

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

THE PENNSYLVANIA STATE  
UNIVERSITY,

Plaintiff,

v.

VINTAGE BRAND, LLC;  
SPORTSWEAR, INC., d/b/a PREP  
SPORTSWEAR; and CHAD  
HARTVIGSON,

Defendants.

No. 4:21-CV-1091

(Chief Judge Brann)

**VERDICT FORM**

November 19, 2024

**Members of the Jury:**

**Answer the questions on this form as instructed by the Court. When you have completed the verdict form, each juror must sign and date the last page of the form. The foreperson should then seal the verdict form in an envelope and indicate to the bailiff that you have reached a unanimous verdict.**

**Question One**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged "PENN STATE" trademark?

Vintage Brand LLC  YES  NO  
Sportswear, Inc.  YES  NO  
Chad Hartvigson  YES  NO

*Proceed to Question Two*

**Question Two**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged "THE PENNSYLVANIA STATE UNIVERSITY" trademark?

Vintage Brand LLC  YES  NO  
Sportswear, Inc.  YES  NO  
Chad Hartvigson  YES  NO

*Proceed to Question Three*

**Question Three**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged Lion Shrine Logo One trademark?

Vintage Brand LLC   ✓   YES \_\_\_\_\_ NO

Sportswear, Inc.   ✓   YES \_\_\_\_\_ NO

Chad Hartvigson   ✓   YES \_\_\_\_\_ NO

*Proceed to Question Four*

**Question Four**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged Lion Shrine Logo Two trademark?

Vintage Brand LLC   ✓   YES \_\_\_\_\_ NO

Sportswear, Inc.   ✓   YES \_\_\_\_\_ NO

Chad Hartvigson   ✓   YES \_\_\_\_\_ NO

*Proceed to Question Five*

**Question Five**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged Pozniak Lion Logo trademark?

Vintage Brand LLC   ✓   YES \_\_\_\_\_ NO  
Sportswear, Inc.   ✓   YES \_\_\_\_\_ NO  
Chad Hartvigson   ✓   YES \_\_\_\_\_ NO

*Proceed to Question Six*

**Question Six**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged Penn State Seal Logos trademark?

Vintage Brand LLC   ✓   YES \_\_\_\_\_ NO  
Sportswear, Inc.   ✓   YES \_\_\_\_\_ NO  
Chad Hartvigson   ✓   YES \_\_\_\_\_ NO

*Proceed to Question Seven*

**Question Seven**

Did the Plaintiff prove by a preponderance of the evidence that any of the following Defendants infringed Plaintiff's alleged S-Lion Logo trademark?

Vintage Brand LLC   ✓   YES \_\_\_\_\_ NO  
Sportswear, Inc.   ✓   YES \_\_\_\_\_ NO

Chad Hartvigson  YES  NO

*Proceed to Question Eight*

**Question Eight**

Have Defendants proven by a preponderance of the evidence that the Penn State Seal Logos should be canceled?

YES  NO

*If you answered no to Questions One through Seven, you are finished with this verdict form. Please proceed to page eight of this form to sign and complete the form. If you have answered yes to one or more of Questions One through Seven, please proceed to Question Nine.*

**Question Nine**

If you answered yes to any of questions One through Seven, have Defendants proven by a preponderance of the evidence that Vintage Brand's use of any of the trademarks on its website constitutes nominative fair use?

YES  NO

*Proceed to Question Ten*

**Question Ten**

If you answered yes to any of questions One through Seven, have Defendants proven by a preponderance of the evidence that the trademarks are aesthetically functional?

\_\_\_\_\_ YES  NO

*If you have answered yes to Question Ten, you are finished with this verdict form. Please proceed to page eight of this form to sign and complete the form. If you have answered no to Question Ten, please proceed to Question Eleven.*

**Question Eleven**

Do you find that the Defendant(s)' conduct in infringing on any of the Plaintiff's trademarks was willful? Please answer "N/A" if you concluded that the specific Defendant is not liable for trademark infringement.

Vintage Brand LLC  YES \_\_\_\_\_ NO \_\_\_\_\_ N/A  
If yes, indicate which trademarks Penn State, The Pennsylvania State University Lion Shrine Logo One, Lion Shrine Logo Two, Pozniak Lion, Penn State Seal, S-Lion

Sportswear, Inc.  YES \_\_\_\_\_ NO \_\_\_\_\_ N/A  
If yes, indicate which trademarks Penn State, Lion Shrine Logo One, Lion Shrine Logo Two, Pozniak Lion, Penn State Seal, S-Lion.

Chad Hartvigson  YES \_\_\_\_\_ NO \_\_\_\_\_ N/A  
If yes, indicate which trademarks Penn State, The Pennsylvania State University Lion Shrine Logo one, Lion Shrine Logo Two, Pozniak Lion, Penn State Seal, S-Lion

*Proceed to Question Twelve*

**Question Twelve**

Do you find that the Plaintiff is entitled to compensatory damages?

✓ YES \_\_\_\_\_ NO

If you answer yes, what amount is the Plaintiff entitled to recover?

\$ 28,000.00

*You have completed the verdict form. Each juror must sign and date the next page. The foreperson should then seal the verdict form in an envelope and press the buzzer to inform the bailiff that you have reached a verdict.*

### SIGNATURES

	JUROR NAME	DATE
1		11/19/24
2		11/19/24
3		11/19/24
4		11/19/24
5		11/19/24
6		11/19/24
7		11/19/24
8		11/19/24