

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 20-61367-CIV-ALTONAGA**

RICHEMONT INTERNATIONAL SA,
CARTIER INTERNATIONAL A.G.,
MONTBLANC-SIMPLO GMBH,
OFFICINE PANERAI A.G., and
VAN CLEEF & ARPELS SA,

Plaintiffs,

vs.

COSCN; COLORFUL SEXY a/k/a TIME MEMORY;
EASTWATCHES; EUN MI; JESSIE JEWELRY
STORE; JOILES; METEGOOT; VOROCO OFFICIAL;
蒂玛莎有限公司; A490467883; AFMKFSVBS; AFU01
; ALICIACHENCHEN; BOUTIQUEFASHION2018;
BRUCE20168; CARTIER6688; CHAOJIMAIJIA6699;
CHENHUI004; COCOFEEL; DAOSHOP007;
DEMA2019; DENGHONG2015; DIPEIER;
ETERNALLTD; FAHMIWATCH;
FASHIONABLEDRESS110; FRANKLIN20168;
GOTOBUY2018; HEROS001;
HEZEKIAHSA_JEWELRY; HONGTASHAN987;
HUANGGAOREN; HUANGGDEXI520; I88I a/k/a
I88I'S WATCH MARKET STORE a/k/a MEIMEIBAR
a/k/a I88I'S WATCH MARKET; JERLT111;
JEWELRYFACTORY08; JINYUMANTANG_7;
JYH5566; LBYY666888; LG789987; LIZHENKUN168;
LOVEWATCHES; LSJ8888; LTW663344;
LUXURY_MBPEN; LUXURY_WATCH_01;
LYH898989; MB_PEN_STORE; MBPENS;
OLDMICKEY; PRS888888; PZL123654; PZW686868;
SHIHAO14; SHINEWTO; SRGRJHJHJ;
STOBANDA; WATCH200806; WINGS2021;
WXJ123987; WXM888888; WZHSTAR168;
WZHSTAR1688; XIA8806; XIAOWENDU;
XIAOXUE11; XINDEKAISHI666; XJX668888;
YACHNE16168; YAGELTD1; YAOBIN198707;
YOYOBITCH; YUFUDAREN999; 18FTHOME;
ADNAAB-16; AMFERN-94; ANHHIKIO;
ARIGATOU_JAPAN358; ASTINCLOTHING;
AUTOSTYLE2018; AZCRFAT;
BEADSACCESSORIES2010; BLISSIBLE;
BOULOMA; CHENGKAI341; CHINEN_72323;

CRAZY.PEN; ERATHUK-0; EVERGREEN1881; F-JASIEFEST; FUTURE_NETWORK_SELLER.LK; GENGKEY15; HERE_FINEJEWELRY1220; HYPPE_50; IDEALSPACES86; JXJSKY45; KAS_JEWELS; KIRA_KIRA1515; LAMYSTORE; MIUSUA_732; MOROCCAN_ARTSOUK; MOU_JEWELS; NETIGEMS7; NEW_JEWELRY1228; NEW_STUFF_BY_THOMAS; PAMHOMAGE; PEN_MB_SELLER a/k/a HI_MB_PEN; POLZHAVOR0; SILVERJEWELRY1990; SOSSHOP88; SPEEDYSALESAUS; STOREGATOR; SUPEBOTCOM; TARAPARK_USA; THNGUYE_31; UFOXLADY; YIBIAOCHEN12_3; YURPRAS_0; ZYPP_71; BDZY; BRACELET; HENLIHAI; JIAYIQI JEWELRY; LIANGBANZHUTOUROU; PRACTICAL LIVING HOME SHOP; SPECIAL-NEXT SEPT.; WOYAobaodan; ZM-LEATHER JEWELRY; ISABEL LARA a/k/a DAIVES2018; SMITH1989 a/k/a SMITH1990; ZZYHOT a/k/a YEEZYHOT; AIMEYLY DOILY; AWFVS; BVGFCVC; COLWATCH; FASHION-SHOP-ZD; GVCNGNH; HAPPY DAY TONIGHT; HEAD KNEES; LFMEI2019; LIANGLIZHONG; MAHUIPING; MAJIANW; MAO SAN SAO; NXHIPNNER; OMVMNH; ONE WORLD WATCH STORE; SEE6983; SEFNKJKK; SIDHIWY; SKY&CHIOSE; SUTIANFENG123; TIENDA MARIANA; TIME FLIES STORE; TOPSHOWS; UUFASHION; WANGYUGE.G63.COM; WANLANZHJIA; WINDBELLER; WINDBELLJEWELRY; XIAOLILICHEN; XUEFENGXUN; XUHUOGUANG; YIXIANQIAN; and YOCOLAND, Each an Individual, Partnership, or Unincorporated Association,

Defendants. _____/

AMENDED COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiffs, Richemont International SA, Cartier International A.G., Montblanc-Simplo GMBH, Officine Panerai A.G., and Van Cleef & Arpels SA (collectively “Plaintiffs”),¹ hereby

¹ Plaintiffs are all subsidiaries of Compagnie Financière Richemont SA, which is one of the world’s leading luxury goods groups.

sue Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the caption above, which are set forth on Schedule “A” hereto (collectively “Defendants”). Defendants are promoting, selling, offering for sale, and distributing goods bearing and/or using counterfeits and confusingly similar imitations of Plaintiffs’ respective trademarks within this district through various Internet based e-commerce stores and an interactive photo album operating under the seller identities set forth on Schedule “A” hereto (the “Seller IDs”). In support of their claims, Plaintiffs allege as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, and 1125(a), The All Writs Act, 28 U.S.C. § 1651(a), and Florida’s common law. 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 Plaintiffs’ 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 direct business activities toward and conduct business with consumers throughout the United States, including within the State of Florida and this district through at least the Internet based e-commerce stores and a photo album² accessible in Florida and operating under their Seller IDs.

² At least one Defendant uses its Seller ID in tandem with electronic communication via private messaging applications and/or services in order to complete its offer and sale of counterfeit branded products. Specifically, consumers are able to browse listings of Plaintiffs’ branded products online via the Defendant’s Seller ID, ultimately directing customers to send inquiries, exchange data, and complete purchases via electronic communication with that Defendant.

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

THE PLAINTIFFS

4. Plaintiff Richemont International SA (“Richemont”) is a public limited company organized and existing under the laws of Switzerland, having its principal place of business at 10 Route des Biches, Villars-sur-Glane, Fribourg, Switzerland. Richemont’s Maisons include, *inter alia*, IWC Schaffhausen (“IWC”), Jaeger-LeCoultre (“Jaeger-LeCoultre”), Piaget (“Piaget”), and Vacheron Constantin (“Vacheron Constantin”).

5. Plaintiff Cartier International A.G. (“Cartier”) is a public limited company organized and existing under the laws of Switzerland, having its principal place of business at Hinterbergstrasse 22, Postfach 61, 6312 Steinhausen, Switzerland.

6. Plaintiff Montblanc-Simplo GMBH (“Montblanc”) is a company organized and existing under the laws of Germany, having its principal place of business at Hellgrundweg 100, 22525 Hamburg, Germany.

7. Plaintiff Officine Panerai A.G. (“Panerai”) is a public company organized and existing under the laws of Switzerland, having its principal place of business at Hinterbergstrasse 22, Postfach 61, 6312 Steinhausen, Switzerland.

8. Plaintiff Van Cleef & Arpels SA (“Van Cleef”) is a company organized and existing under the laws of Switzerland, having its principal place of business at 8 Route des Biches, CH-1752 Villars-sur-Glane, Switzerland.

9. Plaintiffs' trademarked goods are offered for sale and sold through various channels of trade within the State of Florida, including this district, and throughout the United States. Defendants, through the sale and offers to sell of counterfeit and infringing versions of Plaintiffs' branded products, are directly, and unfairly, competing with Plaintiffs' economic interests in the State of Florida and causing Plaintiffs harm and damage within this jurisdiction.

10. Like many other famous trademark owners, Plaintiffs suffer ongoing daily and sustained violations of their respective trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Plaintiffs' individual trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits across their e-commerce stores and photo album.

11. In order to combat the indivisible harm caused by the combined actions of Defendants, and others engaging in similar conduct, each year Plaintiffs expend significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement. The exponential growth of counterfeiting over the Internet has created an environment that requires companies, such as Plaintiffs, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and themselves from the ill effects of confusion and the erosion of the goodwill connected to Plaintiffs' respective brands.

THE DEFENDANTS

12. Defendants are individuals and/or business entities of unknown makeup, each of whom, upon information and belief, either reside and/or operate in foreign jurisdictions, redistribute products from the same or similar sources in those locations, and/or ship their goods from the same or similar sources in those locations to shipping and fulfillment centers within the

United States to redistribute their products from those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities toward consumers throughout the United States, including within this district, through the simultaneous operation of Internet based e-commerce stores and a photo album via Internet marketplace or image hosting websites under the Seller IDs.

13. At least one Defendant operates its Seller ID via a third-party image hosting website in tandem with electronic communication via private messaging applications and/or services, thereby creating an interconnected ecosystem which functions as an online marketplace operation.

14. 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."

15. Defendants are the past and present controlling forces behind the sale of products bearing and/or using counterfeits and infringements of Plaintiffs' trademarks as described herein operating and using at least the Seller IDs.

16. Defendants directly engage in unfair competition with Plaintiffs by advertising, offering for sale, and selling goods bearing and/or using counterfeits and infringements of one or more of Plaintiffs' individual trademarks to consumers within the United States and this district through Internet based e-commerce stores and a photo album using at least the Seller IDs, and additional e-commerce stores, photo albums, seller identification aliases, domain names, or websites not yet known to Plaintiffs. 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 and infringing branded goods into the State.

17. Defendants have registered, established, or purchased, and maintained the Seller IDs. Defendants may have engaged in fraudulent conduct with respect to the registration of the

Seller IDs by providing false and/or misleading information to the Internet based e-commerce platforms or image hosting website during the registration or maintenance process related to their respective Seller ID. Upon information and belief, many Defendants have registered and/or maintained their Seller IDs for the sole purpose of engaging in illegal counterfeiting activities.

18. Defendants will likely continue to register or acquire new seller identification aliases, photo albums, user names, private messaging accounts, and domain names for the purpose of selling and offering for sale goods bearing and/or using counterfeit and confusingly similar imitations of one or more of Plaintiffs' respective trademarks unless preliminarily and permanently enjoined.


19. Defendants use their Internet-based businesses in order to infringe the intellectual property rights of Plaintiffs and others.

20. Defendants' business names, i.e., the Seller IDs, associated payment accounts, and any other alias e-commerce stores, seller identification names, photo albums, user names, private messaging accounts, and domain names used in connection with the sale of counterfeit and infringing goods bearing and/or using one or more of Plaintiffs' respective trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement scheme and cause harm to Plaintiffs. Moreover, Defendants are using Plaintiffs' respective famous brand names and trademarks to drive Internet consumer traffic to their e-commerce stores and photo album operating under the Seller IDs, thereby increasing the value of the Seller IDs and decreasing the size and value of Plaintiffs' legitimate marketplace and intellectual property rights at Plaintiffs' expense.

COMMON FACTUAL ALLEGATIONS**Richemont's Business and Trademark Rights**

21. Richemont is the owner of all rights, title, and interest in the IWC, Jaeger-LeCoultre, Piaget, and Vacheron Constantin trademarks, identified in Paragraphs 22, 28, 34, and 40 below.

22. The IWC trademarks are valid and registered on the Principal Register of the United States Patent and Trademark Office (the "IWC Marks"):

Trademark	Registration Number	Registration Date	Class / Goods
IWC	1,205,403	August 17, 1982	IC 014 - Watches
PORTOFINO	1,846,680	July 26, 1994	IC 014 - Watches and parts therefore
	4,270,382	January 8, 2013	IC 014 - Watches, chronometers, clocks; straps for wristwatches, boxes of precious metal for watches and all the aforementioned goods from Switzerland
IWC	4,322,600	April 23, 2013	IC 014 - Watches, chronometers, clocks, watch bands, boxes of precious metal for watches
PORTUGIESER	4,412,785	October 08, 2013	IC 014 - Watches, chronometers, clocks, watch straps, watch bracelets, and boxes of precious metals for watches

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

23. The IWC Marks have been used in interstate commerce to identify and distinguish IWC's high quality goods for an extended period of time. The IWC Marks are symbols of IWC's quality, reputation and goodwill and have never been abandoned.



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

25. IWC extensively uses, advertises and promotes the IWC Marks in the United States in connection with the sale of high quality goods. As a result, the IWC Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

26. IWC has carefully monitored and policed the use of the IWC Marks and has never assigned or licensed the IWC Marks to any Defendant in this matter.

27. Genuine goods bearing and/or using the IWC Marks are widely legitimately advertised and promoted by IWC, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to IWC's overall marketing and consumer education efforts. Thus, IWC expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow IWC and its authorized retailers to fairly and legitimately educate consumers about the value associated with the IWC Marks and the goods sold thereunder. Similarly, Defendants' individual seller stores and websites are indexed on search engines and compete directly with IWC for space in search results.

28. The Jaeger-LeCoultre trademarks are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “JAEGER-LECOULTRE Marks”):

Trademark	Registration Number	Registration Date	Class / Goods
JAEGER-LECOULTRE	1,339,139	June 4, 1985	IC 014 - Watches and Clocks Except Dashboard Clocks for Land Vehicles, Boats and Planes
	1,402,084	July 22, 1986	IC 014 - Watches and Clocks Except Dashboard Clocks for Land Vehicles, Boats And Planes
	2,528,168	January 8, 2002	IC 014 - Horological Products and Chronometric Instruments, Namely, Clocks, Watches, Table Clocks and Chronometers

The JAEGER-LECOULTRE Marks are used in conjunction with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the JAEGER-LECOULTRE Marks are attached hereto as Composite Exhibit “2.”

29. The JAEGER-LECOULTRE Marks have been used in interstate commerce to identify and distinguish Jaeger-LeCoultre’s high quality goods for an extended period of time. The JAEGER-LECOULTRE Marks are symbols of Jaeger-LeCoultre’s quality, reputation and goodwill and have never been abandoned.

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

31. Jaeger-LeCoultre extensively uses, advertises and promotes the JAEGER-LECOULTRE Marks in the United States in connection with the sale of high quality goods. As a result, the JAEGER-LECOULTRE Marks are among the most widely recognized trademarks in

the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

32. Jaeger-LeCoultre has carefully monitored and policed the use of the JAEGER-LECOULTRE Marks and has never assigned or licensed the JAEGER-LECOULTRE Marks to any Defendant in this matter.

33. Genuine goods bearing and/or using the JAEGER-LECOULTRE Marks are widely legitimately advertised and promoted by Jaeger-LeCoultre, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Jaeger-LeCoultre's overall marketing and consumer education efforts. Thus, Jaeger-LeCoultre expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Jaeger-LeCoultre and its authorized retailers to fairly and legitimately educate consumers about the value associated with the JAEGER-LECOULTRE Marks and the goods sold thereunder.

34. The Piaget trademarks are valid and registered on the Principal Register of the United States Patent and Trademark Office (the "PIAGET Marks"):

Trademark	Registration Number	Registration Date	Classes/Goods
PIAGET	0,679,984	June 9, 1959	IC 014 - Complete Watches
PIAGET	0,742,354	December 18, 1962	IC 014 - Watches, Watch Parts and Watch Movements

The PIAGET Marks are used in conjunction with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the PIAGET Marks are attached hereto as Composite Exhibit “3.”

35. The PIAGET Marks have been used in interstate commerce to identify and distinguish Piaget’s high quality goods for an extended period of time. The PIAGET Marks are symbols of Piaget’s quality, reputation and goodwill and have never been abandoned.



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

37. Piaget extensively uses, advertises and promotes the PIAGET Marks in the United States in connection with the sale of high quality goods. As a result, the PIAGET Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

38. Piaget has carefully monitored and policed the use of the PIAGET Marks and has never assigned or licensed the PIAGET Marks to any Defendant in this matter.

39. Genuine goods bearing and/or using the PIAGET Marks are widely legitimately advertised and promoted by Piaget, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Piaget’s overall marketing and consumer education efforts. Thus, Piaget expends significant monetary resources on Internet marketing and consumer education, including search engine optimization (“SEO”) strategies. Those strategies allow Piaget and its authorized retailers to fairly and legitimately educate consumers about the value associated with the PIAGET Marks and the goods sold thereunder.

40. The Vacheron Constantin trademarks are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “VACHERON CONSTANTIN Marks”):

Registered Trademark	Registration Number	Registration Date	Classes/Goods
 VACHERON CONSTANTIN	3,114,414	July 11, 2006	IC 014 - Cuff links; watches, chronometers, clocks, watchstraps, cases of precious metal for watches and jewellery
	4,564,316	July 8, 2014	IC 014 - Watches and chronometers
VACHERON CONSTANTIN	5,630,166	December 18, 2018	IC 014 - Jewelry; Cuff links; Tie clips; Jewelry in the nature of rings, bracelets, earrings, necklaces and brooches; Timepieces in the nature of clocks; Dials for clock and watch making; Key rings of precious metal; Timepieces and chronometric instruments; Watches; Chronometers; Cases adapted for holding watches; Movements for timepieces in the nature of clocks and watches; Alarm clocks; Watch bands; Boxes of precious metal

The VACHERON CONSTANTIN Marks are used in conjunction with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the VACHERON CONSTANTIN Marks are attached hereto as Composite Exhibit “4.”

41. The VACHERON CONSTANTIN Marks have been used in interstate commerce to identify and distinguish Vacheron Constantin's high quality goods for an extended period of time. The VACHERON CONSTANTIN Marks are symbols of Vacheron Constantin's quality, reputation and goodwill and have never been abandoned.

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

43. Vacheron Constantin extensively uses, advertises and promotes the VACHERON CONSTANTIN Marks in the United States in connection with the sale of high quality goods. As a result, the VACHERON CONSTANTIN Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

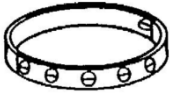
44. Vacheron Constantin has carefully monitored and policed the use of the VACHERON CONSTANTIN Marks and has never assigned or licensed the VACHERON CONSTANTIN Marks to any Defendant in this matter.








45. Genuine goods bearing and/or using the VACHERON CONSTANTIN Marks are widely legitimately advertised and promoted by Vacheron Constantin, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Vacheron Constantin's overall marketing and consumer education efforts. Thus, Vacheron Constantin expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Vacheron Constantin and


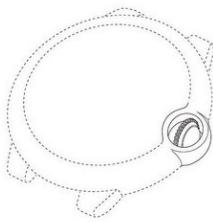
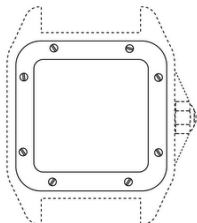

its authorized retailers to fairly and legitimately educate consumers about the value associated with the VACHERON CONSTANTIN Marks and the goods sold thereunder.

Cartier's Business and Trademark Rights

46. Cartier 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 "CARTIER Marks"):

Registered Trademark	Registration Number	Registration Date	Classes/Goods
<i>Cartier</i>	0,411,240	January 9, 1945	IC 014 - Articles of Jewelry for Personal Wear and for Precious-Metal Ware-Namely, the Following Articles Made, in Whole or in Part, of Precious Metals or Plated with the Same-- viz, Jewel Boxes, Fobs, Bracelets, Watch Bracelets and Buckles Therefor, Not Including Watches, Cuff Links, Brooches, Earrings, Eyeglass Cases, Cigarette Lighters, Ash Trays, Envelope Openers, Wallets, Money Clips, Perfume Bottles, Desk Sets, Handbags, Key Chains, Finger Rings
<i>Cartier</i>	0,411,975	February 13, 1945	IC 014 - Watches and Clocks and Wrist Watches with Wrist Straps and Bracelets Attached for Securing the Same on the Wrist of the Wearer, and Traveling Clocks and Watches with Covers of Leather, Fabric and the Like for Protecting Them While Traveling
CARTIER	0,759,201	October 29, 1963	IC 014 - Watches and Clocks
LOVE BRACELET	1,005,286	February 25, 1975	IC 014 - Jewelry-Namely, Bracelets
	1,372,423	November 26, 1985	IC 014 – Bracelets

	3,162,410	October 24, 2006	IC 014 - Jewelry, Namely, Bracelets, Watches, Rings, Charms, Earrings
	3,637,776	June 16, 2009	IC 014 - Goods Of Precious Metals And Coated Therewith, Namely, Cuff-Links, Rings, Bracelets, Earrings, Necklaces
	3,776,794	April 20, 2010	IC 014 - Jewelry, Namely, Rings, Bracelets, Charms, Earrings, Made Of Precious Metals
	4,178,047	July 24, 2012	IC 014 - Jewelry and watches
	4,197,020	August 28, 2012	IC 014 - Jewelry and watches
	4,281,248	January 29, 2013	IC 014 - Jewelry; Precious Stones; Precious Metals And Their Alloys; Pearls; Cuff Links; Tie Clips; Rings; Earrings; Necklaces; Brooches; Charms; Key Rings Of Precious Metal; Works Of Art Of Precious Metal; Jewelry Cases; Boxes Of Precious Metal; Horological And Chronometric Instruments; Watches; Chronometers; Clocks; Small Clocks; Watch Cases, Bands, Chains, Springs Or Glasses; Statues Or Figurines Of Precious Metal; Cases Or Presentation Cases For Timepieces; Medals; Jewelry For Computers; Jewelry Items For Bags
	4,290,694	February 19, 2013	IC 014 - Jewelry; cuff links; tie clips; rings; earrings; necklaces; brooches.

	4,483,522	February 18, 2014	IC 014 – Watches
	4,487,142	November 27, 2012	IC 014 – Watches
	4,608,158	September 23, 2014	IC 014 – Watches
	5,583,979	October 16, 2018	IC 014 – Jewelry

The CARTIER Marks are used in connection with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the CARTIER Marks are attached hereto as Composite Exhibit “5.”

47. The CARTIER Marks have been used in interstate commerce to identify and distinguish Cartier’s high quality goods for an extended period of time. The CARTIER Marks are symbols of Cartier’s quality, reputation and goodwill and have never been abandoned.

48. Further, Cartier and related companies expend substantial resources developing, advertising and otherwise promoting the CARTIER Marks. The CARTIER Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).



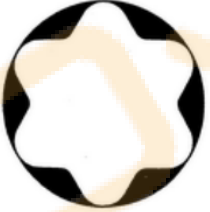
49. Cartier and related companies extensively use, advertise and promote the CARTIER Marks in the United States in association with the sale of high quality goods. As a result, the CARTIER Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

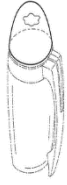



50. Cartier has carefully monitored and policed the use of the CARTIER Marks and has never assigned or licensed the CARTIER Marks to any Defendant in this matter.

51. Genuine goods bearing and/or using the CARTIER Marks are widely legitimately advertised and promoted by Cartier and related companies, and authorized distributors via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Cartier's overall marketing and consumer education efforts. Thus, Cartier expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Cartier and its authorized retailers to fairly and legitimately educate consumers about the value associated with the CARTIER Marks and the goods sold thereunder. Similarly, Defendants' individual seller stores and websites are indexed on search engines and compete directly with Cartier for space in search results.

Montblanc's Business and Trademark Rights

52. Montblanc 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 "MONTBLANC Marks"):

Registered Trademark	Registration Number	Registration Date	Classes/Goods
MONTBLANC	0,776,208	September 1, 1964	IC 016 - Fountain Pens, Cases for Fountain Pens, Ball Point Pens, Ball Point Cartridges, Ball Point Paste, Mechanical Pencils, Lead for Mechanical Pencils
	0,839,016	November 21, 1967	IC 002 - Fountain pen ink IC 016 - Fountain pens, cases for fountain pens, ball point pens, ball point cartridges, mechanical pencils, lead for mechanical pencils, desk stands for pens
MEISTERSTUCK	1,324,392	March 12, 1985	IC 016 - Fountain Pens, Ballpoint Pens and Mechanical Pencils Including Sets Thereof, All Made Partially with Precious Metals and Sold in Specialty Stores.
	1,723,665	October 13, 1992	IC 016 - writing instruments; namely, pens and pencils
	1,878,584	February 14, 1995	IC 014 - Jewelry, watches and timepieces IC 018 - Purses, handbags, small leather articles and accessories, namely wallets and billfolds, and luggage
STARWALKER	2,759,073	September 2, 2003	IC 016 - Fountain pens, ball-point pens, pencils, felt-tip pens, rollerballs

	<p>2,975,592</p>	<p>July 26, 2005</p>	<p>IC 016 - Writing instruments</p>
	<p>3,659,753</p>	<p>July 28, 2009</p>	<p>IC 016 - Writing instruments, namely, pens</p>
	<p>4,460,482</p>	<p>January 07, 2014</p>	<p>IC 016 - Writing instruments, in particular fountain pens, rollerballs, ballpoint pens, markers, pencils</p>
	<p>4,669,133</p>	<p>January 13, 2015</p>	<p>IC 014 - Jewelry; precious stones; precious metals and their alloys; cufflinks; tie clips; rings; bracelets; earrings; necklaces; brooches; key rings of precious metal; jewelry cases; boxes of precious metals; horological and chronometric instruments; watches; chronometers; clocks; small clocks; watch cases; watch bands; watch bracelets; key rings, trinkets, or fobs of precious metal</p> <p>IC 016 - Stationery; articles of paper or cardboard, namely, boxes, bags, envelopes and pouches for packaging; wrapping paper; writing instruments; pouches for writing instruments; cases for writing instruments; inks and ink refills for writing instruments; desk sets; writing books; calendars, note books, card and document files, announcement cards; writing paper, envelopes, index cards;</p>

		<p>business cards; writing pads; writing instrument holders; paperweights; diaries, cover for diaries, replacement papers for diaries; inkwells; check book holders, passport holders; document holders and cases; photo albums; bookends; money clips; writing cases for writing instruments</p> <p>IC 018 - Handbags, travelling bags, rucksacks, garment bags for travel, traveling sets comprised of luggage, suitcases, bags for sports, wheeled bags, wallets, purses, name cards cases, briefcases, attaché cases, key cases of leather or imitation leather; travelling trunks; unfitted vanity cases; evening purses; leather straps; boxes of leather or leather board, trunks and suitcases; credit card holder</p>
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The MONTBLANC Marks are used in connection with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the MONTBLANC Marks are attached hereto as Composite Exhibit “6.”

53. The MONTBLANC Marks have been used in interstate commerce to identify and distinguish Montblanc’s high quality goods for an extended period of time. The MONTBLANC Marks are symbols of Montblanc’s quality, reputation and goodwill and have never been abandoned.

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

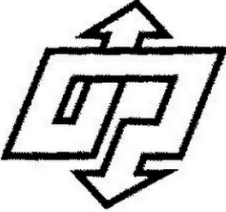

55. Montblanc extensively uses, advertises and promotes the MONTBLANC Marks in the United States in association with the sale of high quality goods. As a result, the MONTBLANC Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

56. Montblanc has carefully monitored and policed the use of the MONTBLANC Marks and has never assigned or licensed the MONTBLANC Marks to any Defendant in this matter.

57. Genuine goods bearing and/or using the MONTBLANC Marks are widely legitimately advertised and promoted by Montblanc, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Montblanc's overall marketing and consumer education efforts. Thus, Montblanc expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Montblanc and its authorized retailers to fairly and legitimately educate consumers about the value associated with the MONTBLANC Marks and the goods sold thereunder. Similarly, Defendants' individual seller stores and websites are indexed on search engines and compete directly with Montblanc for space in search results.

Panerai's Business and Trademark Rights

58. Panerai 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 "PANERAI Marks"):

Registered Trademark	Registration Number	Registration Date	Classes/Goods
PANERAI	2,340,290	April 11, 2000	IC 014 - Chronometers, watches
LUMINOR	2,516,018	December 11, 2001	IC 014 - Chronometers, watches and clocks
	3,004,529	October 4, 2005	IC 014 - Boxes and cases for watches; chronometers, watches
MARINA MILITARE	3,174,281	November 21, 2006	IC 014 – Watches
	4,971,867	June 7, 2016	IC 014 - Watches
LUMINOR MARINA	5,763,549	May 28, 2019	IC 014 - Chronometers; watches

The PANERAI Marks are used in connection with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the PANERAI Marks are attached hereto as Composite Exhibit “7.”

59. The PANERAI Marks have been used in interstate commerce to identify and distinguish Panerai’s high quality goods for an extended period of time. The PANERAI Marks are symbols of Panerai’s quality, reputation and goodwill and have never been abandoned.

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



61. Panerai and related companies extensively use, advertise and promote the PANERAI Marks in the United States in association with the sale of high quality goods. As a result, the PANERAI Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

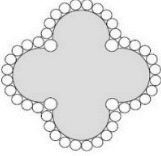


62. Panerai has carefully monitored and policed the use of the PANERAI Marks and has never assigned or licensed the PANERAI Marks to any Defendant in this matter.

63. Genuine goods bearing and/or using the PANERAI Marks are widely legitimately advertised and promoted by Panerai, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Panerai's overall marketing and consumer education efforts. Thus, Panerai expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Panerai and its authorized retailers to fairly and legitimately educate consumers about the value associated with the PANERAI Marks and the goods sold thereunder. Similarly, Defendants' individual seller stores and websites are indexed on search engines and compete directly with Panerai for space in search results.

Van Cleef's Business and Trademark Rights

64. Van Cleef 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 "VAN CLEEF Marks"):

Registered Trademark	Registration Number	Registration Date	Classes/Goods
Van Cleef & Arpels	1,415,794	November 4, 1986	IC 014 - Jewelry and Watches
VCA	1,584,572	February 27, 1990	IC 014 – Jewelry
	2,692,672	March 4, 2003	IC 014 – Jewelry; Watches
ALHAMBRA	2,751,878	August 19, 2003	IC 014 - Precious Metal And Their Alloys And Products Made Thereof Or Coated Therewith Not Included In Other Classes, Namely, Jewelry, Horological And Chronometric Instruments, Namely, Watches And Watch Bracelets And Necklaces, Jewelry Chains Of Precious Metal, Earrings, Jewelry Rings, Pendants, Ankle Bracelets, Cuff Links, Studs Made Of Precious Metal
VAN CLEEF & ARPELS	2,936,247	March 29, 2005	IC 014 - Items Made Of Precious Metal, Namely, Rings, Bracelets, Earrings, Necklaces, Pendants, Charms, Brooches, Clips, Hairclips, Jewelry Boxes, Jewelry Cases, Watch Bracelets And Buckles; Jewelry, Watches And Clocks
ALHAMBRA	3,489,019	August 19, 2008	IC 014 - Jewelry; Clock And Watch Making, Namely, Watches, Watch Bracelets, Clocks, Horological And Chronometric Instruments
	4,326,883	April 30, 2013	IC 014 – Jewelry

	4,653,258	December 9, 2014	IC 014 - Jewelry
	4,763,030	June 30, 2015	IC 014 - Jewelry; Rings; Pendants; Earrings; Necklaces; Bracelets
	5,029,940	August 30, 2016	IC 014 – Watches

The VAN CLEEF Marks are used in connection with the manufacture and distribution of high quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the VAN CLEEF Marks are attached hereto as Composite Exhibit “8.”

65. The VAN CLEEF Marks have been used in interstate commerce to identify and distinguish Van Cleef’s high quality goods for an extended period of time. The VAN CLEEF Marks are symbols of Van Cleef’s quality, reputation and goodwill and have never been abandoned.

66. Further, Van Cleef expended substantial resources developing, advertising and otherwise promoting the VAN CLEEF Marks. The VAN CLEEF Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).

67. Van Cleef and related companies extensively use, advertise and promote the VAN CLEEF Marks in the United States in association with the sale of high quality goods. As a result,

the VAN CLEEF Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high quality goods.

68. Van Cleef has carefully monitored and policed the use of the VAN CLEEF Marks and has never assigned or licensed the VAN CLEEF Marks to any Defendant in this matter.

69. Genuine goods bearing and/or using the VAN CLEEF Marks are widely legitimately advertised and promoted by Van Cleef, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Van Cleef's overall marketing and consumer education efforts. Thus, Van Cleef expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Van Cleef and its authorized retailers to fairly and legitimately educate consumers about the value associated with the VAN CLEEF Marks and the goods sold thereunder. Similarly, Defendants' individual seller stores and websites are indexed on search engines and compete directly with Van Cleef for space in search results.

Defendants' Infringing Activities

70. Defendants are promoting and advertising, distributing, selling, and/or offering for sale goods in interstate commerce bearing and/or using counterfeit and confusingly similar imitations of one or more of the IWC Marks, JAEGER-LECOULTRE Marks, PIAGET Marks, VACHERON CONSTANTIN Marks, CARTIER Marks, MONTBLANC Marks, PANERAI Marks, and/or VAN CLEEF Marks (the "Counterfeit Goods") through at least the Internet based e-commerce stores and interactive photo album in tandem with private messaging applications, operating under the Seller IDs. Specifically, Defendants are using the IWC Marks, JAEGER-LECOULTRE Marks, PIAGET Marks, VACHERON CONSTANTIN Marks, CARTIER Marks,

MONTBLANC Marks, PANERAI Marks, and/or VAN CLEEF Marks (collectively, “Plaintiffs’ Marks”) to initially attract online consumers and drive them to Defendants’ e-commerce stores and photo album operating under the Seller IDs. Defendants are using identical copies of one or more of the Plaintiffs’ Marks for different quality goods. Plaintiffs have used their respective trademarks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Plaintiffs’ merchandise.

71. Defendants’ Counterfeit Goods are of a quality substantially and materially different than that of Plaintiffs’ respective, 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 quality goods offered for sale by Plaintiffs despite Defendants’ knowledge that they are without authority to use Plaintiffs’ 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 and photo album are genuine goods originating from, associated with, and/or approved by Plaintiffs.

72. Defendants advertise their e-commerce stores and photo album, including their Counterfeit Goods offered for sale, to the consuming public via at least the Internet e-commerce marketplace websites or image hosting website under the Seller IDs. In so advertising these goods, Defendants improperly and unlawfully use one or more of Plaintiffs’ Marks without Plaintiffs’ permission.

73. As part of their overall infringement and counterfeiting scheme, most Defendants are, upon information and belief, concurrently employing and benefitting from substantially

similar advertising and marketing strategies based, in large measure, upon an illegal use of counterfeits and infringements of Plaintiffs' Marks. Specifically, Defendants are using counterfeits and infringements of one or more of Plaintiffs' respective famous names and Plaintiffs' Marks in order to make their e-commerce stores and photo album selling illegal goods appear more relevant and attractive to consumers searching for both Plaintiffs' and non-Plaintiffs' 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 Plaintiffs' respective genuine goods. Defendants are causing individual, concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs of their right to fairly compete for space online and within search engine results and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with Plaintiffs' Marks, and/or (iii) increasing Plaintiffs' overall cost to market their goods and educate consumers about their brands via the Internet.

74. 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 Plaintiffs and the consuming public for Defendants' own benefit.

75. At all times relevant hereto, Defendants in this action have had full knowledge of Plaintiffs' respective ownership of Plaintiffs' Marks, including their respective, exclusive rights to use and license such intellectual property and the goodwill associated therewith.

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

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

78. 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, the public, and the trade into believing there is a connection or association between Plaintiffs' respective genuine goods and Defendants' Counterfeit Goods, which there is not.

79. Defendants' payment and financial accounts, including but not limited to those specifically set forth on Schedule "A," are being used by Defendants to accept, receive, and deposit profits from Defendants' trademark counterfeiting and infringing and unfairly competitive activities connected to their Seller IDs and any other alias e-commerce stores, photo albums, seller identification names, user names, private messaging accounts, domain names, or websites being used and/or controlled by them.

80. Further, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to Plaintiffs.

81. Plaintiffs have no adequate remedy at law.

82. Plaintiffs are suffering irreparable injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful use of Plaintiffs' Marks. If Defendants' counterfeiting and infringing and unfairly competitive activities are not preliminarily and

permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

83. The harm and damages sustained by Plaintiffs have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods.

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

84. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 83 above.

85. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeit and confusingly similar imitations of Plaintiffs' Marks in commerce in connection with the promotion, advertisement, distribution, offering for sale, and sale of the Counterfeit Goods.

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

87. 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.

88. Defendants' unlawful actions have caused and are continuing to cause unquantifiable damages to Plaintiffs and are unjustly enriching Defendants with profits at Plaintiffs' expense.

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

90. Plaintiffs have each suffered and will continue to suffer irreparable injury and damages due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined. Additionally, Defendants will continue to wrongfully profit from their illegal activities.

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

91. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 83 above.

92. Defendants' Counterfeit Goods bearing and/or using, offered for sale and sold using copies of one or more of Plaintiffs' Marks have been widely advertised, and offered for sale throughout the United States via the Internet.

93. Defendants' Counterfeit Goods bearing, offered for sale, and sold using copies of at least one of Plaintiffs' Marks are virtually identical in appearance to Plaintiffs' respective, genuine goods. However, Defendants' Counterfeit Goods are different and likely inferior 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.

94. Defendants have used in connection with their advertisement, offer 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 Plaintiffs' detriment.

95. Defendants have authorized infringing uses of at least one of Plaintiffs' Marks in Defendants' advertisement and promotion of their counterfeit and infringing branded goods. Defendants have misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

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

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

98. Plaintiffs have no adequate remedy at law, and have each sustained indivisible injury and damages caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Defendants will continue to wrongfully reap profits and each Plaintiff will continue to suffer irreparable injury to their respective goodwill and business reputations, as well as monetary damages.

COUNT III - COMMON LAW UNFAIR COMPETITION

99. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 83 above.

100. This is an action against Defendants based on their promotion, advertisement, distribution, sale, and/or offering for sale of goods bearing and/or using marks that are virtually identical, to Plaintiffs' Marks in violation of Florida's common law of unfair competition.

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

102. Defendants' 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' e-commerce stores as a whole and all products sold therein by their use of Plaintiffs' Marks.

103. Plaintiffs have no adequate remedy at law and are suffering irreparable injury and damages as a result of Defendants' actions.

COUNT IV - COMMON LAW TRADEMARK INFRINGEMENT

104. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 83 above.

105. 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 and/or using one or more of Plaintiffs' Marks. Plaintiffs are the owners of all common law rights in and to Plaintiffs' Marks.

106. Specifically, Defendants are promoting and otherwise advertising, distributing, offering for sale, and selling goods bearing and/or using infringements of at least one of Plaintiffs' Marks.

107. Defendants' 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 bearing and/or using Plaintiffs' Marks.

108. Plaintiffs have no adequate remedy at law and are suffering damages and irreparable injury as a result of Defendants' actions.

PRAYER FOR RELIEF

109. WHEREFORE, Plaintiffs demand judgment on all Counts of this Amended 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 Plaintiffs' Marks; from using Plaintiffs' Marks, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name or trademark or design that may be calculated to falsely advertise the services or goods of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiffs; from falsely representing themselves as being connected with Plaintiffs, 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 Plaintiffs; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of Plaintiffs' 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 Plaintiffs, or in any way endorsed by Plaintiffs and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of Plaintiffs' respective name or trademarks; and from otherwise unfairly competing with Plaintiffs.

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, and the Court's inherent authority, enjoining Defendants and all third parties with actual notice of an injunction issued by the Court 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 of Plaintiffs' Marks.

c. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, that, upon Plaintiffs' request, the applicable governing messaging service, Internet marketplace, and image hosting website operators and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court disable and/or cease facilitating access to the Seller IDs, and any other alias e-commerce stores, seller identification names, photo albums, user names, and private messaging accounts, 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 infringements of Plaintiffs' Marks.

d. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon Plaintiffs' request, any messaging service and Internet marketplace, and image hosting website operators and/or administrators for the Seller IDs, who are provided with notice of an injunction issued by the Court permanently remove from the multiple platforms, which include, *inter alia*, a Direct platform, Group platform, Seller Product Management platform, Vendor Product Management platform, and Brand Registry platform, any and all listings and associated images of goods bearing and/or using counterfeits and/or infringements of the Plaintiffs' Marks via the e-commerce stores operating under the Seller IDs, and upon Plaintiffs' request, any other listings and images of goods bearing and/or using counterfeits and/or infringements of Plaintiffs' Marks associated with and/or linked to the same sellers or linked to any other alias seller identification names being used and/or controlled by Defendants to promote, offer for sale and/or sell goods bearing and/or using counterfeits and/or infringements of the Plaintiffs' 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 Plaintiffs' request, Defendants and any Internet marketplace and image hosting website operators and/or administrators who are provided with notice of an injunction issued by the Court, immediately cease fulfillment of and sequester all goods of each Defendant bearing and/or using one or more of Plaintiffs' Marks in its inventory, possession, custody, or control, and surrender those goods to Plaintiffs.

f. Entry of an order requiring, upon Plaintiffs' request, Defendants to request in writing permanent termination of any messaging services, Seller IDs, user names, and social media accounts they own, operate, or control on any messaging service and social media platform.

g. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, that, upon Plaintiffs' request, any messaging service and Internet marketplace, and image hosting website operators and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court, identify any e-mail address known to be associated with Defendants' respective Seller IDs.

h. Entry of an order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, authorizing Plaintiffs to serve an injunction issued by the Court 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 Plaintiffs' Marks.

i. Entry of an Order requiring Defendants to account to and pay Plaintiffs for all profits and damages resulting from Defendants' trademark counterfeiting and infringing and unfairly competitive activities and that the award to Plaintiffs be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiffs' election with respect to Count I, that Plaintiffs 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.

j. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Plaintiffs' costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

k. Entry of an Order that, upon Plaintiffs' request, Defendants and any financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, and their related companies and affiliates, identify and restrain all funds,

up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the Seller IDs or other alias e-commerce stores, photo albums, seller identification names, user names, private messaging accounts, domain names and/or websites used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), to be surrendered to Plaintiffs in partial satisfaction of the monetary judgment entered herein.

- l. Entry of an award of pre-judgment interest on the judgment amount.
- m. Entry of an Order for any further relief as the Court may deem just and

proper.

DATED: July 23, 2020.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

Stephen M. Gaffigan (Fla. Bar No. 025844)

Virgilio Gigante (Fla. Bar No. 082635)

T. Raquel Wiborg-Rodriguez (Fla. Bar. No. 103372)

Christine Ann Daley (Fla. Bar No. 98482)

401 East Las Olas Blvd., #130-453

Ft. Lauderdale, Florida 33301

Telephone: (954) 767-4819

E-mail: stephen@smgpa.net

E-mail: leo@smgpa.net

E-mail: raquel@smgpa.net

E-mail: christine@smgpa.net

Attorneys for Plaintiffs

SCHEDULE "A"
DEFENDANTS BY NUMBER, SELLER ID,
PAYMENT ACCOUNTS AND MEANS OF CONTACT

Def. No.	Defendant / Seller ID	Financial Account / Transaction ID	Amazon Seller ID / Store Number / Store URL	Additional E-mail Address / WhatsApp
1	Coscn	AMAZON	A3B5J131SOS9RN	
2	Colorful sexy	AMAZON	A1C9X1AZ9LDXEJ	
2	time memory	AMAZON	A1C9X1AZ9LDXEJ	
3	eastwatches	AMAZON	A2NXAH5TGWSXZJ	
4	eun mi	AMAZON	ADIJYVFLJ8OPG	
5	Jessie Jewelry Store	AMAZON	A3HBM4QKI3FQO	
6	Joiles	AMAZON	AXSNEW358MUP6	
7	Metegoot	AMAZON	A1B5GPEB19NB8B	
8	VOROCO Official	AMAZON	A4DRINYCIQYXU	
9	蒂玛莎有限公司	AMAZON	A2P7NOLO9HSQ8L	
10	A490467883	DHGATE	Store No. 20719349	
11	afmkfsvbs	DHGATE	Store No. 21159444	
12	Afu01	DHGATE	Store No. 21449161	
13	aliciachenchen	DHGATE	Store No. 21176279	
14	boutiquefashion2018	DHGATE	Store No. 20986912	
15	bruce20168	DHGATE	Store No. 21442942	
16	cartier6688	DHGATE	Store No. 21389326	
17	chaojimaijia6699	DHGATE	Store No. 21361438	
18	Chenhui004	DHGATE	Store No. 21418158	
19	cocofeel	DHGATE	Store No. 17805852	
20	Daoshop007	DHGATE	Store No. 20751404	
21	Dema2019	DHGATE	Store No. 21386408	
22	Denghong2015	DHGATE	Store No. 21287606	
23	Dipeier	DHGATE	Store No. 20128913	
24	eternalltd	DHGATE	Store No. 21390466	
25	Fahmiwatch	DHGATE	Store No. 21144751	
26	fashionabledress110	DHGATE	Store No. 21434700	
27	franklin20168	DHGATE	Store No. 21442940	
28	Gotobuy2018	DHGATE	Store No. 20961363	
29	heros001	DHGATE	Store No. 21439087	
30	hezekiahsa jewelry	DHGATE	Store No. 21428371	
31	hongtashan987	DHGATE	Store No. 21452957	

32	Huanggaoren	DHGATE	Store No. 20152148	
33	huanggdexi520	DHGATE	Store No. 20458964	
34	I88i	DHGATE	Store No. 20645787	502421256 @qq.com WhatsApp: +86 1552106171 6
34	I88I's watch market store	DHGATE	Store No. 20645787	
34	meimeibar		https://meimeibar.x.yu-poo.com/	WhatsApp: +86 1552106171 6
34	I88I's watch market			
35	Jerlt111	DHGATE	Store No. 21421400	
36	Jewelryfactory08	DHGATE	Store No. 21447138	
37	jinyumantang_7	DHGATE	Store No. 20951024	
38	Jyh5566	DHGATE	Store No. 21414889	
39	lbyy666888	DHGATE	Store No. 21260648	
40	lg789987	DHGATE	Store No. 21414885	
41	Lizhenkun168	DHGATE	Store No. 20975492	
42	Lovewatches	DHGATE	Store No. 20763848	
43	lsj8888	DHGATE	Store No. 21118811	
44	ltw663344	DHGATE	Store No. 21414871	
45	Luxury mbpen	DHGATE	Store No. 21211554	
46	Luxury watch 01	DHGATE	Store No. 21457025	
47	lyh898989	DHGATE	Store No. 21408456	
48	mb pen store	DHGATE	Store No. 21122267	
49	mbpens	DHGATE	Store No. 21259336	
50	oldmickey	DHGATE	Store No. 21291491	
51	prs888888	DHGATE	Store No. 20201989	
52	pzl123654	DHGATE	Store No. 21414877	
53	pzw686868	DHGATE	Store No. 21408457	
54	Shihao14	DHGATE	Store No. 21433285	
55	Shinewto	DHGATE	Store No. 21119766	
56	srgrijhjhj	DHGATE	Store No. 21440380	
57	stobranda	DHGATE	Store No. 21394844	
58	watch200806	DHGATE	Store No. 21060371	
59	wings2021	DHGATE	Store No. 21417581	

60	Wxj123987	DHGATE	Store No. 21299622	
61	wxm88888	DHGATE	Store No. 21118822	
62	Wzhstar168	DHGATE	Store No. 20383880	
63	Wzhstar1688	DHGATE	Store No. 20415672	
64	Xia8806	DHGATE	Store No. 21209064	
65	xiaowendu	DHGATE	Store No. 20969572	
66	Xiaoxue11	DHGATE	Store No. 21044178	
67	xindekaishi666	DHGATE	Store No. 21335948	
68	xjx668888	DHGATE	Store No. 21408266	
69	yachne16168	DHGATE	Store No. 21180350	
70	yageltd1	DHGATE	Store No. 21391820	
71	yaobin198707	DHGATE	Store No. 21000583	
72	Yoyobitch	DHGATE	Store No. 21073106	
73	Yufudaren999	DHGATE	Store No. 21435771	
74	18fthome	1213218220@qq.com	https://www.ebay.com/usr/18fthome	
75	adnaab-16	adnaneaabbar10@gmail.com	https://www.ebay.com/usr/adnaab-16	
76	amfern-94	amilash1988@gmail.com	https://www.ebay.com/usr/amfern-94	
77	anhhikio	nguyenhonghoa94fa@yahoo.com	https://www.ebay.com/usr/anhhikio	
78	arigatou_japan358	torans77@yahoo.co.jp	https://www.ebay.com/usr/arigatou_japan358	
79	astinclothing	hisyamhamidon@gmail.com	https://www.ebay.com/usr/astinclothing	
80	autostyle2018	2760327798@qq.com	https://www.ebay.com/usr/autostyle2018	
81	azcrfat	demylau@gmail.com	https://www.ebay.com/usr/azcrfat	
82	beadsaccessories2010	inspiration_jewelry888@yahoo.cn	https://www.ebay.com/usr/beadsaccessories2010	
83	blissible	rhazal.said@gmail.com	https://www.ebay.com/usr/blissible	
84	bouloma	samircapuccino@gmail.com	https://www.ebay.com/usr/bouloma	
85	chengkai341	malin295012527@qq.com	https://www.ebay.com/usr/chengkai341	

86	chinen_72323	nguyenquangviet23kd@yahoo.com	https://www.ebay.com/usr/chinen_72323	
87	crazy.pen	Domi_chen888@126.com	https://www.ebay.com/usr/crazy.pen	
88	erathuk-0	eran.athukorala@gmail.com	https://www.ebay.com/usr/erathuk-0	
89	evergreen1881	reginka777@gmail.com	https://www.ebay.com/usr/evergreen1881	
90	f-jasiefest	happyfarm984@gmail.com	https://www.ebay.com/usr/f-jasiefest	
91	future_network_seller.lk	futurenetworksellerlk@gmail.com	https://www.ebay.com/usr/future_network_seller.lk	
92	gengkey15	shahariff125@gmail.com	https://www.ebay.com/usr/gengkey15	
93	here_finejewelry1220	3403361560@qq.com	https://www.ebay.com/usr/here_finejewelry1220	
94	hyype_50	Hyppeverty@gmail.com	https://www.ebay.com/usr/hyype_50	
95	idealspaces86	idealspace86@gmail.com	https://www.ebay.com/usr/idealspaces86	
96	jxjsky45	Transaction ID: 1HH98984VT592751V	https://www.ebay.com/usr/jxjsky45	
97	kas_jewels	klpnwadkar@gmail.com	https://www.ebay.com/usr/kas_jewels	
98	kira_kira1515	parler@inbox.ru	https://www.ebay.com/usr/kira_kira1515	
99	lamystore	emailamia@gmail.com	https://www.ebay.com/usr/lamystore	
100	miusua_732	nguyenvanbinh8393939@outlook.com	https://www.ebay.com/usr/miusua_732	
101	moroccan_artsouk	naimasabbar01@hotmail.com	https://www.ebay.com/usr/moroccan_artsouk	
102	mou_jewels	moujewels9@gmail.com	https://www.ebay.com/usr/mou_jewels	
103	netigems7	Transaction ID: 4AN952688M190890E	https://www.ebay.com/usr/netigems7	

104	new_jewelry1228	1224227965@qq.com	https://www.ebay.com/usr/new_jewelry1228	
105	new_stuff_by_thomas	charrahhl@gmail.com	https://www.ebay.com/usr/new_stuff_by_thomas	
106	pamhomage	plazing@gmail.com	https://www.ebay.com/usr/pamhomage	
107	pen_mb_seller	lianping625@163.com	https://www.ebay.com/usr/hi_mb_pen	
107	hi mb pen	-		
108	polzhavor0	pozhavoronok1@gmail.com	https://www.ebay.com/usr/polzhavor0	
109	silverjewelery1990	sdjeweles1122@gmail.com	https://www.ebay.com/usr/silverjewelery1990	
110	sosshop88	un220399@gmail.com	https://www.ebay.com/usr/sosshop88	
111	speedysalesaus	Rylandsmusic@gmail.com	https://www.ebay.com/usr/speedysalesaus	
112	storegator	storegatorr@gmail.com	https://www.ebay.com/usr/storegator	
113	supebotcom	capitial@hotmail.com	https://www.ebay.com/usr/supebotcom	
114	tarapark usa	kissnow8998@gmail.com	https://www.ebay.com/usr/tarapark usa	
115	thnguye 31	nguyenquynhanh.3462@hotmail.com	https://www.ebay.com/usr/thnguye 31	
116	ufoxlady	lhll-hsw@hotmail.com	https://www.ebay.com/usr/ufoxlady	
117	yibiaochen12 3	yibiaochen12@yahoo.com	https://www.ebay.com/usr/yibiaochen12 3	
118	yurpras 0	yurikaprastika20@gmail.com	https://www.ebay.com/usr/yurpras 0	
119	zypp_71	Zyppenmag@gmail.com	https://www.ebay.com/usr/zypp_71	
120	BDZY	Joom USA Inc	5b2a1b141436d403e2702bb4	
121	bracelet	Joom USA Inc	1491531684833345160-108-3-582-3372457804	

122	HENLIHAI	Joom USA Inc	5c503eea8b45130301 647339	
123	Jiayiqi Jewelry	Joom USA Inc	151023330940475656 6-157-3-26193- 2322996207	
124	LIANGBANZHUT OUROU	Joom USA Inc	5b2a1d861436d403e2 70f7d1	
125	Practical living home shop	Joom USA Inc	5b70d9fe1436d403a1 b10a26	
126	Special-Next Sept.	Joom USA Inc	150962297023010678 6-232-3-26193- 4114185914	
127	WOYAobaODAN	Joom USA Inc	5c50387a28fc7103014 67931	
128	ZM-Leather Jewelry	Joom USA Inc	5c99951f1436d40301 efc859	
129	ISABEL LARA	Wanelo	https://wanelo.co/daives2018	
129	daives2018	Wanelo	https://wanelo.co/daives2018	
130	Smith1989	Wanelo	https://wanelo.co/smith1990	
130	smith1990	Wanelo	https://wanelo.co/smith1990	
131	YZYhot	Wanelo	https://wanelo.co/yeezyhot	
131	yeezyhot	Wanelo	https://wanelo.co/yeezyhot	
132	Aimeyly doily	PayPal * Wish	5d7b66c24a21ac2e89 952126	
133	awfvs	PayPal * Wish	5de3217629e786426f dd6a4c	
134	BVGFCVC	PayPal * Wish	5e9fbe4f9bf44baf0b80 ac3a	
135	colwatch	PayPal * Wish	57e4ffc0d14e12015ee e0e8c	
136	Fashion-shop-ZD	PayPal * Wish	5e9e8f9fa46e780719b 724bd	
137	gvcngnh	PayPal * Wish	5dfedf9d21989738110 319c2	
138	happy day tonight	PayPal * Wish	58802b63f4ee9c4cc74 20899	

139	Head Knees	PayPal * Wish	561727a46f1646723a798acf
140	lfmei2019	PayPal * Wish	5da69cf130115b0102761e0a
141	lianglizhong	PayPal * Wish	58abca4096f1bb6f0711c9af
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154	Time Flies Store	PayPal * Wish	57e4d6c3fccbf12f0b04ef9
155	topshows	PayPal * Wish	5468ad861280fa5c967bc8a3
156	UUFashion	PayPal * Wish	59f457af9ace093d8884e14d
157	wangyuge.G63.com	PayPal * Wish	5dd25ef5af8da476b1e9d47f
158	wanlanzhijia	PayPal * Wish	57971af354acde4772c2b1e2

159	windbeller	PayPal * Wish	58724f5704b3614d4d b39ad6	
160	WindbellJewelry	PayPal * Wish	5da17cc348dd010800 3afe9a	
161	xiaolilichen	PayPal * Wish	5b6bd70fdd0e3136e6 b86c8c	
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165	yocoland	PayPal * Wish	5e53653229e7867040 b373bc	