

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

OPTIONMONSTER HOLDINGS, INC.,

Plaintiff,

v.

DELICIOUS MONSTER, LLC,

Defendant.

No.

NOTICE OF CLAIMS INVOLVING TRADEMARKS

Pursuant to LR3.4, Plaintiff OptionMonster Holdings, Inc. ("OptionMonster"), by and through its attorneys, Kelley Drye & Warren LLP, submits the following statement regarding the trademarks involved in this matter:

1. Plaintiff's trademark, OPTIONMONSTER, is a registered mark, Regis. No. 08000381. Plaintiff has applied for and has been granted allowances for the OM Design marks, Serial Nos. 78954297, 78954264, 78954256, 78954266.
2. OptionMonster's registration for OPTIONMONSTER is in class 36 for on-line securities trading services. OptionMonster's applications for the OM Designs marks are pending before the USPTO and allowances have been issued for all OM Design marks. The OM Design marks applied for are in classes 9, 16, 36 and 41.
3. OptionMonster Holdings, Inc., is a Delaware corporation with its principal place of business located at 175 W. Jackson Blvd., Suite 200, Chicago, IL 60604.

4. Defendant's trademarks, DELICIOUS LIBRARY and DELICIOUS MONSTER, are not registered with the USPTO. Applications for these marks have been filed, Serial Nos. 77017211, 77017552. Defendant's applications are in class 9.

5. Defendant Delicious Monster, LLC, is a Washington limited liability company with its principal place of business located at 6252 34th Avenue NE, Seattle, Washington, 98115-7311.

Dated: February 12, 2008.

Respectfully submitted,



One of the attorneys for Plaintiff
OptionMonster Holdings, Inc.
Caroline C. Plater (#6256076)
KELLEY DRYE & WARREN LLP
333 W. Wacker Dr.
Suite 2600
Chicago, IL 60606
(312) 857-7070
(312) 857-7095 (Facsimile)