

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

ELEVANCE HEALTH, INC., an
Indiana corporation; ANTHEM
INSURANCE COMPANIES, INC., an
Indiana corporation, BLUE CROSS
AND BLUE SHIELD ASSOCIATION,
an Illinois not-for-profit corporation,

Plaintiffs,

v.

LIFEX RESEARCH CORPORATION,
a Georgia corporation; BENEFIT
HEALTH PLAN INC., a Wyoming
Corporation; STEPHEN TUCKER, an
individual; RYSZARD BOLKO, an
individual; THERESE HOARD, an
individual; WILLIAM MCCLURE, an
individual; and KRISTIN BULLOCK,
an individual,

Defendants.

Civil Action No.: _____

**COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF**

JURY TRIAL DEMANDED

Plaintiffs Elevance Health, Inc. f/k/a Anthem, Inc. (“Elevance”), Anthem Insurance Companies, Inc. (“AIC”), (Elevance and AIC hereafter referred to collectively as “Anthem”) and Blue Cross and Blue Shield Association (“BCBSA”) (Anthem and BCBSA hereafter referred to collectively, “Plaintiffs”) hereby allege as follows:

NATURE OF THE ACTION

1. This is a Complaint arising out of Defendant LifeX Research Corporation’s (“LifeX”) unauthorized and unlawful use of Plaintiffs’ famous trademarks in connection with purported health insurance. As part of a scheme to induce consumers to purchase health insurance through an alleged employee benefit plan, LifeX has willfully and improperly used AIC’s ANTHEM mark and BCBSA’s BLUECARD®, BLUE CROSS® and BLUE SHIELD® word marks and logos (the “BCBS Marks”) in blatant violation of Plaintiffs’ trademark rights.

Specifically, LifeX affixed Plaintiffs' trademarks to counterfeit health insurance cards and marketing materials, falsely representing itself as an authorized client and group policy holder of Anthem Blue Cross and Blue Shield ("Anthem BCBS") health insurance – without Plaintiffs' knowledge, authorization or consent. Defendants' misuse of Plaintiffs' trademarks is a deliberate fraud on consumers. LifeX does not maintain any employee benefit plan with Anthem and is not affiliated with Plaintiffs in any way. By misrepresenting this relationship, Defendants are deceiving unsuspecting purchasers of health insurance and health care providers alike, placing the public at significant risk. Consumers purchasing this so-called benefits plan from LifeX will not receive the health insurance coverage that they believed they purchased because LifeX has no actual relationship with Plaintiffs and no authority to offer benefits under or related to an Anthem BCBS plan. Indeed, LifeX is willfully selling consumers an employee benefits health insurance plan that does not exist. Multiple consumers have already been damaged by this fraud when they attempted to seek treatment from providers in Blue Cross Blue Shield networks and were informed that LifeX's purported association with Anthem BCBS was illusory. This egregious misconduct threatens public health and safety and must be stopped immediately. Accordingly, Plaintiffs seek a temporary restraining order and a preliminary and permanent injunction, and damages for Defendants' willful trademark infringement, counterfeiting, unfair competition, and dilution, in violation of federal and state law.

PARTIES

2. Elevance Health Inc., f/k/a Anthem, Inc. is an Indiana corporation with its principal place of business located at 220 Virginia Avenue, Indianapolis, Indiana 46204 and the primary licensee of the BLUE CROSS, BLUE SHIELD, and BLUECARD trademarks discussed below.

3. AIC is an Indiana corporation with its principal place of business located at 220 Virginia Avenue, Indianapolis, Indiana 46204, a wholly owned subsidiary of Elevance, and the registered owner of the ANTHEM trademarks discussed below. AIC licenses the ANTHEM trademark to Elevance's wholly-owned subsidiaries that operate the Anthem BCBS business.

4. BCBSA is a not-for-profit membership-based corporation organized and existing under the laws of the State of Illinois, having its principal place of business at 200 East Randolph Street, Suite 1800, Chicago, IL 60601, and the registered owner of the BLUECARD, BLUE CROSS and BLUE SHIELD trademarks discussed below.

5. Plaintiffs are informed and believe that Defendant LifeX is a Georgia corporation with its principal place of business located at 730 Peachtree Street NE, Suite 570, Atlanta, Georgia 30308.

6. Plaintiffs are informed and believe that Defendant Benefit Health Plan, Inc. ("Benefit Health") is a Wyoming corporation with its principal place of business located at 30 N Gould Street, Suite R, Sheridan, WY 82801.

7. Plaintiffs are informed and believe that Defendant Stephen Tucker is an individual who is the Chief Operating Officer of LifeX and the Director and President of Benefit Health and has direct managerial control over LifeX and Benefit Health.

8. Plaintiffs are informed and believe that Defendant Ryszard Bolko is an individual who is the Chief Financial Officer of LifeX and has direct managerial control over LifeX.

9. Plaintiffs are informed and believe that Therese Hoard is an individual who is the Secretary and Director of LifeX and has direct managerial control over LifeX.

10. Plaintiffs are informed and believe that William McClure is the Director, Secretary, and Treasurer of Benefit Health and has direct managerial control over Benefit Health.

11. Plaintiffs are informed and believe that Kristin Bullock is the Director and President of Benefit Health and has direct managerial control over Benefit Health.

JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over the claims in this action under 28 U.S.C. §§ 1331, 1338(a) and (b), because this action involves claims of trademark infringement, counterfeiting, unfair competition, and dilution arising under the Lanham Act, 15 U.S.C. § 1125. This Court has supplemental jurisdiction over the state law claims in this action pursuant to 28 U.S.C. § 1367, because the state law claims are so related to the federal claims that they form part of the same case or controversy.

13. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)-(d) because Defendants reside in this District, have infringed Plaintiffs' trademark rights in this District, and/or a substantial part of the events giving rise to the claims in this action occurred in this District.

FACTUAL BACKGROUND

14. BCBSA is a national association of 33 independent, community based and locally operated health benefits companies. BCBSA's licensees offer BLUE CROSS and BLUE SHIELD healthcare plans that currently provide healthcare coverage for approximately 118 million people in the United States—approximately 1 in 3 Americans—in all 50 states, the District of Columbia, and in Puerto Rico (the "BCBS Companies"). Nationwide, more than 2 million doctors and hospitals contract with BCBS Companies—more than any other individual non-BCBS insurer.

15. Anthem is another one of the nation's largest healthcare and health benefits companies. Until 2022, Anthem conducted all business under Anthem, Inc.¹, which has roots tracing back to 1946. Anthem is a prominent leader in the health insurance industry and currently provides health, dental, vision, and/or pharmacy health insurance benefits to over 47 million people. Anthem currently provides commercial Anthem BCBS or Anthem Blue Cross branded healthcare plans to over 26 million members in the United States, including members in the state of Georgia. Anthem is the largest licensee that uses the BCBS Marks, offering health insurance plans under licenses to use the BCBS Marks in 14 states. In these markets, Anthem is authorized to use certain BCBSA trademarks pursuant to license agreements with BCBSA and generally operates as "Anthem Blue Cross and Blue Shield" or "Anthem Blue Cross."

16. An employer, as LifeX claims to be, can offer health insurance to employees by purchasing a group health insurance plan, like those offered by BCBS Companies, including Anthem. In order for a company to secure the benefits of membership in an Anthem BCBS (or other BCBS Company)-affiliated plan for its employees; benefits which include (depending on the product) access to an Anthem BCBS provider network and BlueCard® program, the nationwide networks of BCBS Companies described above, a company or employer must enter into an executed written contract with a company licensed to use the BCBS Marks such as Anthem BCBS. Such agreements specify essential terms, including but not limited to identifying the underlying policy or product offering, identifying who assumes underwriting risk for medical claims, and listing the types of benefits for members, as well as information related to coverage limits and co-pays. The contracts also expressly grant the company/employer limited authorization to use

¹ Effective June 28, 2022, Anthem, Inc. changed its name to Elevance Health, Inc. Anthem Blue Cross Blue Shield health plans continue to operate under their existing names in the markets they serve after the corporate entity's name change.

certain BCBSA and Anthem word marks and design marks, as further discussed below. Anthem maintains a comprehensive, searchable database that includes all of its authorized clients (*i.e.*, companies/employers who have purchased a group health insurance plan from Anthem). Defendants are not one of them. LifeX never entered a contract with Anthem to offer employees a group health insurance plan or other health insurance benefits through Anthem.

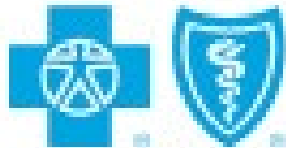
17. Members who are enrolled in or accessing benefits of a BCBS Company or Anthem BCBS Plan receive an identification card that contains a BCBSA-approved three-character prefix followed by up to 14 numeric or alphanumeric positions required for systemwide claim routing (“Subscriber ID”) and that uses the ANTHEM, BLUE CROSS, and/or BLUE SHIELD word marks and logos on the Subscriber ID Cards (“ID Cards”). Subscriber ID Cards are presented by members to healthcare providers in connection with health care services. In turn, providers use information on the Subscriber ID Cards to verify coverage, confirm eligibility for services, and submit claims to the insurance company for reimbursement of healthcare services. The counterfeit identification cards that Defendants have fraudulently issued to third persons are not genuine ID Cards and they do not contain valid Subscriber IDs. Consumers, who purchased health insurance through LifeX’s alleged employee benefits plan (which, does not exist), and who possess these counterfeit ID Cards, have no health insurance coverage or related benefits through Anthem BCBS (and likely, unknowingly, have no health insurance coverage at all).

The BLUE CROSS, BLUE SHIELD, and BLUECARD Marks

18. BCBSA owns federal registrations for the BLUE CROSS, BLUE SHIELD, and BLUECARD Marks set forth in Exhibit A and incorporated herein by reference (the “BCBSA Registrations.”) The BCBSA Registrations are valid, subsisting, and in full force and effect. The incontestable registrations constitute

prima facie evidence of their validity and of BCBSA’s exclusive right to use these trademarks pursuant to 15 U.S.C. § 1057(b).

19. The BLUE CROSS and BLUE SHIELD word marks and logos have been used since at least as early as 1934 and 1939, respectively, by the BCBS Companies in connection with the provision of health and life insurance, health care delivery services, financing access to healthcare, and related goods and services, including but not limited to health insurance and plan services; health care management and consulting services; health care and medical services; health care delivery through medical clinics, physicians, wellness screening services, and wellness programs, including in wound care; assessing healthcare service provider performance; and providing services for locating and connecting with healthcare providers and physicians (“BLUE CROSS and BLUE SHIELD Marks”). The BLUE CROSS and BLUE SHIELD logos appear as follows²:



20. The BCBS Companies, including Anthem, use the BLUE CROSS and BLUE SHIELD Marks in commerce in connection with healthcare and health insurance in all 50 states. In 14 states, including Georgia, Anthem conducts business as BCBSA’s licensee under the name “Anthem Blue Cross” and/or “Anthem Blue Cross Blue Shield.”

21. Generally described, the BlueCard® program allows beneficiaries of BCBS Company plans to access their coverage and receive in-network insurance benefits from the provider networks of other BCBS Companies when they receive

² BCBSA has registered other BLUE CROSS and BLUE SHIELD logos that are not impacted by Defendants’ actions, including solid blue versions of these logos.

medical services in states and areas other than those in which their BCBS Company operates (the “BLUECARD Mark”). If, for example, an Anthem BCBS plan beneficiary receives medical care in Texas (a state where Anthem BCBS does not operate), the Anthem BCBS plan makes a coverage determination and, if the services are covered, the BCBS Company that operates in Texas pays the claim and the Anthem BCBS plan reimburses it.

22. BCBSA and/or BCBS companies have been using the BLUECARD Mark since at least as early as 1995.

23. The BCBS Companies have spent many millions of dollars extensively advertising and promoting their healthcare and health insurance services featuring the BCBS Marks. Their promotional efforts include, among other things, print media, internet advertising, television commercials, sponsorships, promotions, public relations, brokers and retail partnerships, and federally facilitated marketplaces.

24. The BCBS Marks are unique and distinctive, and consumers associate these well-known and famous marks with the high-quality healthcare and health insurance services provided by BCBS Companies. The BLUE CROSS and BLUE SHIELD Marks are among the most recognized brands in the health and health-related industries in the world. In past years, annual net revenue for services under the BLUE CROSS and BLUE SHIELD Marks has exceeded \$300 billion domestically.

25. U.S. federal district courts and other legal panels such as the World Intellectual Property Organization have expressly recognized the fame of the BLUE CROSS and BLUE SHIELD Marks. For example, the court in *Blue Cross & Blue Shield Ass’n v. Blue Cross Mut. Clinic, Inc.* held that the “BLUE CROSS word mark and BLUE CROSS design marks are famous and strong marks, whether used in association with one another or independently” for health care services and

prepaid financing and administration of medical, hospital, and similar health care services. 612 F. Supp. 41, 44 (S.D. Fla. Feb. 28, 1985). As another example, a WIPO Panel found that BLUE CROSS and BLUE SHIELD Marks had acquired a high degree of distinctiveness and fame, given the “longstanding use of the BLUE CROSS and BLUE SHIELD marks, both separately and in conjunction, [BCBSA’s] high volume of business transacted under or in connection with the marks, as well as the worldwide use, registration and recognition of the marks.” *Blue Cross and Blue Shield Ass’n v. Garrett Ltd./John Nunley*, WIPO Case No. D2003-0028 (March 12, 2003).

The ANTHEM Marks

26. Anthem has continually and prominently used the word ANTHEM alone and with other terms as trademarks in commerce in connection with healthcare and health insurance since at least as early as July 1991 (“the ANTHEM Marks”). Anthem conducts insurance operations in all 50 states, the District of Columbia, and Puerto Rico (including Anthem BCBS and other Anthem companies). Since its founding, Anthem has enjoyed continuous and significant growth, both in size as well as sales and revenue. Indeed, Anthem’s revenue exceeded \$140 billion in each of the past two years.

27. Anthem has extensively advertised and promoted its healthcare and health insurance services featuring the ANTHEM Marks and has served tens of millions of consumers and individuals directly and through its subsidiaries in its affiliated health plans in connection with the ANTHEM Mark. Anthem’s promotional efforts include, among other things, print media, internet advertising, television commercials, sponsorships, promotions, public relations, brokers and retail partnerships, and federally facilitated marketplaces. Currently, over 26 million individuals are members of Anthem health plans featuring the ANTHEM Marks.

28. As a result of the unique and distinctive character of the ANTHEM Marks, consumers associate the well-known and famous ANTHEM Marks with Anthem's high-quality healthcare and health insurance services.

29. In addition to its common law rights in the ANTHEM Marks, Anthem owns federal registrations of trademarks containing the term ANTHEM to identify its healthcare and health insurance services (the "ANTHEM Registrations") as set forth in **Exhibit B** and incorporated here by reference.

30. The ANTHEM Registrations are valid, subsisting, and in full force and effect. The registrations constitute prima facie evidence of their validity and of Anthem's exclusive right to use these trademarks pursuant to 15 U.S.C. § 1057(b).

Defendants' Willful Infringement of the ANTHEM, BLUECARD, BLUE CROSS, and BLUE SHIELD Marks

31. On information and belief, Defendant LifeX was incorporated in November 2024 and markets itself as a research company which collects and analyzes health data.

32. On information and belief, Defendant Benefit Health was incorporated in January 2024 and markets itself as a company which administers health benefit plans.

33. On information and belief, individual Defendants Stephen Tucker, Ryszard Bolko, Therese Hoard, William McClure, and Kristin Bullock have conceived, manage, control, and direct LifeX and Benefits Health.

34. To benefit from the reputation, fame, and prestige of the Anthem Marks and BCBS Marks, and with full knowledge that Plaintiffs owned those Marks, Defendants devised a scheme to sell purported group health insurance offered by or affiliated with Anthem BCBS to unsuspecting consumers that LifeX does not have the right or authority to sell. To accomplish this scheme, LifeX lures individuals into working for LifeX in exchange for fake employee benefits,

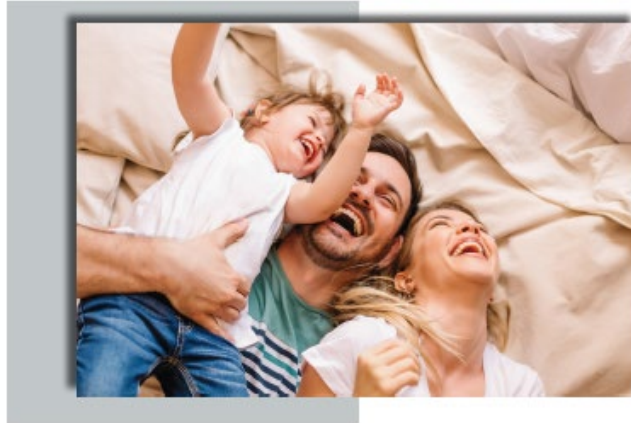
including health insurance plans offered by or affiliated with Anthem BCBS, without authorization from Plaintiffs.

35. On information and belief, Defendants utilize brokers to recruit individuals aged 18 to 40 for employment with LifeX as “Research Associates” who are paid \$40 per hour to perform health research activities such as surveys, videos, quizzes, protocols, health coaching, telemedicine, and healthcare satisfaction utilization surveys.

36. Defendants and their brokers represent that upon “employment” with LifeX, a Research Associate is categorized as a W-2 employee who is entitled to purchase LifeX’s purported employee benefits plans with much lower rates than is typical, including health insurance plans and benefits allegedly offered by Anthem BCBS.

37. Defendants provide LifeX’s new Research Associates with a LifeX Research Associate Guide that describes the Research Associate role. The guide features the Anthem Marks and the BCBS Marks and explains that Research Associates can enroll in a health insurance plan offered by or affiliated with Anthem BCBS as part of their employee benefits package. Upon information and belief, the employee then pays LifeX a premium contribution for said group health insurance. An excerpt from the LifeX Research Associate Guide is depicted below.

Your Provider NETWORK



CONFIRMING YOUR PHYSICIAN IS IN NETWORK

1. Visit <https://www.anthem.com/find-care/>
2. Click "Basic search as a guest"
3. In the first dropdown menu, select Medical Plan or Network (may also include dental, vision, or pharmacy benefits).
4. In the second dropdown menu, select the state where the plan or network is offered. (For employer-sponsored plans, select the state where your employer's plan is contracted in. Most of the time, it's where the headquarters is located.)
5. In the third dropdown menu, select Medical (Employer-Sponsored).
6. In the last dropdown menu, select National PPO (BlueCard PPO). Click Continue.
7. Enter your location and search criteria or search by provider.

10 LifeX Research Associate Guide

38. Thereafter, when a Research Associate selects a health insurance plan offered by or affiliated with Anthem BCBS as part of his or her purported employee benefit package with LifeX, Defendants issue a fraudulent health insurance ID card with a fake Subscriber ID and fake Anthem group number, also featuring the Anthem Marks and BCBS Marks. The ID card additionally features the LifeX logo and states that it is administered by Benefit Health Plan, Inc. An example of one of Defendants' fraudulent and counterfeit ID cards is depicted below.



39. This ID Card was not authorized by Plaintiffs and was not created pursuant to any agreement with Plaintiffs. The member ID and Anthem Group # referenced are not legitimate. Anthem does not use the BLUECARD Mark on its ID Cards.

40. Defendants are not authorized by, affiliated or associated with Plaintiffs, and are not under contract to offer any Anthem BCBS insurance plans or related benefits or otherwise use the Anthem Marks or BCBS Marks.

Actual Confusion

41. Defendants’ unauthorized use of the ANTHEM and BCBS Marks has caused numerous consumers to sign up for employment at LifeX, purchase what they mistakenly believe to be Anthem BCBS insurance, and use what they mistakenly believe to be a proper insurance ID card.

42. Since Defendants began using the Anthem Marks and BCBS Marks in furtherance of their illicit scheme, Anthem has received multiple inquiries from health care providers who were presented with Defendants’ fraudulent ID cards.

For example, in April 2025, Anthem received an inquiry from a health care provider about a member who presented an ID card which bore the ANTHEM, BLUE CROSS, and BLUE SHIELD Marks, but which had an 11-digit ID number that did not conform to the Subscriber ID requirements that all Subscriber ID cards feature. The ID card bore the LifeX and Benefit Health logos. The purported member did not actually have health care insurance or related benefits through Anthem BCBS and, as a result, the services were not eligible for reimbursement at the more favorable participating provider rate negotiated by Anthem BCBS.

43. Since that time, Anthem and at least one separate BCBS Company have received numerous additional inquiries from providers that were presented with Defendants' fraudulent ID cards bearing the Anthem Marks and BCBS Marks.

44. Defendants deliberately used the Anthem and BCBS Marks with intent to trade on the goodwill of the ANTHEM, BLUECARD, BLUE CROSS, and BLUE SHIELD brands, and with intent to deceive and mislead consumers of health insurance into believing that Defendants' proffered employer group health insurance benefits plans and health insurance ID cards are provided, affiliated with, sponsored, or approved by Plaintiffs. Indeed, Defendants willfully used the Anthem Marks and BCBS Marks to induce unsuspecting consumers into becoming "employees" for the purpose of purchasing an Anthem BCBS-affiliated group health plan that does not exist because LifeX has no contract for the same with Anthem BCBS.

45. Defendants deliberately used the Anthem Marks and BCBS Marks with intent to deceive LifeX "employees" into believing that they are enrolled in a health insurance plan offered by or affiliated with Anthem BCBS, when they are not—indeed, it is unclear whether these employees have any health insurance at all.

46. Defendants deliberately used the Anthem Marks and BCBS Marks to falsely indicate that members of the LifeX plan can receive in-network benefits with Anthem BCBS and other BCBS Companies.

47. Defendants' unauthorized use of the Anthem Marks and BCBS Marks in connection with their fraudulent health insurance services has caused and is likely to cause confusion regarding the source and nature of Defendants' services, and/or that Defendants' services come from, are affiliated with, or are sponsored or endorsed by Plaintiffs, when in fact no such affiliation, sponsorship, or endorsement exists, is likely to tarnish the reputations of these famous marks, and unfairly competes. As a result of Defendants' wrongful activities, the Anthem Marks and BCBS Marks have been and will continue be diluted, Defendants have been unjustly enriched, and Plaintiffs have suffered and continue to suffer irreparable harm and economic injury.

FIRST CAUSE OF ACTION

(By Plaintiffs Anthem and BCBSA)

Counterfeiting and Trademark Infringement

15 U.S.C. § 1114

48. Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 47 as though fully set forth herein.

49. Defendants' use of the federally-registered Anthem Marks and BCBSA Marks in the provision of health insurance services is likely to confuse or deceive consumers into believing that Defendants' health insurance services are affiliated with Plaintiffs, or that the parties' services originate from the same source.

50. Defendants' use of the federally-registered Anthem Marks and BCBS Marks in the provision of health insurance services is further likely to confuse or

deceive consumers into believing that LifeX members can receive in-network benefits from Anthem BCBS and other BCBSA licensees.

51. Defendants' violation of Plaintiffs' federal trademark rights in the federally-registered Anthem Marks and BCBS Marks is knowing, deliberate, willful, intended to mislead, and in disregard of Plaintiffs' rights.

52. Defendants' unlawful and deceptive misappropriation of the federally-registered Anthem Marks and BCBS Marks constitutes counterfeiting and trademark infringement in violation of 15 U.S.C. § 1114.

53. Plaintiffs have no adequate remedy at law, and if Defendants' actions are not enjoined, Plaintiffs will suffer irreparable harm to their reputation and the associated goodwill of their brands, including the Anthem Marks and BCBS Marks.

SECOND CAUSE OF ACTION

(By Plaintiffs Anthem and BCBSA)

False Designation of Origin

15 U.S.C. § 1125(a)

54. Plaintiffs repeat and reallege the allegations set forth in Paragraphs 1 through 47 as though fully set forth herein.

55. The BLUE CROSS and BLUE SHIELD Marks have been used since at least as early as 1934 and 1939, respectively, by the BCBS Companies in commerce in connection with the provision of health and life insurance, health care delivery services, financing access to healthcare, and related goods and services.

56. The BLUECARD Mark has been used since at least as early as 1995 by the BCBS Companies in connection with the administration of hospital, medical and health care services.

57. Anthem has been using the ANTHEM Mark in connection with healthcare and health insurance since at least as early as July 1991.

58. Defendants have misappropriated the Anthem Marks and BCBS Marks by enticing unwitting consumers into believing they would receive Anthem BCBS provider network benefits as an employee benefit upon working for LifeX and using the Anthem Marks and BCBS Marks on marketing materials and fraudulent health insurance ID cards issued to LifeX employees.

59. Given the Anthem Marks' and BCBS Marks' fame, reputation, and goodwill in the healthcare and health insurance industry, consumers have and will continue to mistakenly associate Defendants' purported health insurance services, which features the Anthem Marks and BCBS Marks, with Plaintiffs.

60. Defendants' conduct suggests a false connection, affiliation, and/or association between LifeX and/or its services and Anthem BCBS and other BCBS Companies' services.

61. Defendants' unlawful, deceptive, and misleading misappropriation of the Anthem Marks and BCBS Marks constitutes false designation of origin in violation of 15 U.S.C. § 1125(a).

62. Plaintiffs have no adequate remedy at law, and if Defendants' actions are not enjoined, Plaintiffs will suffer irreparable harm to their reputation and the associated goodwill of their brands, including the ANTHEM, BLUECARD, BLUE CROSS, and BLUE SHIELD brands.

THIRD CAUSE OF ACTION

(By Plaintiffs Anthem and BCBSA)

Federal Trademark Dilution

15 U.S.C. § 1125(c)

63. Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 47 as though fully set forth herein.

64. The BLUE CROSS Mark is distinctive and "famous" within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

65. The BLUE SHIELD Mark is distinctive and “famous” within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

66. The ANTHEM Mark is distinctive and “famous” within the meaning of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

67. Defendants continue to use the ANTHEM, BLUE CROSS, and BLUE SHIELD brands in the provision of health insurance services, including on their marketing materials and fraudulent health insurance ID cards, without Plaintiffs’ authorization.

68. Defendants’ conduct is likely to harm the reputation of the ANTHEM, BLUE CROSS, and BLUE SHIELD brands.

69. Defendants’ conduct constitutes trademark dilution of the ANTHEM, BLUE CROSS, and BLUE SHIELD brands in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

70. Defendants’ unlawful conduct is willful. Defendants deliberately used the ANTHEM, BLUE CROSS, and BLUE SHIELD brands to entice unsuspecting individuals into working for LifeX for a chance to enroll in health insurance plans offering the benefits of the Anthem BCBS and other BCBS Companies’ provider network at a lower cost.

71. As a result of Defendants’ conduct, Plaintiffs have suffered and will continue to suffer damage.

72. Defendants’ activities have caused and will continue to cause irreparable harm to Plaintiffs and to the substantial goodwill embodied in the ANTHEM, BLUE CROSS, and BLUE SHIELD brands, and such acts will continue unless restrained by this Court.

FOURTH CAUSE OF ACTION

(By Plaintiffs Anthem and BCBSA)

Unfair Competition

O.C.G.A. § 10-1-390 et seq.

73. Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 47 as though fully set forth herein.

74. Defendants, by engaging in a scheme to market and offer health insurance services and health insurance ID cards that feature the Anthem Marks and BCBS Marks, seek to ride the coattails of the substantial reputation of the Anthem Marks and BCBS Marks to benefit from their power of attraction, fame, and/or prestige, and to exploit the marketing effort expended by Plaintiffs. Defendants' clear intent is to take advantage of the reputation of the Anthem Marks and BCBS Marks in order to assist them to further their scheme.

75. Defendants' actions have caused actual confusion or actual misunderstanding as to affiliation, connection, or association between Defendants and Plaintiffs and/or Defendants' services and Plaintiffs.

76. Defendants have misrepresented that its health insurance services were sponsored by, approved by, affiliated with, and/or connected to Plaintiffs.

77. Through its unauthorized use of the Anthem Marks and BCBS Marks, Defendants have, in essence, offered access to discounts on purchases of health care services from providers of the same, when such discounts or access to such discounts are not specifically authorized under a separate contract with a provider of health care services to which such discounts are purported to be applicable.

78. Defendants intended to take advantage of the Anthem Marks and BCBS Marks to assist them in conducting their fraudulent scheme. Defendants have caused many individuals to work for LifeX and enroll in Defendants' likely nonexistent insurance plan.

79. Defendants' use of the Anthem Marks and BCBS Marks as described above constitutes unfair competition in violation of the Georgia Fair Business Practices Act, O.C.G.A. § 10-1-390 *et seq.*, as it is likely to deceive and mislead the public.

80. Defendants' acts of unfair competition have caused and will continue to cause Plaintiffs irreparable harm. Plaintiffs have no adequate remedy at law for Defendants' unfair competition.

81. Plaintiffs are entitled to judgment enjoining and restraining Defendants from engaging in further acts of infringement and unfair competition.

FIFTH CAUSE OF ACTION

(By Plaintiffs Anthem and BCBSA)

Dilution under Georgia Law

O.C.G.A. § 10-1-451(b)

82. Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 47 as though fully set forth herein.

83. Defendants' use of the Anthem Marks and BCBS Marks as described above is likely to injure Plaintiffs' business reputation and/or dilute the distinctive qualities of the Anthem Marks and BCBS Marks in violation of O.C.G.A. § 10-1-451(b).

84. Defendants' acts of dilution have caused and will continue to cause Plaintiffs irreparable harm. Plaintiffs have no adequate remedy at law for Defendants' dilution.

85. Plaintiffs are entitled to judgment enjoining and restraining Defendants from engaging in further acts of dilution.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for relief as follows:

A. A temporary restraining order, and preliminary and permanent

injunctive relief, enjoining and prohibiting Defendant, or its agents, servants, employees, officers, attorneys, successors and assigns, and all others in active concert or participation with Defendant, from:

- i. Using the Anthem Marks and BCBS Marks, or any versions thereof, in connection with the offer of employee benefit plans or health insurance ID cards;
 - ii. Assisting, aiding, or abetting any other person or entity in engaging in or performing any of the activities referred to in subparagraphs (i) through (ii) above.
- B. An award of damages in an amount to be determined at trial;
 - C. An award of Defendants' profits, 15 U.S.C. § 1117(a);
 - D. An award of treble damages, 15 U.S.C. § 1117(b);
 - E. An award of attorneys' fees and costs, 15 U.S.C. § 1117(a) and (b);
 - F. An award of statutory damages, 15 U.S.C. § 1117(c);
 - G. An award of prejudgment and post-judgment interest; and
 - H. Any further relief the Court deems appropriate.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a trial by jury on all issues in this case.

Dated: June 27, 2025

Respectfully submitted,

/s/ David W. Long-Daniels
David W. Long-Daniels (SBN 141916)
Reed Smith LLP
999 Peachtree Street NE
Suite 2500
Atlanta, GA 30309
Telephone: +1 470 947 5800
Facsimile: +1 470 947 5799
Email: dlong-daniels@reedsmith.com

Robert N. Phillips (*Pro Hac Vice
forthcoming*)

CA Bar No. 120970

Seth B. Herring (*Pro Hac Vice
forthcoming*)

CA Bar No. 253907

Fatima Mobin (*Pro Hac Vice
forthcoming*)

CA Bar No. 354140

Reed Smith LLP

101 Second Street

Suite 1800

San Francisco, CA 94105-3659

Telephone: +1 415 543 8700

Facsimile: +1 415 391 8269





Email: robphillips@reedsmith.com




Email: sherring@reedsmith.com


Email: fmobin@reedsmith.com





Counsel for Plaintiffs





EXHIBIT A


Reg. No.	Mark	Reg. Date	First Use in Commerce	Services
591778	 (Lined for Color Blue)	Jun. 22, 1954	Oct. 1947	Underwriting, on a prepayment basis, the expense to the patient of medical care and underwriting the doctor's expense in furnishing medical care
1912003	 (Lined for Color Blue)	Aug. 15, 1995	Dec. 1946	Association services, namely promoting the delivery of quality, cost-effective, health care
1039940		May 18, 1976	Jul. 24, 1973	Indicating membership in applicant
1423379	 (Lined for Color Blue)	Dec. 30, 1986	Dec. 1972	Home healthcare services, preventive healthcare services, healthcare services rendered through a health maintenance organization namely physician services, dental services, hospital services, health treatment and therapy services, diagnostic testing and examination services, family planning services, mental health services, nursing services and prescription drug services, and arranging for ambulance services




2202586	 (Lined for Color Blue)	Nov. 10, 1998	Oct. 1996	Insurance, namely, underwriting in the field of workers compensation with or without a managed care component
3172397		Nov. 14, 2006	Apr. 1, 1997	Administration, financial management and maintenance of health savings accounts, medical savings accounts, and flexible spending accounts; insurance claims administration
3288739		Sep. 4, 2007	Nov. 30, 2006	Banking and financial services, namely, checking and savings account services, electronic funds transfer, [cash management and disbursement services, lending services, acceptance of deposits and loan payments, check cashing and check issuance,] electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, [trustee services, investment security services, certificates of deposits,] asset management services,

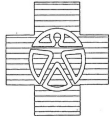




				stored-value card services, smart card services, [credit card services,] all of which are provided in connection with health care coverage plans
5225886		Jun. 20, 2017	Oct. 1947	Marketing of medical, dental, vision, and long term care insurance, and prescription drug benefit plans and Medicare benefit plans; Marketing of life, disability and accidental death and dismemberment insurance plans; Insurance and related insurance services, namely, the sale, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, and Medicare benefit plans; Pharmacy benefit management services; Insurance and related insurance services, namely, the sale, administration and underwriting of life, disability and accidental death and dismemberment insurance plans; Providing information regarding insurance and related insurance services, namely, the




				sale, marketing, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, Medicare benefit plans
969385	 (Lined for Color Blue)	Sep. 25, 1973	Nov. 9, 1972	Prepaid financing of hospital and health care services
990414		Aug. 6, 1974	Nov. 9, 1972	Prepaid financing of hospital and health care services
1055560		Jan. 4, 1977	Nov. 9, 1972	Booklets dealing with health care benefits
1425238	 (Lined for Color Blue)	Jan. 13, 1987	Dec. 1973	Home healthcare services, preventive healthcare services, healthcare services rendered through a health maintenance organization namely physician services, dental services, hospital services, health treatment and therapy services, diagnostic testing and examination services, family planning services, mental health services, nursing services and prescription drug services, and arranging for ambulance services


1763481	 (Lined for Color Blue)	Apr. 6, 1993	Dec. 1972	Association services; namely, promoting the interest of providing quality, cost effective health care
1997328	 (Lined for Color Blue)	Aug. 27, 1996	Jan. 1, 1996	Underwriting, financing, administration, and brokerage of life insurance
3172396		Nov. 14, 2006	Apr. 1, 1997	Administration, financial management and maintenance of health savings accounts, medical savings accounts, and flexible spending accounts; insurance claims administration
3288740		Sep. 4, 2007	Nov. 30, 2006	Banking and financial services, namely, checking and savings account services, electronic funds transfer, [cash management and disbursement services, lending services, acceptance of deposits and loan payments, check cashing and check issuance,] electronic payment services, providing financial information by electronic means, providing secure financial transactions in the nature of electronic cash transactions, electronic check processing transactions, [trustee





				services, investment security services, certificates of deposits,] asset management services, stored-value card services, smart card services, [credit card services,] all of which are provided in connection with health care coverage plans
5220845		Jun. 13, 2017	Nov. 9, 1972	Marketing of medical, dental, vision, and long term care insurance, and prescription drug benefit plans and Medicare benefit plans; Marketing of life, disability and accidental death and dismemberment insurance plans; Insurance and related insurance services, namely, the sale, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, and Medicare benefit plans; Pharmacy benefit management services; Insurance and related insurance services, namely, the sale, administration and underwriting of life, disability and accidental death and dismemberment







				insurance plans; Providing information regarding insurance and related insurance services, namely, the sale, marketing, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, Medicare benefit plans
1293243	 <p>Standard Cross Design (in Color)</p>	04-Sep-1984	Dec. 31, 1968	Prepaid Financing and Administration of Dental and Related Health Care Services
1826582	 <p>Solid Cross Design (in Color)</p>	15-Mar-1994	Dec. 1934	Prepaid financing, and administration thereof, of dental, hospital and related health care services
1699627	 <p>Solid Cross Design (in Color)</p>	07-Jul-1992	Jun. 28, 1988	Health care services rendered through a health maintenance organization; namely, physician services, dental services, hospital services, home health care services, preventative health care services, health care services, medical lab services, counselling services in the field of family planning, mental health services and pharmacy services





2194956	 Standard Cross Design (in Color)	13-Oct-1998	Oct. 1996	Insurance, namely, underwriting in the field of workers compensation with or without a managed care component
554817	 SOLID CROSS DESIGN (in color coded for Blue)	12-Feb-1952	Dec. 1934	Distribution of hospital care on a pre-payment financing basis
3132422	 Standard Cross Design	22-Aug-2006	Aug. 01, 1988	Items of clothing and headgear, namely, t-shirts, shorts, sweatshirts, sweatpants, pullover tops, jackets, coats, socks, hats, caps and visors
3132424	 Standard Cross Design	22-Aug-2006	Aug. 01, 1988	All purpose athletic and sports bags, beach bags, carry-on bags, tote bags, luggage, briefcase-type portfolios and umbrellas
3132578	 Standard Cross Design	22-Aug-2006	Aug. 01, 1988	Pencils, pens, writing paper, envelopes, announcement cards, non-electric pencil sharpeners, drawing pads, paper identification tags, paper sheets, note pads, greeting cards, paperweights, stands for pencils and pens, calendars, diaries and stickers

3219839	 Standard Cross Design	20-Mar-2007	Aug. 01, 1988	Playthings, namely, plastic toy animal figurines and stuffed animals
3132572	 Standard Cross Design	22-Aug-2006	Jan. 01, 1979	Coffee mugs and cups
5352918	 Solid Cross Design (in Color)	12-Dec-2017	Dec. 1934	Insurance and related insurance services, namely, the sale, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, Medicare benefit plans; pharmacy benefit management services; insurance and related insurance services, namely, the sale, administration and underwriting of life, disability and accidental death and dismemberment insurance plans; providing information regarding insurance and related insurance services, namely, the sale, administration and underwriting of medical, dental, vision, and long term care insurance, prescription drug benefit plans, Medicare benefit plans

<p>7207985</p>	 <p>Standard Cross Design</p>	<p>31-Oct-2023</p>	<p>Class 9: Aug. 01, 2018</p> <p>Class 36: Nov. 09, 1972</p> <p>Class 41: Jan. 01, 2015</p> <p>Class 42: Jan. 01, 2015</p> <p>Class 44: Jan. 01, 2015</p>	<p>Class 9: Providing a website featuring healthcare related resources in the nature of online non-downloadable publications, namely, reports, infographics, stories, and news articles in the fields of health, wellness, and healthcare</p> <p>Class 36: Insurance services, namely, underwriting, issuance, and administration of health insurance</p> <p>Class 41: Providing a website featuring healthcare related resources in the nature of online non-downloadable publications, namely, reports, infographics, stories, and news articles in the fields of health, wellness, and healthcare</p> <p>Class 42: Providing a website featuring information about healthcare related scientific research</p> <p>Class 44: Providing personalized remote healthcare and medical information in the nature of medical consultations, namely, providing diagnosis, information, advice, intervention, monitoring and treatment in real time via telephone, online chat or videoconferencing, online remote services in the area of healthcare and</p>
----------------	--	--------------------	---	--

				wellness through the use of personal computer and mobile wireless devices; providing a healthcare resources website featuring information in the fields of health, wellness and healthcare
2634534	 Solid Shield Design	15-Oct-2002	Nov. 05, 1949	Newsletters pertaining to health and insurance
1735461	 SOLID SHIELD DESIGN (Color Coded)	24-Nov-1992	Jun. 28, 1988	Health care services rendered through a health maintenance organization; namely, physician services, dental services, hospital services, home health care services, preventative health care services, health care services, medical lab services, counseling services in the field of family planning, mental health services and pharmacy services
562430	 SOLID SHIELD DESIGN in Blue (Color Coded)	29-Jul-1952	Sep. 05, 1949	Underwriting, on a prepayment basis, the expense to the patient of medical care and underwriting the doctor's expense in furnishing medical care
1319825	 Standard Shield Design (Color coded)	12-Feb-1985	Jun. 01, 1969	Prepaid Financing and Administration of Dental and Related Health Care Services

617304	 Standard Shield Design	06-Dec-1955	Oct. 1947	Underwriting, on a prepayment basis, the expense to the patient of medical care and underwriting the doctor's expense in furnishing medical care
1039866	 Standard Shield Design (in Color)	18-May-1976	Jul. 24, 1973	Prepaid financing and administration of medical, hospital and related health services
1997329	 Standard Shield Design (in Color)	27-Aug-1996	Jan. 01, 1996	Underwriting, financing, administration, and brokerage of life insurance
1514572	 STANDARD SHIELD DESIGN	29-Nov-1988	Jul. 24, 1973	Educational books, binders, printed forms, business forms, trade journals, notebooks, writing paper, envelopes, pens and pencils
3132423	 Standard Shield Design	22-Aug-2006	Aug. 01, 1988	Items of clothing and headgear, namely, t-shirts, shorts, sweatshirts, sweatpants, pullover tops, jackets, coats, socks, hats, caps and visors
3132425	 Standard Shield Design	22-Aug-2006	Aug. 01, 1988	All purpose athletic and sports bags, beach bags, carry-on bags, tote bags, luggage, briefcase-type portfolios and umbrellas

3132573	 Standard Shield Design	22-Aug-2006	Aug. 01, 1988	Pencils, pens, writing paper, envelopes, announcement cards, [non-electric pencil sharpeners,] drawing pads, paper identification tags, paper sheets, note pads, greeting cards, paperweights, stands for pencils and pens, calendars, diaries and stickers
3219840	 Standard Shield Design	20-Mar-2007	Aug. 01, 1988	Playthings, namely, plastic toy animal figurines and stuffed animals
3132571	 Standard Shield Design	22-Aug-2006	Jan. 01, 1979	Coffee mugs and cups
7207986	 Standard Shield Design	31-Oct-2023	Class 9: Jan. 01, 2020 Class 36: Jun. 01, 1969 Class 41: Jan. 01, 2015 Class 44: Jan. 01, 2015	Class 9: Providing a website featuring healthcare related resources in the nature of online non-downloadable publications, namely, reports, infographics, stories, and news articles in the fields of health, wellness, and healthcare Class 36: Insurance services, namely, underwriting, issuance, and administration of health insurance Class 41: Providing a website featuring healthcare related resources in the nature of online non-downloadable publications, namely,

				<p>reports, infographics, stories, and news articles in the fields of health, wellness, and healthcare</p> <p>Class 42: Providing a website featuring information about healthcare related scientific research</p> <p>Class 44: Providing personalized remote healthcare and medical information in the nature of medical consultations, namely, providing diagnosis, information, advice, intervention, monitoring and treatment in real time via telephone, online chat or videoconferencing, online remote services in the area of healthcare and wellness through the use of personal computer and mobile wireless devices; providing a healthcare resources website featuring information in the fields of health, wellness and healthcare</p>
2076689	BLUECARD	Jul. 8, 1997	Mar. 1, 1995	Prepaid financing and administration of hospital, medical and health care services
2184155	BLUECARD WORLDWIDE	25-Aug-1998	<p>Class 36: Dec. 1996</p> <p>Class 42: Dec. 1996</p>	Class 36: Prepaid financing and administration of medical, hospital and related health care services

				Class 42: Comprehensive health care benefit programs, including those rendered through a health maintenance organization, namely, physician, dental, hospital, home health care, preventive health treatment, therapy, pharmacy, and ambulatory services
--	--	--	--	---

EXHIBIT B

Reg. No.	Mark	Reg. Date	First Use in Commerce	Services
2751535	ANTHEM	Aug. 19, 2003	Jul. 25, 1991	Insurance administration and insurance underwriting in the field of health care insurance, namely health maintenance organizations; insurance claims processing in the field of health care insurance, namely health maintenance organizations; Health care in the nature of health maintenance organizations
3251801	ANTHEM	Jun. 12, 2007	Aug. 1, 2004	Financial services, namely, administration and management of health savings accounts.
2930448	ANTHEM	Mar. 8, 2005	Sep. 1, 1990	Insurance underwriting, consulting, and claims administration services.
4722826	ANTHEM	Apr. 21, 2015	Sep. 1, 1990	Newsletters and printed guides relating to health plans, health care and health issues;

			Sep. 1, 1990	Cost management for the health care benefit plans of others; health care cost containment; health care utilization review services; business services provided to the health care and insurance industries, namely, the collection, reporting, and analysis of health care information and health care cost and quality data for business purposes; medical discount program, namely, administration of a program enabling participants to obtain discounts on products and services in the fields of health, vision, dental, behavioral health, and prescription drugs;
			Dec. 31, 2011	Electronic transmission of health care insurance data;

			Jan. 31, 1996	Providing a website featuring blogs in the fields of health, wellness, nutrition, weight loss, stress management, stress reduction, exercise, and fitness; providing an interactive website featuring information, nondownloadable videos and links to the websites of others in the field of exercise and fitness and nondownloadable videos relating to health, wellness, nutrition, weight loss, stress management and stress reduction;
			May 3, 2007	Providing an online tool, namely, providing temporary use of non-downloadable software that provides consumers with information about costs for various medical procedures;
			Feb. 2004	Providing information on health and health

				care via the Internet; providing personal health information via the Internet; providing health care information via telephone; medical counseling; personal medical history management services, namely, maintaining computerized medical data, claim data and databases containing the medical condition of individuals for medical management purposes; providing an online medical health records database; wellness and health-related consulting services; consulting services in the fields of medical care; providing an interactive website featuring information and links to the websites of others relating to health, wellness,
--	--	--	--	--

				nutrition, weight loss, stress management and stress reduction.
5713955	ANTHEM	Apr. 2, 2019	Jan. 4, 2013	Downloadable mobile applications for use in accessing and viewing health insurance information, researching and finding doctors, tracking health insurance plan information and health insurance claims, accessing and viewing health information, communicating with insurance providers regarding issues related to health and health insurance, estimating health costs, checking copays and deductibles, and sending and receiving messages related to health and health insurance