanced Formula (2 Month Supply) \$39.95 (\$0.67/Count) Stem Cell Supplement (4packs,30 sact) Superlife Stc30, No1 Immunity Booster this season!Stem Cell Supplement- Superlife Stc30 (1pk is 15sact) \$160.00 (\$2.67/Count)

[Ketomelt Keto \(Keto Melt Keto\) Diet Pills Reviews 2020 - How ...](#)
www.public-nyc.com/ketomelt-keto-reviews
Ketomelt Keto can be an brilliant weight-loss part that averts extra fat accumulation and compels to get a slender form. The nutritional supplement is fda-approved also presents 100% protected consequences for exemplary wellness benefits. It modulates that the irregular craving customs plus keeps patient intact during your daytime.

[Amazon.com: Keto Melt X Advanced Ketogenic Formula \(60 ...](#)
www.amazon.com/Keto-Advanced-Ketogenic-Formula...
 This item: Keto Melt X Advanced Ketogenic Formula (60 Capsules) \$17.95 (\$0.30/Count) Premium Keto Diet Pills - Utilize Fat for Energy with Ketosis - Boost Energy & Focus, Manage Cravings, Support Metabolism - Keto Bhb Supplement for Women & Men - 30 Days Supply \$21.99 (\$0.37/Count)

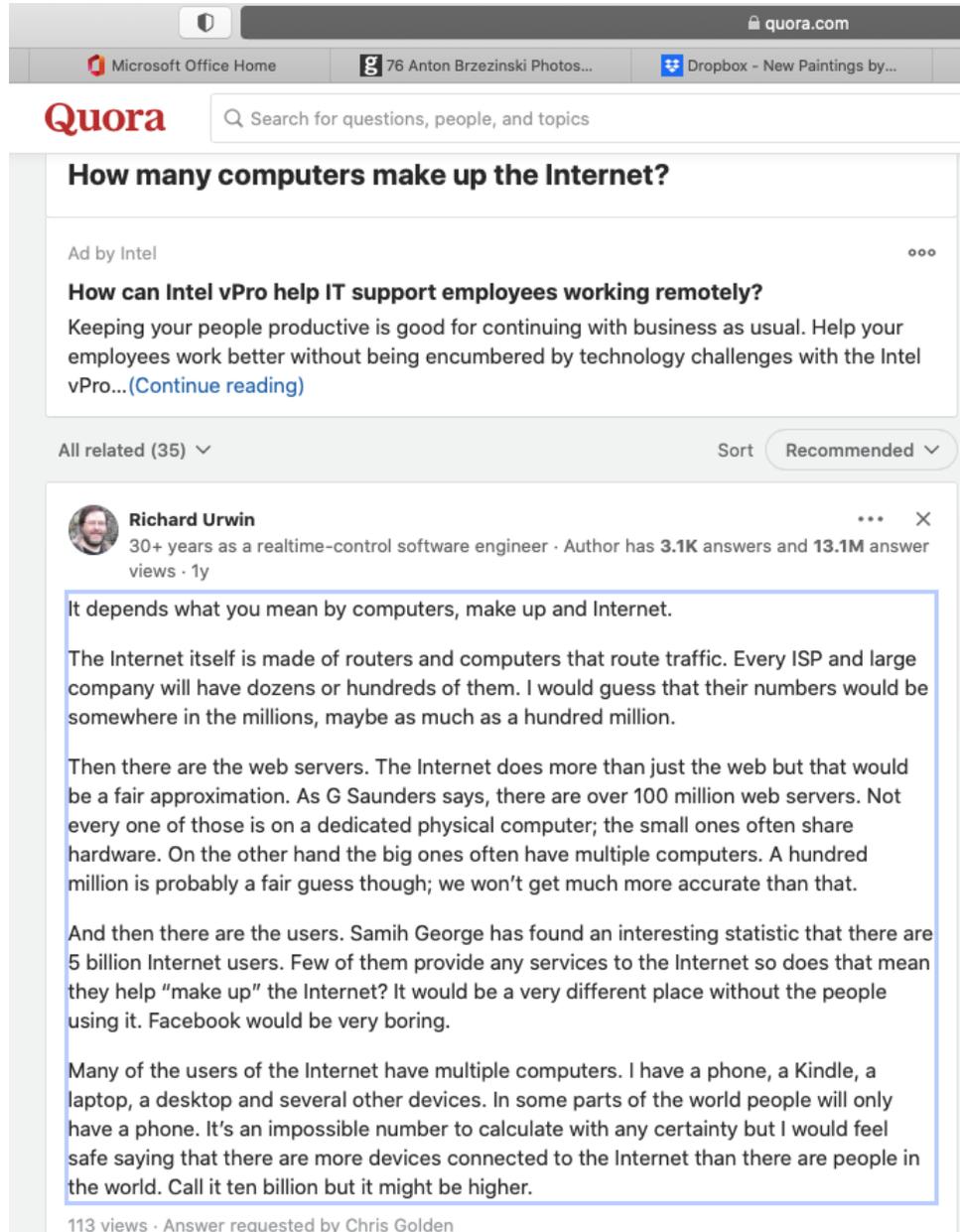
ADS

[Dr. Axe® Official Site - Co-Founder, Ancient Nutrition](#)
 Whole food nutritional products designed to provide Ancient Nutrients in a modern form. We rigorously test for purity, including for pesticides, herbicides, heavy metals & more.
Types: Bone Broth Protein, Multi-Collagen Protein, Organic SuperGreens, Probiotics
ancientnutrition.com/Ancient/Nutrition

[Shop Ketomelt - Amazon - Free 2-day Shipping w/ Prime](#)
 Find Deals on **Ketomelt** in Nutrition on Amazon.
www.amazon.com/personal-care/nutrition

[The Truth About Keto Pills! - Updated ConsumeReview™](#)

Exhibit R - Number of computers make up Internet



The screenshot shows a web browser window with the Quora website. The browser's address bar shows 'quora.com'. The page title is 'How many computers make up the Internet?'. Below the title is an advertisement for Intel vPro. The main content is an answer by Richard Urwin, a software engineer with 3.1K answers and 13.1M views. The answer discusses the components of the Internet, including routers, web servers, and users, and estimates the number of devices connected to the Internet.

quora.com

Microsoft Office Home 76 Anton Brzezinski Photos... Dropbox - New Paintings by...

Quora Search for questions, people, and topics

How many computers make up the Internet?

Ad by Intel

How can Intel vPro help IT support employees working remotely?

Keeping your people productive is good for continuing with business as usual. Help your employees work better without being encumbered by technology challenges with the Intel vPro...[\(Continue reading\)](#)

All related (35) Sort Recommended

 **Richard Urwin** 30+ years as a realtime-control software engineer · Author has 3.1K answers and 13.1M answer views · 1y

It depends what you mean by computers, make up and Internet.

The Internet itself is made of routers and computers that route traffic. Every ISP and large company will have dozens or hundreds of them. I would guess that their numbers would be somewhere in the millions, maybe as much as a hundred million.

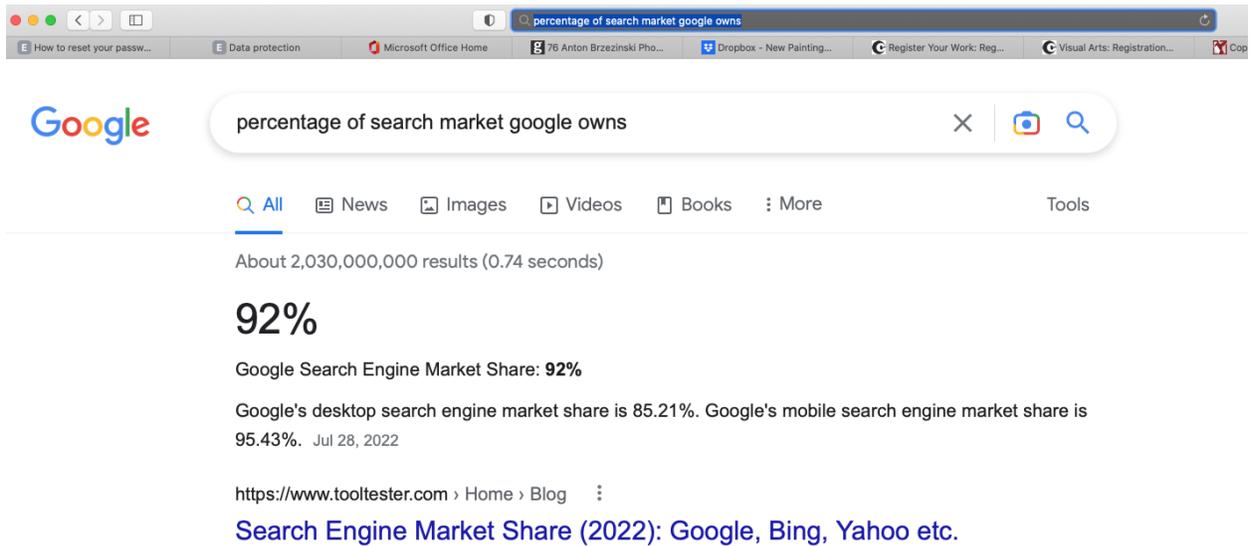
Then there are the web servers. The Internet does more than just the web but that would be a fair approximation. As G Saunders says, there are over 100 million web servers. Not every one of those is on a dedicated physical computer; the small ones often share hardware. On the other hand the big ones often have multiple computers. A hundred million is probably a fair guess though; we won't get much more accurate than that.

And then there are the users. Samih George has found an interesting statistic that there are 5 billion Internet users. Few of them provide any services to the Internet so does that mean they help "make up" the Internet? It would be a very different place without the people using it. Facebook would be very boring.

Many of the users of the Internet have multiple computers. I have a phone, a Kindle, a laptop, a desktop and several other devices. In some parts of the world people will only have a phone. It's an impossible number to calculate with any certainty but I would feel safe saying that there are more devices connected to the Internet than there are people in the world. Call it ten billion but it might be higher.

113 views · Answer requested by Chris Golden

Exhibit S - Google Search Market



The screenshot shows a Google search interface. The search bar contains the text "percentage of search market google owns". Below the search bar, the results are displayed. The top result is a link to "Search Engine Market Share (2022): Google, Bing, Yahoo etc." with a market share of 92%.

percentage of search market google owns

About 2,030,000,000 results (0.74 seconds)

92%

Google Search Engine Market Share: **92%**

Google's desktop search engine market share is 85.21%. Google's mobile search engine market share is 95.43%. Jul 28, 2022

<https://www.tooltester.com> > Home > Blog

[Search Engine Market Share \(2022\): Google, Bing, Yahoo etc.](#)

Exhibit T - Google Communication

From: **Micael Tambucho** micael@google.com
Subject: **Re: Shopping Dissapproval**
Date: **November 19, 2019 at 1:51 PM**
To: **Bill Oneill** admin@alpinewebtech.com



Hey Bill,

Please send over the email that you received with the explanation of the account suspension. I will talk to our support team right away. Did you already engage with our support team? What was their response?

Thanks

On Tue, Nov 19, 2019, 12:29 PM Alpine Admin <admin@alpinewebtech.com> wrote:

Micael,

Our account has been suspended. Please call me ASAP to discuss! We spend hundreds of thousands of dollars per month with your company??

Warm Regards,

Bill O'Neill
937-776-9130



On Nov 14, 2019, at 2:58 PM, Micael Tambucho <micael@google.com> wrote:

https://support.google.com/merchants/contact/suspended?visit_id=636951871004521317-3515631375&rd=1#ts=6081780

--

From: **Micael Tambucho** micael@google.com
Subject: Fwd: Ketomelt volumes
Date: July 25, 2019 at 11:03 AM
To: **Bill Oneill** admin@alpinewebtech.com, **Bill O** alpinetechworks@gmail.com

MT

----- Forwarded message -----
From: **Micael Tambucho** <micael@google.com>
Date: Thu, Jul 25, 2019 at 10:04 AM
Subject: Re: Ketomelt volumes
To: Bill Oneill <admin@alpinewebtech.com>

Hey Bill,

Nothing wrong yesterday, I think it might be just competitor pressure. To take a look at auction insights:

- Choose a campaign.
- Go to the ad group tab.
- Click on auction insights

Attached a screenshot.

Best,

Micael

On Wed, Jul 24, 2019 at 11:43 AM Bill Oneill <admin@alpinewebtech.com> wrote:

Hey Micael the volumes seem low today. Is there an issue with cpa in the auction? Still can not locate the auction standings.

Regards,
Bill O'Neill

On Jul 23, 2019, at 4:42 PM, Micael Tambucho <micael@google.com> wrote:

Hey Bill,

Below some items:

- You can take a look at auction insights for any particular day to see how the competition and impression share shift (attached a screenshot)
- Regarding overspending, the system always calculates spend based on actual demand and by multiplying daily budget*30. It never goes over that if we keep daily budget stable. Consider two moving things: daily demand and smart bidding capabilities of knowing the user journey (most of the transactions are done on same day of the click).
- Conversions for Keto cookbook are trending upwards during the last few days, so I think we are riding a strong Keto wave...I've been seeing lot's of fuzz about it lately...or maybe it's because I am really in market for keto products (3 week doing the diet)

Best,

Micael

On Tue, Jul 23, 2019 at 4:20 PM Bill Oneill <admin@alpinewebtech.com> wrote:

Hey Micael,

The scheduling and CPC were fine over the weekend with great volumes and CPA. Starting yesterday it became much more expensive. Is there a way on my end to see the auctions and bidding?

The evening campaign spent double its budget yesterday, overspending. Is there a way to control this without actually watching it?

Hey Micael,

Sorry for the delayed response, I am traveling overseas this week. Perhaps we can schedule a call next week to go over some items. I'll take a look at shopping and discovery. Regarding Target CPA, the campaigns are somewhat expensive, not sure what you mean regarding your CPA comments. On the cookbook, traffic is extremely slow, any thoughts?

Warm Regards

Bill O'Neill

On Nov 4, 2019, at 3:56 PM, Micael Tambucho <micael@google.com> wrote:

Hey Bill,

It's been a while since our last conversation. I was taking a look at the campaigns and everything seems to be trending in the right direction during the past days but wanted to reach out in case any resource/insights is needed from my end. Couple of observations/recommendations:

- Keto Melt: we are missing shopping and discovery campaigns for this product.
- Target CPA on Keto Melt campaign doesn't seem to be aligned with search CPA, take a look at this as it might be a good idea to accommodate the CPA accordingly.
- I would recommend checking out the recommendations tab for the search campaigns on some small optimizations that can be done. I would caviar that is good to double check the changes before applying but some low hanging fruit like adding audiences and creating new ad versions can be found there.

Let me know if you have any questions about these items or anything I can help with.

Best,

Micael

--



Micael Tambucho
Account Manager
Google Customer Solutions, NY
micael@google.com | [212 565 9156](tel:2125659156)

Ads under review? [Click on this link!](#)

[Click here](#) to get Tech Support: 24 hours a day, 7 days a week.

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