

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.**

CHANEL, INC.,

Plaintiff,

vs.

3UREPLICACHANEL.COM aka FASHIONAAABAGS.COM,
FASHIONCHANELGIRL.COM, MODECLOTHES.RU, and
PERFECTREPLICABAGS.RU; COOLOVE.TOP aka
FABAGS.VIP, and FABBAG.CO; CHEAPREPLICASTORE.COM
aka FAKEPURSESSHOPPING.COM, FAKESDISCOUNT.COM,
LUXURYREPLICASSALE.COM, and
PURSESREFAKESTORE.COM; FAUXBAGSSHOP.COM aka
QUALITYREPLICAWORLD.COM, and TOPFAKEHOST.COM;
GUCCIHANDBAGSS.COM aka IOFFERBUY.NET,
IOFFERHANDBAGS.COM, and LOUISVUITTON-PURSE.COM;
ASHOESLIST.COM aka BESTABAGLIST.COM, and
F8BAG.COM; E8AFASHIONSS.NET aka
FASHION8SHOPSS.NET; CLOTHINGCLOTHES.RU aka
CROSSBODYBAGS.RU, JORDANMARS.COM,
MCMHANDBAG.COM, SELHANDBAGS.RU,
SELLSHOES.RU, SUNGLASSOPTICAL.RU, and
WHOLESALEVALENTINO.COM; BORSEONLINE.RU aka
OUTLETBORSA.COM; HAILEYEC.CLUB aka TRACOB.SHOP;
PAYSUNGLASSLESS.CO.UK; PURSESFAKESHOP.COM aka
REPLICASELLING.COM; USTARBIZ.NET aka USTARBIZ.TOP;
11TOPCASE.COM; 1ON1REPLICA.COM; ABRANDBAGS.COM;
BRIGHTREPLICAWATCHES.COM; CRISPLUXURY.COM;
DESIGNERINSPIREDFASHIONS.COM;
ILUXEFASHIONS.COM; LUXURYBRANDCART.COM;
LUXURYFASHION.TO; LUXURYREPLICASOUTLET.COM;
MORDERSHOP.COM; MYTHICK.COM; PB-SG.COM;
REPLICAHERMES.TOP; REPLICAWHOLESALECENTER.COM;
SWEETWELVEHUT.COM; THEBRANDGO.COM; VHO.TO;
VISHHANDBAG.COM; XVBAG.COM; ZZSTAR.STORE;
818DIOR.RU; AAAHANDBAG.SE; ABAGS.SU;
ANONYMOUSLUXURY.RU aka COCOSHOPS.RU,
ESSENCESHOP.RU, LUXURYMALLS.RU, and
LUXURYSYNONYMS.RU; BAGBUY.RU;
CHEAPBAGMALLUK.CN; COVETEDPURSE.RU;
DESIGNERB.RU; DESIGNERPURSE.RU; DISCOUNTBAG.CN;
E8BAGS.RU; H-BAY.CN; HIGHPURSES.CN; LUXURY-BAGS-
SALE.RU; PURSEBUY.RU; REALBAG.RU;

SUPPLIER4BRAND.RU; TALINENOELLE.CA; TOPBAGS.CN;
and VOGUEKINGBAG.CN, Each an Individual, Partnership or
Unincorporated Association,

Defendants.

COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

Plaintiff, Chanel, Inc. (“Chanel” or “Plaintiff”) hereby sues Defendants, the Individuals, Partnerships, or Unincorporated Associations identified in the caption above and set forth on Schedule “A” hereto (collectively “Defendants”). Defendants are promoting, selling, offering for sale and/or distributing goods bearing counterfeits and confusingly similar imitations of Chanel’s trademarks within this district through at least the fully-interactive commercial Internet websites and supporting domains operating under the domain names identified on Schedule “A” hereto (the “Subject Domain Names”). In support of its claims, Chanel alleges as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1125(a), and 1125(d), and The All Writs Act, 28 U.S.C. § 1651(a). Accordingly, this Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Chanel’s state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this district because they operate commercial websites accessible in this district, conduct business by registering and maintaining commercial Subject Domain Names registered within the United States, and/or direct business

activities toward consumers throughout the United States, including within the State of Florida and this district, through at least the fully-interactive commercial Internet websites and supporting domains operating under the Subject Domain Names.¹

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391. Defendants are, upon information and belief, aliens who engage in infringing activities and cause harm within this district by advertising, offering to sell and/or selling infringing products into this district.

THE PLAINTIFF

4. Chanel is a corporation organized under the laws of the State of New York with its principal place of business in the United States located at Nine West 57th Street, New York, New York 10019. Chanel operates boutiques throughout the world, including within this district. Chanel is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high quality luxury goods under multiple world famous common law and federally registered trademarks, including those identified in Paragraph 17 below. Chanel offers for sale and sells its trademarked goods within the State of Florida, including within this district. Defendants, through the advertising, sale, and offering for sale counterfeit and infringing Chanel branded products, are directly, and unfairly, competing with Chanel's economic interests in the State of Florida and causing Chanel harm and damage within

¹ Multiple Defendants use some of their Subject Domain Names to act as supporting domain names to direct traffic to their fully-interactive, commercial websites, including those operating under other Subject Domain Names, from which consumers can complete purchases. At least one supporting domain name operates as a blog style website which provides support and directs consumer traffic to another fully-interactive, commercial website operated by the respective Defendant. Other supporting domain names either automatically redirect and forward to a fully-interactive, commercial website operated by the respective Defendant, or redirect a consumer to a fully-interactive, commercial website upon clicking a product or link on that website. Accordingly, the web pages for the Subject Domain Names which operate as redirecting websites are included with the web pages to which those sites redirect, as shown in Composite Exhibit "2" attached hereto.

this jurisdiction. Chanel regularly enforces its intellectual property rights and authorized this action be brought in its name.

5. Like many other famous trademark owners, Chanel suffers ongoing daily and sustained violations of its trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Chanel's trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits across their e-commerce websites.

6. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Chanel expends significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement, such as field training guides and seminars. The exponential growth of counterfeiting over the Internet has created an environment that requires companies, such as Chanel to file a large number of lawsuits, often it later turns out, against the same individuals and groups, in order to protect both consumers and itself from the ill effects of confusion and the erosion of the goodwill associated with the Chanel brand.

THE DEFENDANTS

7. Defendants operate through domain names registered with registrars in multiple countries, including the United States, and are comprised of individuals, partnerships, and/or business entities of unknown makeup, whom, upon information and belief, likely reside and/or operate in foreign jurisdictions or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants direct their business activities towards consumers throughout the world, including the United States and within this district, through the simultaneous operation of at least

the interactive commercial Internet websites and supporting domains existing under the Subject Domain Names.

8. Defendants use aliases in conjunction with the operation of their businesses, including but not limited to those identified by the same Defendant Number on Schedule "A" hereto.

9. Defendants are directly and personally contributing to, inducing and engaging in the sale of counterfeit branded products as alleged herein, often times as partners, co-conspirators and/or suppliers.

10. Defendants are part of an ongoing scheme to create and maintain an illegal marketplace enterprise on the World Wide Web, which (i) confuses consumers regarding the source of Defendants' goods for profit, and (ii) expands the marketplace for illegal, counterfeit Chanel branded goods while shrinking the legitimate marketplace for genuine Chanel branded goods. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Chanel's famous name and associated trademarks, as well as the destruction of the legitimate market sector in which Chanel operates.

11. Defendants are the past and present controlling forces behind the operation of the Internet websites operating under, at least, the Subject Domain Names.

12. Defendants directly engage in unfair competition with Chanel by (i) advertising, offering for sale and/or selling goods bearing counterfeits and infringements of one or more of Chanel's trademarks to consumers within the United States and this district through at least the interactive commercial Internet websites and supporting domains operating under the Subject Domain Names and corresponding website Uniform Resource Locator ("URL"), and any additional domains and corresponding website URLs not yet known to Chanel, and (ii) creating

and maintaining an illegal marketplace enterprise for the purpose of diverting business from Chanel's legitimate marketplace for its genuine goods. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale, and/or shipment of counterfeit Chanel branded goods into the State, and by operating an illegal marketplace enterprise which impacts and interferes with commerce throughout the United States, including within the State of Florida.

13. Defendants have registered, established or purchased, and maintained their respective Subject Domain Names, and the websites operating thereunder. Upon information and belief, many Defendants have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information to their various registrars during the registration or maintenance process. Upon information and belief, many Defendants have registered and/or maintained their Subject Domain Names for the sole purpose of engaging in illegal counterfeiting activities.

14. Defendants will likely continue to register or acquire new domain names, and consequently new URL addresses in connection therewith, for the purpose of selling and/or offering for sale goods bearing counterfeit and confusingly similar imitations of one or more of Chanel's trademarks unless preliminarily and permanently enjoined. Moreover, Defendants will likely continue to maintain and grow their illegal marketplace enterprise at Chanel's expense unless preliminarily and permanently enjoined.


15. Defendants' entire Internet-based website businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Chanel and others.





16. Defendants' business names, i.e., the Subject Domain Names and corresponding website URLs, and any other domain names and corresponding websites' URLs, and aliases used in connection with the sale of counterfeit and infringing goods bearing one or more of Chanel's trademarks are essential components of Defendants' counterfeiting and infringing activities and are one of the means by which Defendants further their counterfeiting and infringement scheme and cause harm to Chanel. Moreover, Defendants are using Chanel's famous name and trademarks to drive Internet consumer traffic to their websites operating under the Subject Domain Names, thereby creating and increasing the value of the Subject Domain Names and decreasing the size and value of Chanel's legitimate consumer marketplace at Chanel's expense.

COMMON FACTUAL ALLEGATIONS

Plaintiff's Trademark Rights

17. Chanel is the owner of all rights in and to the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (collectively, the "Chanel Marks"):

Trademark	Registration Number	Registration Date	Classes/Goods
CHANEL	0,626,035	May 1, 1956	IC 018 - Women's Handbags
CHANEL	1,241,265	June 7, 1983	IC 025 - Suits, Jackets, Skirts, Dresses, Pants, Blouses, Tunics, Sweaters, Cardigans, Coats, Raincoats, Scarves, Shoes and Boots
	1,314,511	January 15, 1985	IC 018 - Leather Goods-Namely, Handbags
CHANEL	1,347,677	July 9, 1985	IC 018 - Leather Goods-Namely, Handbags

	1,501,898	August 30, 1988	IC 006 - Keychains IC 014 - Costume Jewelry IC 025 - Blouses, Shoes, Belts, Scarves, Jackets, Men's Ties IC 026 - Brooches and Buttons for Clothing
CHANEL	1,733,051	November 17, 1992	IC 018 - Leather Goods; namely, Handbags, Wallets, Travel Bags, Luggage, Business and Credit Card Cases, Change Purses, Tote Bags, Cosmetic Bags Sold Empty, and Garment Bags for Travel
	1,734,822	November 24, 1992	IC 018 - Leather Goods; Namely, Handbags, Wallets, Travel Bags, Luggage, Business Card Cases, Change Purses, Tote Bags, and Cosmetic Bags Sold Empty
J12	2,559,772	April 9, 2002	IC 014 - Timepieces; Namely, Watches, and Parts Thereof
	3,025,936	December 13, 2005	IC 009 - Eyeglass Frames, Sunglasses IC 025 - Gloves, Swimwear IC 026 - Hair Accessories, namely, Barrettes
CHANEL	3,133,139	August 22, 2006	IC 014 - Jewelry and Watches
	4,074,269	December 20, 2011	IC 009 - Protective Covers for Portable Electronic Devices, Handheld Digital Devices, Personal Computers and Cell Phones IC 018 - Key Cases

The Chanel Marks are used in conjunction with the manufacture and distribution of high quality luxury goods in the categories identified above. True and correct copies of the Certificates of Registration for the Chanel Marks are attached hereto as Composite Exhibit "1."

18. The Chanel Marks have been used in interstate commerce to identify and distinguish Chanel's high quality luxury goods for an extended period of time.

19. The Chanel Marks have been used by Chanel long prior in time to Defendants' use of copies of those Marks. The Chanel Marks have never been assigned or licensed to any of the Defendants in this matter.

20. The Chanel Marks are symbols of Chanel's quality, reputation, and goodwill and have never been abandoned.

21. Further, Chanel expends substantial resources developing, advertising and otherwise promoting the Chanel Marks. The Chanel Marks qualify as famous marks as that term is used in 15 U.S.C. § 1125(c)(1).

22. Chanel extensively uses, advertises, and promotes the Chanel Marks in the United States in association with the sale of high quality goods and has carefully monitored and policed the use of the Chanel Marks.

23. As a result of Chanel's efforts, members of the consuming public readily identify merchandise bearing or sold under the Chanel Marks, as being high quality goods sponsored and approved by Chanel.

24. Accordingly, the Chanel Marks have achieved secondary meaning as identifiers of high quality goods.

25. Genuine goods bearing the Chanel Marks are widely legitimately advertised, promoted, and sold by Chanel and its authorized distributors. Over the course of the past ten years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Chanel's overall marketing and consumer education efforts. Thus, Chanel expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those

strategies allow Chanel and its authorized retailers to fairly and legitimately educate consumers about the value associated with the Chanel brand and the goods sold thereunder.

Defendants' Infringing Activities

26. At all times relevant hereto, Defendants in this action have had full knowledge of Chanel's ownership of the Chanel Marks, including its exclusive right to use and license such intellectual property and the goodwill associated therewith.

27. Defendants are promoting and advertising, distributing, selling, and/or offering for sale goods in interstate commerce using and bearing counterfeits and confusingly similar imitations of the Chanel Marks (collectively, the "Counterfeit Goods") through the interactive commercial Internet websites and supporting domains operating under the Subject Domain Names, including the corresponding URL addresses. True and correct copies of the web pages reflecting samples of the Internet websites operating under the Subject Domain Names displaying the Chanel branded items offered for sale are attached hereto as Composite Exhibit "2." Specifically, Defendants are using the Chanel Marks to initially attract online consumers and drive them to Defendants' e-commerce store websites operating under the Subject Domain Names. Defendants are using identical copies of one or more of the Chanel Marks for different quality goods. Chanel has used the Chanel Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Chanel's merchandise.

28. Defendants' Counterfeit Goods are of a quality substantially different than that of Chanel's genuine goods. Defendants, are actively using, promoting and otherwise advertising, distributing, selling and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine high quality products offered for sale by Chanel despite Defendants' knowledge that they are without authority to use

the Chanel Marks. The net effect of Defendants' actions is likely to cause confusion of consumers at the time of initial interest, sale, and in the post-sale setting, who will believe all of Defendants' goods offered for sale in Defendants' e-commerce stores are genuine goods originating from, associated with, and/or approved by Chanel.

29. Defendants advertise their e-commerce store websites, including their Counterfeit Goods offered for sale, to the consuming public via at least their websites operating under the Subject Domain Names. In so advertising their stores and products, Defendants improperly and unlawfully use one or more of the Chanel Marks without Chanel's permission.

30. As part of their overall infringement and counterfeiting scheme, most Defendants are, upon information and belief, concurrently employing and benefiting from substantially similar, and often times coordinated, advertising and SEO strategies based, in large measure, upon an illegal use of counterfeits and infringements of one or more of the Chanel Marks. Specifically, Defendants are using counterfeits and infringements of Chanel's famous name and the Chanel Marks in order to make their websites selling illegal goods appear more relevant and attractive to consumers searching for both Chanel and non-Chanel goods and information online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Chanel's genuine goods. Defendants are causing, individual, concurrent and indivisible harm to Chanel and the consuming public by (i) depriving Chanel of its right to fairly compete for space online and within search engine results and reducing the visibility of Chanel's genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with the Chanel Marks, (iii) increasing Chanel's overall cost to market its goods and educate consumers about its brand via the Internet, and/or (iv) maintaining an illegal marketplace enterprise, which

perpetuates the ability of Defendants and future entrants to that marketplace to confuse consumers and harm Chanel with impunity.

31. Defendants are concurrently conducting and targeting their counterfeiting and infringing activities toward consumers and likely causing unified harm, within this district and elsewhere throughout the United States. As a result, Defendants are defrauding Chanel and the consuming public for Defendants' own benefit.

32. Defendants' use of the Chanel Marks, including the promotion and advertisement, reproduction, distribution, sale, and/or offering for sale of their Counterfeit Goods, is without Chanel's consent or authorization.

33. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Chanel's rights for the purpose of trading on Chanel's goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Chanel and the consuming public will continue to be harmed.

34. Defendants' above-identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers into believing there is a connection or association between Chanel's genuine goods and Defendants' Counterfeit Goods, which there is not.

35. Moreover, Defendant Number 1 has registered its Subject Domain Name(s) using marks that are nearly identical and/or confusingly similar to at least one of the Chanel Marks (collectively the "Cybersquatted Subject Domain Names").

36. Defendant Number 1 does not have, nor has it ever had, the right or authority to use the Chanel Marks. Further, the Chanel Marks have never been assigned or licensed to be used on any of the websites operating under the Cybersquatted Subject Domain Names.

37. Defendant Number 1 has provided false and/or misleading contact information when applying for the registration of the Cybersquatted Subject Domain Names, or has intentionally failed to maintain accurate contact information with respect to the registration of the Cybersquatted Subject Domain Names.

38. Defendant Number 1 has never used any of the Cybersquatted Subject Domain Names in connection with a bona fide offering of goods or services.

39. Defendant Number 1 has not made any bona fide non-commercial or fair use of the Chanel Marks on a website accessible under any of the Cybersquatted Subject Domain Names.

40. Defendant Number 1 has intentionally incorporated the Chanel Marks in its Cybersquatted Subject Domain Names to divert consumers looking for Chanel's Internet website to its own Internet websites for commercial gain.

41. Given the visibility of Defendants' various websites and the similarity of their actions, including their SEO activities, it is clear Defendants are either related, or at a minimum, cannot help but know of each other's existence and the unified harm likely to be caused to Chanel and the overall consumer market in which it operates as a result of Defendants' concurrent actions.

42. Although some Defendants may be physically acting independently, they may properly be deemed to be acting in concert because the combined force of their actions serves to multiply the harm caused to Chanel.

43. Chanel has no adequate remedy at law.

44. Chanel is suffering irreparable injury and has suffered substantial damages as a result of Defendants' unauthorized and wrongful use of the Chanel Marks. If Defendants' counterfeiting and infringing, cybersquatting, and unfairly competitive activities, and their illegal marketplace enterprise, are not preliminarily and permanently enjoined by this Court, Chanel and the consuming public will continue to be harmed.

45. The harm and damage sustained by Chanel have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods and by the creation, maintenance, and very existence of Defendants' illegal marketplace enterprise.

**COUNT I - TRADEMARK COUNTERFEITING AND INFRINGEMENT
PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)**

46. Chanel hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 45 above.

47. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeits, copies, and/or colorable imitations of the Chanel Marks in commerce in connection with the promotion, advertisement, distribution, sale and/or offering for sale of the Counterfeit Goods.

48. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing products bearing counterfeits and infringements of one or more of the Chanel Marks. Defendants are continuously infringing and inducing others to infringe the Chanel Marks by using them to advertise, promote, sell, and/or offer to sell counterfeit and infringing Chanel branded goods.

49. Defendants' concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

50. Defendants' unlawful actions have caused and are continuing to cause unquantifiable damage and irreparable harm to Chanel and are unjustly enriching Defendants at Chanel's expense.

51. Defendants' above-described illegal actions constitute counterfeiting and infringement of the Chanel Marks in violation of Chanel's rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

52. Chanel has suffered and will continue to suffer irreparable injury due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined.

**COUNT II - FALSE DESIGNATION OF ORIGIN
PURSUANT TO § 43(a) OF THE LANHAM ACT (15 U.S.C. § 1125(a))**

53. Chanel hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 45 above.

54. Defendants' Counterfeit Goods bearing, offered for sale, and sold under copies of one or more of the Chanel Marks have been widely advertised and offered for sale throughout the United States.

55. Defendants' Counterfeit Goods bearing, offered for sale, and sold under copies of one or more of the Chanel Marks are virtually identical in appearance to Chanel's genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Counterfeit Goods.

56. Defendants, have used in connection with their advertisement, offers for sale, and sale of their Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Chanel's detriment.

57. Defendants have authorized infringing uses of one or more of the Chanel Marks in Defendants' advertisement and promotion of their counterfeit and infringing branded products. Defendants have also misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

58. Additionally, many Defendants are using counterfeits and infringements of one or more of the Chanel Marks in order to unfairly compete with Chanel and others for space within organic search engine and social media results, thereby jointly depriving Chanel of a valuable marketing and educational tool which would otherwise be available to Chanel and reducing the visibility of Chanel's genuine goods on the World Wide Web and across social media platforms.

59. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

60. Chanel has no adequate remedy at law, and has sustained indivisible injury and damages caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Chanel will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

COUNT III - CLAIM FOR RELIEF FOR CYBERSQUATTING
PURSUANT TO § 43(d) OF THE LANHAM ACT (15 U.S.C. § 1125(d))
(Against Defendant Number 1 only)

61. Chanel hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 45 above.

62. At all times relevant hereto, Chanel has been and still is the owner of the rights, title, and interest in and to the Chanel Marks.

63. Defendant Number 1 has acted with the bad faith intent to profit from the Chanel Marks and the goodwill associated with the Chanel Marks by registering and using the Cybersquatted Subject Domain Names.

64. The Chanel Marks were distinctive and famous at the time Defendant Number 1 registered the Cybersquatted Subject Domain Names.

65. Defendant Number 1 has no intellectual property rights in or to the Chanel Marks.

66. The Cybersquatted Subject Domain Names are identical to, confusingly similar to, or dilutive of at least one of the Chanel Marks.

67. Defendant Number 1's conduct is done with knowledge and constitutes a willful violation of Chanel's rights in the Marks. At a minimum, the conduct of this Defendant constitutes reckless disregard for and willful blindness to Chanel's rights.

68. Defendant Number 1's actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. § 1125(d).

69. Chanel has no adequate remedy at law.

70. Chanel has suffered and will continue to suffer irreparable injury and damages due to the above described activities of Defendant Number 1 if this Defendant is not preliminarily and permanently enjoined.

COUNT IV - COMMON LAW UNFAIR COMPETITION

71. Chanel hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 45 above.

72. This is an action against Defendants based on their (i) promotion, advertisement, distribution, sale, and/or offering for sale of goods using or bearing marks which are virtually identical to the Chanel Marks, and (ii) creation and maintenance of an illegal, ongoing marketplace enterprise operating in parallel to the legitimate marketplace in which Chanel sells its genuine goods, in violation of Florida's common law of unfair competition.

73. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing infringing and counterfeit Chanel branded goods. Defendants are also using counterfeits and infringements of one or more of the Chanel Marks to unfairly compete with Chanel and others for (i) space in search engine and social media results across an array of search terms and/or (ii) visibility on the World Wide Web.

74. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the general consuming public as to the origin and quality of Defendants' e-commerce stores as a whole and all products sold therein by their use of the Chanel Marks.

75. Chanel has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

COUNT V - COMMON LAW TRADEMARK INFRINGEMENT

76. Chanel hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 45 above.

77. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and sale of their Counterfeit Goods bearing one or more of the Chanel Marks. Chanel is the owner of all common law rights in and to the Chanel Marks.

78. Specifically, Defendants are promoting and otherwise advertising, distributing, offering for sale, and selling goods using and bearing infringements of one or more of the Chanel Marks.

79. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the general consuming public as to the origin and quality of Defendants' Counterfeit Goods bearing the Chanel Marks.

80. Chanel has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

PRAYER FOR RELIEF

81. WHEREFORE, Chanel demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary, preliminary, and permanent injunctions pursuant to 15 U.S.C. § 1116 and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting the Chanel Marks; from using the Chanel Marks, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name, trademark or trade dress that may be calculated to falsely advertise the services or products of

Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Chanel; from falsely representing themselves as being connected with Chanel, through sponsorship or association, or engaging in any act that is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Chanel; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of Chanel, or in any way endorsed by Chanel and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of Chanel's name or trademarks; and from otherwise unfairly competing with Chanel.

b. Entry of a temporary restraining order, as well as preliminary and permanent injunctions pursuant to 28 U.S.C. § 1651(a), The All Writs Act, enjoining Defendants and all third parties with actual notice of the injunction from participating in, including providing financial services, technical services or other support to, Defendants in connection with the sale and distribution of non-genuine goods bearing and/or using counterfeits and/or infringements of the Chanel Marks.

c. Entry of an order that, upon Chanel's request, those acting in concert or participation with Defendants who have notice of the injunction, as service providers cease hosting, facilitating access to, or providing any supporting service to any and all domain names, including but not limited to the Subject Domain Names, and websites through which Defendants

engage in the promotion, offering for sale and/or sale of goods bearing and/or using counterfeits and/or infringements of the Chanel Marks.

d. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, authorizing Chanel to serve the injunction on any e-mail service provider with a request that the service provider permanently suspend the e-mail addresses that are used by Defendants in connection with Defendants' promotion, offering for sale, and/or sale of goods bearing and/or using counterfeits and/or infringements of the Chanel Marks.

e. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, that upon Chanel's request, the top level domain (TLD) Registry for each of the Subject Domain Names, and any other domains used by Defendants, or their administrators, including backend registry operators or administrators, place the Subject Domain Names on Registry Hold status for the remainder of the registration period for any such domain name, thus removing them from the TLD zone files which link the Subject Domain Names, and any other domain names being used and/or controlled by Defendants to engage in the business of marketing, offering to sell, and/or selling goods bearing and/or using counterfeits and/or infringements of the Chanel Marks, to the IP addresses where the associated websites are hosted.

f. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, canceling for the life of the current registration or, at Chanel's election, transferring the Subject Domain Names and any other domain names used by Defendants to engage in their counterfeiting and/or infringement of the Chanel Marks at issue to Chanel's control so they may no longer be used for illegal purposes.

g. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, authorizing Chanel to request any Internet search engines which

are provided with notice of the injunction, to permanently disable, de-index or delist the specific URLs identified by Chanel based upon Defendants' unlawful activities being conducted via the Subject Domain Names as a whole and via the URLs identified by Chanel.

h. Entry of an order requiring each Defendant, its agent(s) or assign(s), to assign all rights, title, and interest, to its Subject Domain Name(s) to Chanel and, if within five (5) days of entry of such order any Defendant fails to make such an assignment, the Court order the act to be done by another person appointed by the Court at any non-complying Defendant's expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

i. Entry of an order requiring each Defendant, its agent(s) or assign(s), to instruct all search engines to permanently delist or deindex the Subject Domain Name(s) and, if within five (5) days of entry of such order any Defendant fails to make such a written instruction, the Court order the act to be done by another person appointed by the Court at any non-complying Defendant's expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

j. Entry of an order requiring Defendants to account to and pay Chanel for all profits and damages resulting from Defendants' trademark counterfeiting and infringing activities and that the award to Chanel be trebled, as provided for under 15 U.S.C. § 1117, or, at Chanel's election with respect to Count I, that Chanel be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product sold, as provided by 15 U.S.C. § 1117(c)(2) of the Lanham Act.

k. Entry of an order requiring Defendant Number 1 to account to and pay Chanel for all profits and damages resulting from this Defendant's cybersquatting activities and that the award to Chanel be trebled, as provided for under 15 U.S.C. § 1117, or, at Chanel's

election with respect to Count III, that Chanel be awarded statutory damages from Defendant Number 1 in the amount of one hundred thousand dollars (\$100,000.00) per cybersquatted domain name used as provided by 15 U.S.C. § 1117(d) of the Lanham Act.

- l. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Chanel's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.
- m. Entry of an award of pre-judgment interest on the judgment amount.
- n. Entry of an order for any further relief as the Court may deem just and proper.

DATED: June 30, 2020.

Respectfully submitted,
STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

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SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Subject Domain Name
1	3ureplicachanel.com
1	fashionaaabags.com
1	fashionchanelgirl.com
1	modeclothes.ru
1	perfectreplicabags.ru
2	coolove.top
2	fabags.vip
2	fabbag.co
3	cheapreplicastore.com
3	fakepursesshopping.com
3	fakesdiscount.com
3	luxuryreplicassale.com
3	pursesrefakestore.com
4	fauxbagsshop.com
4	qualityreplicaworld.com
4	topfakehost.com
5	guccihandbagss.com
5	iofferbuy.net
5	iofferhandbags.com
5	louisvuitton-purse.com
6	ashoeslist.com
6	bestabaglist.com
6	f8bag.com
7	e8afashionss.net
7	fashion8shopss.net
8	clothingclothes.ru
8	crossbodybags.ru
8	jordanmars.com
8	mcmhandbag.com
8	sellhandbags.ru
8	sellshoes.ru
8	sunglassoptical.ru
8	wholesalevalentino.com
9	borseonline.ru
9	outletborsa.com
10	haileyec.club
10	tracob.shop
11	paysunglassless.co.uk
12	pursesfakeshop.com

12	replicaselling.com
13	ustarbiz.net
13	ustarbiz.top
14	11topcase.com
15	1on1replica.com
16	abrandbags.com
17	brightreplicawatches.com
18	crispluxury.com
19	designerinspiredfashions.com
20	iluxefashions.com
21	luxurybrandcart.com
22	luxuryfashion.to
23	luxuryreplicasoutlet.com
24	mordershop.com
25	mythick.com
26	pb-sg.com
27	replicahermes.top
28	replicawholesalecenter.com
29	sweetwelvehut.com
30	thebrandgo.com
31	vho.to
32	vishhandbag.com
33	xvbag.com
34	zzstar.store
35	818dior.ru
36	aaahandbag.se
37	abags.su
38	anonymousluxury.ru
38	cocoshops.ru
38	essenceshop.ru
38	luxurymalls.ru
38	luxurysynonyms.ru
39	bagbuy.ru
40	cheapbagmalluk.cn
41	covetedpurse.ru
42	designerb.ru
43	designerpurse.ru
44	discountbag.cn
45	e8bags.ru
46	h-bay.cn
47	highpurses.cn
48	luxury-bags-sale.ru
49	pursebuy.ru

50	realbag.ru
51	supplier4brand.ru
52	talinoelle.ca
53	topbags.cn
54	voguekingbag.cn

卖家 SellerDefense