ORIGINAL

FILED
2011 DEC -9 P 2:58
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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E-filing

JSC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

MACY'S, INC. and MACYS.COM, INC.,

Plaintiffs,

v.

STRATEGIC MARKS, LLC,

Defendant.

Case No. CV11 6198

COMPLAINT FOR TRADEMARK INFRINGEMENT, FALSE DESIGNATION OF ORIGIN, DILUTION, AND UNFAIR COMPETITION

DEMAND FOR JURY TRIAL

Plaintiffs Macy's, Inc. and Macys.com, Inc. (collectively and individually "Macy's" or "Plaintiffs"), by their attorneys, for their complaint against Defendant Strategic Marks, LLC ("Strategic Marks" or "Defendant") allege as follows:

NATURE OF THE ACTION

1. This is an Action for trademark infringement, false designation of origin, unfair competition, and dilution arising under the Lanham Act, 15 U.S.C. § 1051 et seq., and federal and State common law. Defendant has willfully and unlawfully infringed the Heritage Marks (as defined below) with the clear and unmistakable intent and effect of causing confusion, mistake, and deception among customers and potential customers.

2. Macy's is the owner and user of the following world famous marks for retail store and online retail store services, clothing and related products: ABRAHAM & STRAUS, A&S, THE BROADWAY, JORDAN MARSH, BULLOCK'S, ROBINSONS-MAY, FILENE'S, and THE BON MARCHÉ (collectively and individually, the "Heritage Marks").

3. The Heritage Marks have been used, *inter alia*, in the following stylized formats (collectively and individually, the "Macy's Famous Stylized Nameplates"):

Bullock's

BULLOCK'S

ROBINSONS·MAY

FILENE'S Filene's

4. This Complaint asserts claims against Defendant arising from Defendant's trademark infringement, unfair competition, and dilution of the Heritage Marks and Macy's Famous Stylized Nameplates.

5. Macy's asks this Court to enjoin the infringement, dilution, and unfair competition caused by Defendant's wrongful activities and to compensate Macy's for the damages which Defendant has caused and the unjust enrichment it has received.

THE PARTIES

6. Plaintiff Macy's, Inc. is a corporation organized and existing under the laws of the State of Delaware with a principal place of business at 7 West Seventh Street, Cincinnati, OH 45202 and operates several Macy's department stores within this Judicial District.

7. Plaintiff Macys.com, Inc. is a corporation organized and existing under the laws of the State of New York with a principal place of business at 685 Market Street, 8th Floor, San Francisco, CA 94105 and operates the online department store www.macys.com.

8. Upon information and belief, Defendant Strategic Marks is a limited liability company organized and existing under the laws of the State of California, with a place of business at 25 Ridgeview, Irvine, CA 92603.

JURISDICTION AND VENUE

9. This is an action for trademark infringement, false designation of origin, trademark dilution, and unfair competition arising under the Trademark Act of 1946, 15 U.S.C. § 1051 *et. seq.*; trademark infringement, false designation of origin, and unfair competition arising under the common law of the State of California; and statutory dilution and unfair competition under the laws of the State of California. This Court has jurisdiction over the subject matter of this action under the Trademark Act of 1946, 15 U.S.C. § 1121 and the Judicial Code, 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367, which arise out of the same nucleus of operative fact as the substantial Federal law claims to which they are joined.

10. Defendant Strategic Marks is subject to this Court's personal jurisdiction pursuant to Local Rule 3-5 and Rule 4 of the Federal Rules of Civil Procedure because it does business in this Judicial District, including offering infringing products that contain the Heritage Marks within this State and in this District, and expressly aiming the acts alleged in this Complaint at this District.

11. Venue is proper in this judicial district under 28 U.S.C. § 1391, among other things because the injury caused by the acts alleged in this Complaint was felt in this District.

INTRADISTRICT ASSIGNMENT

12. Intradistrict Assignment of this intellectual property action (trademark) is proper on a district-wide basis pursuant to Local Rule 3-2(c) and General Order No. 44.

FACTUAL BACKGROUND

13. Macy's, by itself and through related entities and predecessor entities, is a leading operator of retail department stores in the United States. Macy's operates, *inter*

alia, numerous MACY'S retail department stores throughout the country, including in this State. Macy's also operates an online retail store at www.macys.com.

14. Macy's is the owner of various retail stores under marks other than MACY'S, including but not limited to the Heritage Marks, which are described as follows:

a) JORDAN MARSH, a prominent New England department store initially located in Boston was founded by Benjamin L. Marsh and Eben Jordan in approximately 1851.

b) BULLOCK'S, a prominent west coast department store initially located in Los Angeles was founded by John G. Bullock in 1907.

c) ROBINSONS-MAY stores from the west coast trace their history back to the opening of the J.W. Robinson Company in 1881. The Los Angeles-based store catered to an upscale clientele and quickly branched out to multiple locations.

d) FILENE'S, a prominent New England department store initially located in Boston was established in 1852 by William Filene.

e) ABRAHAM & STRAUS, also known as A&S, was founded in Brooklyn in 1893 and quickly grew from a small dry goods shop to a prominent department store.

f) THE BROADWAY, a southwest store, was initially established in Los Angeles in 1896 and transformed into one of the most successful department store chains in Southern California.

g) THE BON MARCHÉ was initially established in Seattle in 1890 and expanded throughout the Northwest becoming a staple in malls and shopping centers.

15. The Heritage Marks, by reason of the high quality retail and other services provided under them and the quality of design and workmanship of the wearing apparel and other goods sold, have come to be known to the purchasing public as representing products and services of the highest quality, which are provided under the best merchandising and customer service conditions. As a result thereof, the Heritage Marks and the goodwill associated therewith are well-known to the public and of inestimable

value to Macy's.

16. Plaintiff Macy's, Inc. is the owner of, *inter alia*, the following U.S. trademark and service mark registrations for the Heritage Marks (collectively and individually, "Macy's Registrations"):

a) FILENE'S, U.S. Trademark Registration No. 1,960,415, issued March 5, 1996, for retail department store services.

b) ROBINSONS-MAY, U.S. Trademark Registration No. 1,793,132, issued September 14, 1993, for retail department store services.

c) MAY, U.S. Trademark Registration No. 1,728,405, issued October 27, 1992, for retail department store services.

True and correct copies of Macy's Registrations are attached hereto as Exhibit A.

17. The Heritage Marks, by virtue of their wide renown, have developed a secondary meaning and significance in the minds of the trade and the purchasing public, such that the retail department store services, online retail store services, and related goods and services offered thereunder are immediately identified with Plaintiffs by the purchasing public.

18. Macy's has not abandoned its Heritage Marks.

19. Macy's is using its Heritage Marks in United States commerce, including but not limited to within its Macys.com website.

20. Macy's has taken active, affirmative, and successful steps to retain and foster the goodwill of the Heritage Marks.

21. The relevant consuming public recognizes that the Heritage Marks are trademarks and service marks indicating a single source of origin.

22. With the transition of the Heritage Marks stores, the goodwill in the Heritage Marks transferred to Macy's.

23. Based on the fame of, and existing goodwill in the Heritage Marks for retail department store services, online retail store services, and related goods and services, Defendant seeks to usurp that goodwill and dilute those marks.

24. Long after Plaintiffs' adoption and use of the Heritage Marks for retail department store services, online retail store services, and related goods and services, Defendant applied to federally register marks identical to the Heritage Marks for identical services (the "Infringing Marks").

25. Defendant has applied for the following U.S. registrations for the Infringing Marks:

a) U.S. Trademark Application Serial No. 85137185, filed September 24, 2010, for the Infringing Mark ROBINSON'S for, *inter alia*, retail department store and on-line retail department store services.

b) U.S. Trademark Application Serial No. 85137191, filed September 24, 2010, for the Infringing Mark THE BROADWAY for, *inter alia*, retail department store and on-line retail department store services.

c) U.S. Trademark Application Serial No. 85137181, filed September 24, 2010, for the Infringing Mark MAY COMPANY for, *inter alia*, retail department store and on-line retail department store services.

d) U.S. Trademark Application Serial No. 85137194, filed September 24, 2010, for the Infringing Mark ABRAHAM AND STRAUS for, *inter alia*, retail department store and on-line retail department store services.

e) U.S. Trademark Application Serial No. 85137183, filed September 24, 2010, for the Infringing Mark JORDAN MARSH for, *inter alia*, retail department store and on-line retail department store services.

f) U.S. Trademark Application Serial No. 85136164, filed September 23, 2010, for the Infringing Mark BULLOCK'S DEPARTMENT STORE for, *inter alia*, retail department store and on-line retail department store services.

g) U.S. Trademark Application Serial No. 85137196, filed September 24, 2010, for the Infringing Mark FILENE'S for, *inter alia*, retail department store and on-line retail department store services.

h) U.S. Trademark Application Serial No. 85137193, filed September 24, 2010, for the Infringing Mark THE BON MARCHÉ for, *inter alia*, retail department store and on-line retail department store services.

26. Defendant offers for sale and sells products bearing the Infringing Marks on its website, www.retrodepartmentstores.com, using typestyles which are intentionally identical to those used by Macy's for its corresponding Heritage Marks. Attached to this Complaint as Exhibit B is a true and correct copy of the home page of Defendant's www.retrodepartmentstores.com website showing use of the Infringing Marks in the infringing typestyles.

27. Defendant's typestyles include but are not limited to the following:

A&S

the BROADWAY

Jordan Marsh

Bullock's

MAY COMPANY

ROBINSONS

FILENE'S

The BON MARCHÉ

28. Defendant has indicated its intent to use the Infringing Marks for services which are identical to services Macy's provides - i.e., retail department store services and online retail store services featuring clothing and clothing accessories, cosmetics and fragrances, jewelry and home furnishings.

29. Defendant has stated that its intention is to use Heritage Marks precisely because they are famous. Defendant wrote:

> Strategic Mark LLC's goal is to bring back the old shopping experiences and brands you remember.

30. Defendant has advertised the Infringing Marks using Macy's most iconic historic flagship stores, in an apparent attempt to clothe themselves in the associated goodwill. Attached to this Complaint as Exhibit C is a representative page from Defendant's www.retrodepartmentstores.com website which advertises BULLOCK'S and shows a movie entitled "Bullock's Wilshire, Los Angeles 1930's", with actual footage of the famous Bullock's location.

31. The use by Defendant of the Infringing Marks has been willful and without the consent of Macy's.

32. Defendant has used Macy's actual television commercials to advertise its services. Exhibits D, E, F, G, and H are pages from Defendant's www.retrodepartmentstores.com website using early television commercials.

33. Defendant's use of the Infringing Marks is likely to cause confusion and mistake in the minds of the purchasing public, and in particular, tends to and does falsely

create the impression that Defendant's goods and services are conducted by or in association with Macy's (e.g., Defendant may have become part of Plaintiffs' store family).

34. Upon information and belief, Defendant was aware of Macy's proprietary rights in the Heritage Marks before Defendant began using the Infringing Marks.

35. Upon information and belief, Defendant is intentionally trying to usurp the existing and residual goodwill and secondary meaning of the Heritage Marks. Defendant's web site states:

> Now, through Retro Departmentstores.com, we will bring back nine of the great department stores of the 20th century: Joseph Magnin, Bullock's, May, Robinson's May, Jordan Marsh, Filene's, The Broadway, The BonMarche, and Abraham & Strauss, and re-build and restore these well-loved brands.

See Exhibit D attached hereto.

FIRST CLAIM FOR RELIEF

INFRINGEMENT OF FEDERALLY REGISTERED TRADEMARKS
15 U.S.C. § 1114

36. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through 35, inclusive.

37. Defendant infringes trademarks registered in the United States Patent and Trademark Office, in violation of the Trademark Act of 1946, 15 U.S.C. § 1051, *et. seq.*, particularly under 15 U.S.C. § 1114(1).

38. Defendant's use of the Infringing Marks is likely to cause confusion and mistake in the minds of the purchasing public, and in particular, tends to and does falsely create the impression that Defendant's goods and services are conducted by or in association with Macy's (e.g., Defendant may have become part of Plaintiffs' store family) and therefore constitutes a violation of Plaintiffs' registered trademarks within the terms of Section 32 of the Trademark Act, 15 U.S.C. § 1114.

39. Upon information and belief, Defendant's infringement has been willful and

intentional.

40. As a direct and proximate result of Defendant's illegal activities as alleged above, Macy's has been severely damaged. Defendant's acts in infringing Plaintiffs' Registrations have caused, and will continue to cause, irreparable harm to Plaintiffs unless enjoined by this Court.

SECOND CLAIM FOR RELIEF

FALSE DESIGNATION OF ORIGIN AND UNFAIR COMPETITION
15 U.S.C. § 1125(a)

41. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through.40, inclusive.

42. This Claim arises under the provisions of the Trademark Act of 1946, 15 U.S.C. § 1051 et. seq., particularly under U.S.C. § 1125(a), and alleges the use in commerce of false designations of origin and false descriptions and representations.

43. Defendant's use of the Infringing Marks is likely to create confusion and to deceive consumers as to the source of origin, sponsorship and/or authorization of Defendant's business.

44. As more fully set forth above, the Heritage Marks have come to have a secondary meaning indicative of origin, relationship, sponsorship, and/or association with Plaintiffs. The purchasing public is likely to mistakenly attribute to Plaintiffs the use by Defendant of the Infringing Marks as a source of origin, authorization, affiliation, and/or sponsorship for Defendant's retail department store services, online retail store services, and related goods and services and, therefore, to use Defendant's services and purchase Defendant's products in that erroneous belief.

45. Defendant's adoption and continued willful use of a mark confusingly similar to that of Macy's as herein above alleged, constitutes a use in interstate commerce and a false designation of origin or false and misleading description or representation of goods and/or services in commerce, with knowledge of the falsity, and deceptive misdescription, which is likely to cause confusion, mistake and deception, and in commercial advertising

and promotion, misrepresents the nature, characteristics, qualities and origin of Defendant's retail department store services, online retail store services, and related goods and services and commercial activities, within the meaning and in violation of 15 U.S.C. §1125(a).

46. As a direct and proximate result of Defendant's illegal activities as alleged above, Macy's has been severely damaged. Defendant's aforesaid acts have caused, and will continue to cause, irreparable harm to Macy's unless enjoined by this Court.

THIRD CLAIM FOR RELIEF

FEDERAL TRADEMARK DILUTION
15 U.S.C. § 1125(c)

47. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through 46, inclusive.

48. This Claim arises under the provisions of the Trademark Act of 1946, 15 U.S.C. § 1051 et. seq., particularly under 15 U.S.C. § 1125(c), and alleges the commercial use in commerce by Defendant of the Heritage Marks, resulting in dilution thereof.

49. As a result of Macy's extensive advertising and promotional efforts, the Heritage Marks are recognized nationwide by the trade and purchasing public as synonymous with the highest quality goods and services.

50. The Heritage Marks are famous marks that are of inestimable value to Macy's and are relied upon by the trade and the purchasing public to identify and designate Macy's retail department store services, online retail store services, and related goods and services and to distinguish them from the goods and services of others.

51. Defendant's use in commerce of the Infringing Marks is likely to cause dilution of the distinctive quality of the Heritage Marks.

52. Defendant began its use of the Infringing Marks in commerce after the Heritage Marks became famous. Such use of the Infringing Marks commenced recently,

in each case many decades after Macy's began use of the corresponding Heritage Marks.

53. Defendant's store services are of inferior quality, and therefore tarnish Macy's goodwill in the Heritage Marks.

54. Upon information and belief, Defendant's commercial use of the Infringing Marks is continuing with the willful intent to trade upon Plaintiffs' reputation and to cause dilution of the Heritage Marks, all to the detriment and damage of Plaintiffs.

55. Defendant's use of the Infringing Marks has caused and/or is likely to cause dilution by blurring and/or dilution by tarnishment of the Heritage Marks.

56. As a direct and proximate result of Defendant's illegal activities as alleged above, Plaintiffs have been severely damaged. Defendant's aforesaid acts in diluting the Heritage Marks have caused, and will continue to cause, irreparable harm to Plaintiffs unless enjoined by this Court.

FOURTH CLAIM FOR RELIEF

COMMON LAW TRADEMARK INFRINGEMENT AND UNFAIR COMPETITION

57. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through 56, inclusive.

58. This Claim arises under the common law of the State of California and alleges willful and intentional common law trademark infringement and unfair competition by Defendant.

59. As more fully alleged above, the use by Defendant of the Infringing Marks constitutes passing off, unfair methods of competition, unconscionable acts and practices, and unfair and deceptive acts and practices wherein Defendant's conduct is likely to cause confusion in the trade as to the source of Defendant's department store services, online retail store services, related goods and services and/or is likely to lead the public to believe that Defendant and its department store services, online retail store services, and related goods and services are in some way connected with Plaintiffs when, in fact, they are not, all to the detriment of Plaintiffs and in violation of the common

law of the State of California.

60. As a direct and proximate result of Defendant's illegal activities as alleged above, Plaintiffs have been severely damaged. Defendant's aforesaid acts of unfair competition have caused, and will continue to cause, irreparable harm to Plaintiffs unless enjoined by this Court.

FIFTH CLAIM FOR RELIEF

STATE STATUTORY DILUTION
California Business and Professions Code § 14247

61. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through 60, inclusive.

62. The above-described acts and conduct by Defendant—including without limitation its use of the Infringing Marks—are likely to injure the reputation of Macy's and dilute the distinctive quality of its famous marks in violation of Section 14247 of the California Business & Professions Code.

63. By reason of these wrongful acts and conduct Defendant, Macy's has suffered and will suffer damage. Additionally, these wrongful acts and omissions by Defendant have caused, and unless restrained and enjoined by this Court will continue to cause, serious irreparable injury and damage to Macy's, the goodwill associated with its marks, and to the public. Macy's is therefore entitled to injunctive relief, as requested in this action.

SIXTH CLAIM FOR RELIEF

STATE STATUTORY UNFAIR COMPETITION
California Business and Professions Code § 17200 et seq.

64. Macy's incorporates by reference as if fully set forth herein the averments contained within the preceding paragraphs 1 through 63, inclusive.

65. This Claim arises under California Business and Professions Code § 17200 et seq. and alleges willful and intentional unfair competition by Defendant.

66. As more fully alleged above, Defendant's acts and conduct as alleged

above also constitute "unlawful, unfair, or fraudulent business act[s] or practice[s] and unfair, deceptive, untrue, or misleading advertising" within the meaning of California Business and Professions Code § 17200 et seq. Defendant's acts and conduct are wrongful, knowing, willing, and malicious and constitute unfair competition under California State law.

67. As a direct and proximate result of Defendant's illegal activities as alleged above, Plaintiffs have been severely damaged. Defendant's aforesaid acts of unfair competition have caused, and will continue to cause, irreparable harm to Plaintiffs unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment as follows:

1. That a preliminary and permanent injunction be issued enjoining Defendant and its agents, servants, employees, attorneys, and all persons in active concert or participation with them:

(a) from using the Heritage Marks or any marks confusingly similar thereto in connection with sale or offering of goods and services;

(b) from using any logo, trade name, trademark, or service mark, which may be calculated to falsely represent or which has the effect of falsely representing that goods and/or services of Defendant are sponsored by, authorized by or in any way associated with Plaintiffs;

(c) from using the Infringing Marks or from otherwise infringing or diluting the Heritage Marks; and

(d) from otherwise unfairly competing with Plaintiffs or infringing Plaintiffs' rights in and to the Heritage Marks.

2. That Defendant be required to remove from use any interior and exterior signage, web sites, in-store display, business cards, mailers, and any other physical or electronic advertisements, collateral, or promotional materials bearing the Infringing Marks.

3. That Defendant be enjoined from any use of the Infringing Marks on goods which are offered for sale or sold.

4. That Defendant be required to pay to Plaintiffs such damages as Plaintiffs have sustained as a consequence of Defendant's unfair competition and infringement of Plaintiffs' registered and common law Heritage Marks, and to account to Plaintiffs for all gains, profits and advantages derived by Defendant by virtue of its infringement, and/or that Plaintiffs be awarded Defendant's profits pursuant to 15 U.S.C. § 1117 and state common and statutory law.

5. That the monetary award to Plaintiffs be increased based on willful infringement pursuant to 15 U.S.C. § 1117.

6. That the Court find that the circumstances of the case merit an award of damages to Plaintiffs in the amount of three (3) times the amount found as actual damages, as specifically provided in 15 U.S.C. § 1117.

7. That the Court find this case to be exceptional and award reasonable attorneys' fees to the Plaintiffs.

8. For such other and further relief as to the Court may deem just and proper under the circumstances.

DATED: December 9, 2011

HANSON BRIDGETT LLP

By: _____
GARNER K. WENG
CHRISTOPHER S. WALTERS
Attorneys for Plaintiffs MACY'S, INC. and MACYS.COM, INC.

DEMAND FOR JURY TRIAL

Plaintiffs Macy's, Inc. and Macys.com, Inc. hereby demand a trial by jury of all claims so triable.

DATED: December 9, 2011

HANSON BRIDGETT LLP

By: _____
GARNER K. WENG
CHRISTOPHER S. WALTERS
Attorneys for Plaintiffs MACY'S, INC. and MACYS.COM, INC.

EXHIBIT A

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 1,960,415
Registered Mar. 5, 1996

SERVICE MARK
PRINCIPAL REGISTER

FILENE'S

MAY DEPARTMENT STORES COMPANY, THE (NEW YORK CORPORATION)
611 OLIVE STREET, STE. 1750
ST. LOUIS, MO 63101

FOR: RETAIL DEPARTMENT STORE SERVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).
FIRST USE 5-6-1894; IN COMMERCE 5-6-1894.

OWNER OF U.S. REG. NOS. 124,527, 1,517,257 AND OTHERS.

SER. NO. 74-668,816, FILED 5-1-1995.

RUDY R. SINGLETON, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Reg. No. 1,793,132
Registered Sep. 14, 1993

SERVICE MARK
PRINCIPAL REGISTER

ROBINSONS-MAY

MAY DEPARTMENT STORES COMPANY, THE (NEW YORK CORPORATION)
611 OLIVE STREET
ST. LOUIS, MO 63101

FOR: RETAIL DEPARTMENT STORE SERVICES, IN CLASS 42 (U.S. CL. 101).

FIRST USE 1-31-1993; IN COMMERCE 1-31-1993.

SER. NO. 74-355,439, FILED 2-4-1993.

ERIN FALK, EXAMINING ATTORNEY

Int. Cl.: 42

Prior U.S. Cl.: 101

United States Patent and Trademark Office

Reg. No. 1,728,405
Registered Oct. 27, 1992

SERVICE MARK
PRINCIPAL REGISTER

MAY COMPANY

MAY DEPARTMENT STORES COMPANY, THE
(NEW YORK CORPORATION)
611 OLIVE STREET, SUITE 1750
ST. LOUIS, MO 63101

FOR: RETAIL DEPARTMENT STORE SERVICES, IN CLASS 42 (U.S. CL. 101).
FIRST USE 7-7-1899; IN COMMERCE 7-7-1899.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "COMPANY", APART FROM THE MARK AS SHOWN.

SER. NO. 74-186,035, FILED 7-18-1991.

SUSAN LEE, EXAMINING ATTORNEY

EXHIBIT B

Retro

DEPARTMENT STORES

CLICK TO ENTER

A&S · The BROADWAY · Jordan Marsh · Ballard's

Bringing back all the old department stores you remember and loved.

MAY COMPANY · JOSEPH MAGNIN · FILENE'S · The BON MARCHÉ

Strategic Mark LLC's goal is to bring back the old shopping experiences and brands you remember.
Look for a really cool shopping experience coming soon that will bring back choice, selection and service to shopping.
Something we believe has been lost.

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EXHIBIT C

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SHOP JOSEPH MAGNIN

SHOP Bullock's

SHOP MAY COMPANY

SHOP ROBINSONS

SHOP Jordan Marsh

SHOP FILENE'S

SHOP The BROADWAY

Bullock's

Bullock's was founded in 1907 at Seventh & Broadway in downtown Los Angeles by John G. Bullock. In 1944 Bullock's acquired I. Magnin & Co. This was followed by the acquisition of the then public-owned Bullock's/I. Magnin organization in 1964 by Federated Department Stores. In the 1970s, to differentiate itself from the full-line Bullock's stores, the very exclusive Wilshire location dropped its apostrophe, became Bullocks Wilshire, and began its own expansion.

Bullock's, Bullocks Wilshire, and I. Magnin retained their autonomy under Federated, as well as their carriage-trade niche, with I. Magnin expanding into the Chicago and Washington, D.C. metropolitan areas and Bullock's opening stores in Phoenix, Las Vegas and Northern California. In 1983 however, Federated shut the Bullock's North division and sold most of its locations to a Seattle, Washington upstart: Nordstrom. In 1996—following the acquisition of Broadway Stores, Inc.—Federated consolidated all its traditional department-store business in California under the Macy's nameplate, ending 89 years of Bullock's.

Add to Cart

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Like 81 people like this.

SHOP The BON MARCHÉ

SHOP A&S

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EXHIBIT D

HOME CONTACT ABOUT

SHOP JOSEPH MAGNIN

SHOP Bullock's

SHOP MAY COMPANY

SHOP ROBINSONS

SHOP Jordan Marsh

SHOP FILENE'S

SHOP the BROADWAY

Abraham & Strauss

Abraham & Straus (or A&S) was a major New York City department store, based in Brooklyn. Founded in 1865, in 1929 it became part of Federated Department Stores, which eliminated the A&S brand shortly after its 1994 acquisition of R.H. Macy & Company. Most A&S stores took the Macy's name, although a few became part of Stern's, another Federated division that offered lower-end goods than did Macy's or A&S.

Add to Cart

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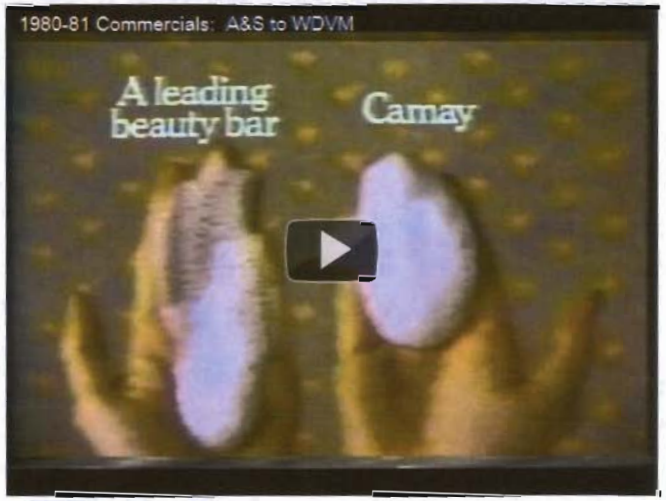

Like 81 people like this.

SHOP The BON MARCHÉ

SHOP A&S

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EXHIBIT E

HOME CONTACT ABOUT

SHOP JOSEPH MAGNIN

SHOP Bullock's

SHOP MAY COMPANY

SHOP ROBINSONS

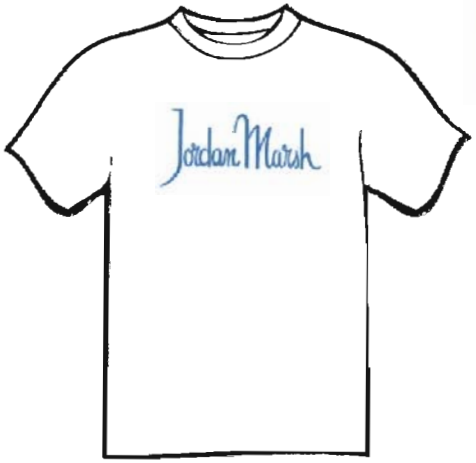
SHOP Jordan Marsh

SHOP FILENE'S

SHOP the BROADWAY

Jordan Marsh

Jordan Marsh & Company (or Jordan Marsh) was a department store in Boston, Massachusetts, which grew to be a major regional chain in the New England area of the United States. In 1996, the last of the Jordan Marsh stores were converted to Macy's. The store was formerly part of Allied Stores and then Federated Department Stores (now Macy's, Inc.). Allied also operated a separate group of stores in Florida called Jordan Marsh Florida, which were disbanded in 1991.



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May Company

The Robinsons-May name was created in 1993 when the former middle-to-low-brow May Company California consolidated with their carriage-trade corporate sibling JW Robinson's. Both chains had operated exclusively in Southern California until 1989 when May Department Stores dissolved its Goldwaters division, based in Scottsdale, Arizona, and apportioned its Phoenix metropolitan and Las Vegas, Nevada, stores between the still separate JW Robinson's and May Company California. In 1993 Robinsons-May absorbed the Tucson-area locations of sister division Foley's, which were themselves the remains of the former Levy's stores. Robinsons-May was further consolidated with Portland, Oregon-based Meier & Frank in 2002, which retained its individual nameplate, but merged its primary headquarters into Robinsons-May's in North Hollywood.

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The Bon Marche

The Bon Marché, whose name means "the good deal" or "the good market", was the name chosen for a department store launched in Seattle, Washington, United States, in 1890 by Edward Nordhoff. The name comes from Le Bon Marché, a noted Paris retailer and one of the world's first department stores, founded 40 years earlier. A solid middle-range store, The Bon served largely working-class Seattle well; branches were added in several Northwestern cities. Among them were Spokane, Tacoma, Yakima, Kennewick, Longview, Walla Walla, Olympia, and Bellingham, Washington, and Boise, Idaho. Commonly known to customers as The Bon, the company dropped the Marché from their name in the late 1970s before returning it in the mid-1980s.

The Bon was known for their catchy jingles, such as the following to the tune of "The Banana Boat Song": "Day-o, One Day Sale, One day only at The Bon Marché! Save 20, 30, 40 percent (example savings)! Saturday only at the Bon Marche. Prices are down in every department! Saturday only at the Bon Marche!..." This jingle continued after the name was changed to Bon Macy's, with the appropriate changes.

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The Broadway

The Broadway was a mid-level department store chain headquartered in Los Angeles, California. Founded in 1896 by English born Arthur Letts, Sr., who later went on to develop Holmby Hills, The Broadway became one of the dominant retailers in Southern California and the Southwest. In 1996 the chain was acquired by Federated Department Stores and the majority of locations were converted to the Macy's nameplate. Several stores in affluent areas where Macy's already had locations were closed, refurbished and reopened as Bloomingdale's, while Federated sold many of the remaining stores to Sears.

Though the chain had been closed for over seven years, The Broadway Building in Hollywood, including its iconic "The Broadway" sign was featured in the climactic final scenes of 2003's Hollywood Homicide movie starring Harrison Ford.

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About

We've heard it countless times before… remember the good ole days when it was a treat to shop at our local department store? We miss those details, such as Joseph Magnin's Wolves Den, Jordan Marsh's delicious blueberry muffins, and The Bon Marche's catchy jingle.

Bringing Back Nine Stores

Now, through Retro Departmentstores.com, we will bring back nine of the great department stores of the 20th century: Joseph Magnin, Bullock's, May, Robinson's May, Jordan Marsh, Filene's, The Broadway, The Bon Marche, and Abraham & Strauss, and re-build and restore these well-loved brands.

The Plan

You'll see these stores first as part of this "nostalgic" virtual mall. Then we plan to branch out with unique accessories at small boutiques, followed by exclusive apparel by up and coming designers, and then ultimately with actual "Brick and Mortar" stores throughout the United States with a full line-up of products. We're thrilled to be able to bring back a little part of Americana home so watch this space for more updates!

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