

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

PINK FLOYD (1987) LIMITED,

Plaintiff,

Civil Action No.: 1:20-cv-05517

v.

Judge Jorge L. Alonso

THE PARTNERSHIPS AND UNINCORPORATED  
ASSOCIATIONS IDENTIFIED ON SCHEDULE “A”,

Magistrate Judge M. David Weisman

Defendants.

**PRELIMINARY INJUNCTION ORDER**

THIS CAUSE being before the Court on Plaintiff, PINK FLOYD (1987) LIMITED’s (“PFL” or “Plaintiff”), Motion for a Preliminary Injunction, and this Court having heard the evidence before it hereby GRANTS Plaintiff’s Motion for Entry of a Preliminary Injunction in its entirety against the defendants identified in Schedule A (collectively, the “Defendants”).

THIS COURT HEREBY FINDS that it has personal jurisdiction over the Defendants since the Defendants directly target their business activities toward consumers in the United States, including Illinois. “In the context of cases like this one, that means a plaintiff must show that each defendant is actually operating an interactive website that is accessible in Illinois and that each defendant has aimed such site at Illinois by standing ready, willing and able to ship its counterfeit goods to customers in Illinois in particular (or otherwise has some sufficient voluntary contacts with the state).” *Am. Bridal & Prom Indus. Ass’n v. P’ships & Unincorporated Ass’ns Identified on Schedule A*, 192 F.Supp.3d 924, 934 (N.D. Ill. 2016). In this case, Plaintiff has presented screenshot evidence that each Defendant Internet Store is reaching out to do business with Illinois residents by operating one or more commercial, interactive Internet Stores through which Illinois residents can and do purchase products using counterfeit versions of Plaintiff’s trademarks. *See*

Docket No. 11 which includes screenshot evidence confirming that each Defendant Internet Store does stand ready, willing and able to ship its counterfeit goods to customers in Illinois bearing infringing and/or counterfeit versions of the PINK FLOYD trademarks, U.S. Trademark Registration Nos. 2,194,702; 3,247,700; 4,232,255; 4,236,037 and 5,521,572 (“The PINK FLOYD Trademarks”).

THIS COURT FURTHER FINDS that injunctive relief previously granted in the Temporary Restraining Order (“TRO”) should remain in place through the pendency of this litigation and that issuing this Preliminary Injunction is warranted under Federal Rule of Civil Procedure 65. Evidence submitted in support of this Motion and in support of PFL’s previously granted Motion for a Temporary Restraining Order establishes that PFL has a likelihood of success on the merits; that no remedy at law exists; and that PFL will suffer irreparable harm if the injunction is not granted.

Specifically, PFL has proved a *prima facie* case of trademark infringement because (1) the PINK FLOYD Trademarks are distinctive marks and are registered with the U.S. Patent and Trademark Office on the Principal Register, (2) Defendants are not licensed or authorized to use the PINK FLOYD Trademarks, and (3) Defendants’ use of the PINK FLOYD Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with PFL. Furthermore, Defendants’ continued and unauthorized use of the PINK FLOYD Trademarks irreparably harms PINK FLOYD through diminished goodwill and brand confidence, damage to PINK FLOYD’s reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, PFL has an inadequate remedy at law. Moreover, the public interest is served by entry of this Preliminary Injunction to dispel the public confusion created by Defendants’ actions. Accordingly, this Court orders that:

1. Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily enjoined and restrained from:
  - a. using the PINK FLOYD Trademarks or any reproductions, counterfeit copies or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine PINK FLOYD product or not authorized by PFL to be sold in connection with the PINK FLOYD Trademarks;
  - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine PINK FLOYD product or any other product produced by PFL, that is not PFL's or not produced under the authorization, control or supervision of PFL and approved by PFL for sale under the PINK FLOYD Trademarks;
  - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of PFL, or are sponsored by, approved by, or otherwise connected with PINK FLOYD;
  - d. further infringing the PINK FLOYD Trademarks and damaging PFL's goodwill;
  - e. otherwise competing unfairly with PFL in any manner;
  - f. shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for PFL, nor authorized by PFL to be sold or offered for sale, and which bear any of the PINK FLOYD Trademarks or any reproductions, counterfeit copies or colorable imitations thereof;

- g. using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Accounts, or any other online marketplace account that is being used to sell or is the means by which Defendants could continue to sell Counterfeit/Infringing PINK FLOYD products; and
  - h. operating and/or hosting websites registered or operated by Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing the PINK FLOYD Trademarks or any reproductions, counterfeit copies or colorable imitations thereof that is not a genuine PINK FLOYD product or not authorized by PFL to be sold in connection with the PINK FLOYD Trademarks.
- 2. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as, but not limited to Amazon, (collectively, "Marketplaces"), social media platforms, Facebook, YouTube, LinkedIn, Twitter, Internet search engines such as Google, Bing and Yahoo, shall within three (3) business days of receipt of this Order:
  - a. disable and cease providing services for any accounts through which Defendants engage in the sale of counterfeit and infringing goods using the PINK FLOYD Trademarks, including any accounts associated with the Defendants listed in Schedule A;
  - b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the PINK FLOYD Trademarks; and
  - c. take all steps necessary to prevent links to the Defendant Online Marketplace Accounts identified in Schedule A from displaying in search

results, including, but not limited to, removing links to the Online Marketplace Accounts from any search index.

3. Defendants and any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' Online Marketplace Accounts or other websites operated by Defendants, including, without limitation, any online marketplace platforms such as Marketplaces, advertisers, Facebook, Internet Service Providers ("ISP"), web hosts, back-end service providers, web designers, sponsored search engine or ad-word providers, banks, merchant account providers, including PayPal, Alipay, Western Union, third party processors and other payment processing service providers, shippers, and online marketplace registrars (collectively, the "Third Party Providers") shall, within five (5) business days after receipt of such notice, provide to PFL expedited discovery, including copies of all documents and records in such person's or entity's possession or control relating to:
  - a. The identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information;
  - b. the nature of Defendants' operations and all associated sales and financial information, including, without limitation, identifying information associated with the Online Marketplace Accounts, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplace Accounts;
  - c. Defendants' websites and/or any Online Marketplace Accounts;
  - d. The Defendant Online Marketplace Accounts registered by Defendants; and

- e. Any financial accounts owned or controlled by Defendants, including their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, Amazon, PayPal, Alipay, Western Union, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
- 4. Defendants and any persons in active concert or participation with them who have actual notice of this Order shall be temporarily restrained and enjoined from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
- 5. eBay, Inc. (“eBay”), PayPal, Inc. (“PayPal”), Context Logic, Inc. (“WISH”), Amazon Payments, Inc. (“Amazon”), Alipay US, Inc. and its entities (“Alipay”) and Heguang International Limited or Dunhuang Group d/b/a DHGATE, DHGate.com, DHPort, DHLINK and DHPAY (“DHGate”), shall, within three (3) business days of receipt of this Order, for any Defendant or any of Defendants' Online Marketplace Accounts or websites:
  - a. Locate all accounts and funds connected to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any eBay, PayPal, WISH, Amazon, Alipay and DHGate accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 2 to the Declaration of Thomas Schlegel; and

- b. Restrain and enjoin any such accounts or funds that are non-U.S. foreign based from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
- 6. Any banks, savings and loan associations, payment processors, or other financial institutions, for any Defendant or any of Defendants' Online Marketplace Accounts or websites, shall within three (3) business days of receipt of this Order:
  - a. Locate all accounts and funds connected to Defendants, or Defendants' Online Marketplace Accounts, including, but not limited to, any accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 2 to the Declaration of Thomas Schlegel; and
  - b. Restrain and enjoin such accounts from receiving, transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
- 7. PFL may provide notice of these proceedings to Defendants, including notice of the preliminary injunction hearing and service of process pursuant to Fed.R.Civ.P. 4(f)(3), by electronically publishing a link to the Complaint, this Order and other relevant documents on a website, or by sending an e-mail to the e-mail addresses identified in Exhibit 2 to the Declaration of Thomas Schlegel and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The Clerk of Court is directed to issue a single original summons in the name of "huangpeng23 and all other Defendants identified in Complaint" that shall apply to all Defendants. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from Online Marketplace Accounts and payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and

afford them the opportunity to present their objections.

8. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order on two days' notice to PFL or on shorter notice as set by this Court.
9. The \$10,000 bond posted by PFL shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

Dated: October 23, 2020

A handwritten signature in black ink, consisting of a large, loopy 'C' shape with a horizontal line through it and a small dot at the end.

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U.S. District Court Judge



**SCHEDULE A**

<b>No.</b>	<b>Defendants</b>
1	huangpeng23
2	qenqen833
3	uci292
4	xeancan98
5	xeekru668
6	ian4117
7	wenwennvxie
8	xee82293
9	zhrngxeang
10	ilovewehome
11	maidandan
12	qwergrmbt
13	beihanji86
14	gaoye225
15	guobiying66058
16	hanshao8100
17	huangrunmei6608
18	huzhengyu8899
19	jiayue34
20	lltt
21	quannaosi3
22	slkjdnkzndhe
23	wannacong7
24	yuanfenxie00
25	ad tshirt Hoodie Store
26	Shop5714105 Store
27	agmax-59
28	fashionstore2015
29	fauzisuliamma-0
30	jonitho-10
31	rendrkharism0
32	rikeman-5
33	stevesn_75
34	wybeads-fine-jewelry
35	acatmigarden
36	GHCHKXDghxf
37	hanjinying
38	hjjkk225

39	jijinp
40	LEIY
41	Putuotaey Bedclothes
42	SuperbFashion
43	xiabolin2266
44	xjrbfd shopping
45	Amimefans
46	Art Bath Safety Rugs Set
47	Chelssat
48	chen jingdr6ty
49	Ekur
50	FENBEXEP
51	GerryRFredericksen
52	hsh65s26
53	liweil979
54	Nachman
55	nanjingfu
56	shen yang zhen gu ke ji you xian gong si
57	ugulinyuxiao
58	WarrenCSW
59	Xingxuan
60	YI KHIU
61	yijingyuanlinlvhuagongcheng
62	yuangda
63	yundonghuwai
64	ZDSMILE2593
65	Carvenjaeing Designs Store
66	celoco Store
67	cutyome UKids Store
68	Dream99 Store
69	FanQing Store
70	Free Lemons Official Store
71	Funny Desire Store
72	Jan MeiChildren Clothes Shop Store Store
73	LMCAVASUN Store
74	MINKANAK Official Store
75	MODIBO Store
76	Ms She Store
77	MUTIAN02 Store
78	R&Bdropship Store
79	Service Baron Store

80	Shop5261200 Store
81	Shop5485050 Store
82	Shop5488054 Store
83	Shop5584416 Store
84	Shop5586047 Store
85	Shop5670018 Store
86	Shop5741058 Store
87	Shop5791657 Store
88	Shop5837318 Store
89	Shop5881873 Store
90	Shop5882776 Store
91	Shop5885445 Store
92	Shop5891470 Store
93	Shop910335244 Store
94	IPMEVHYBTU
95	yunnanhengyuejianshegongchengyouxiangongsi
96	pine Store
97	Shop4622046 Store
98	Winifred decor Store
99	X-ALGAM Store
100	decoorzenes771-6
101	firdauazza0
102	panda_star1988
103	luofangmln123456
104	6 Pilar
105	AIYA
106	Ajialive
107	Amai store
108	AOD CLOTHING LLC
109	ARRMTSTORE
110	Art paintings co
111	Art Tree
112	BLRWLKJQ
113	caoyewu98
114	cfbgfd
115	chen jiannan
116	CoareL
117	Cupaate
118	DanceToMe789
119	
120	DENGXXFJ

121	gBaoVV
122	HASENCIV ART
123	hbijk hbijk
124	HD Amz
125	HeNanMiaoGouMaoYiYouXianGongSi
126	jiyan94156156202
127	KangKas
128	Ken554aide
129	KGPE0WRF5S
130	LAB NO. 4 - The Quotography Department
131	LDWORAN
132	Leyrus
133	liudongjie19911
134	LONG NEW SIGN
135	LONG SIGN
136	McC538arthy
137	MXW SHOP
138	NCJDHFUDJ
139	nhdjhdf
140	Nie-izanL
141	night night
142	Pikaqu
143	pokklkj
144	
145	qingdaoyoushijiujiuyanjingyouxiangongsi
146	RW43W1JKC7
147	saht
148	WAGSUO
149	xuxiangdedian
150	Yan Quan
151	Yaoqin88
152	yiwush iyihaoriyongpinyouxiangongsi
153	yyungongsifafa
154	youlaiyouwangbianlidian
155	Zhengzhoushenglanxinfushiyouxianzerengongsi
156	ZhiKuShiDaiXinMeiT WenHuaYouXianGongSi
157	2019 Poster Store
158	artpainting store
159	CHUANG Store
160	dingleiever Official Store
161	fairy supermarket

162	Hippo Home Store
163	New Vientiane Store
164	Shop3686092 Store
165	zouyiqiang Store
166	Zxy1
167	Crazy Caa
168	Inserto
169	Customized Phone Case-2 Store
170	Yang's Mobile Phone Accessories Store
171	Amazty
172	Angel-case
173	Anniamy
174	Bath-towels
175	BirdieJLarson
176	DorothyTAddison
177	dsgsegreh
178	EddieCNash
179	Forever case
180	golulu
181	Gulinur
182	Happiness Jia
183	jinanhuaiyinyurumixiandian
184	licenseplateframecovefunny1
185	loudishilouxingquyoudaoxiaochidian
186	MichelleEVerduzco
187	ReneeELong
188	RobertKLyles
189	SeanSCorliss
190	SharonJGray
191	SuzanneGM
192	swind
193	Tasas
194	WERLPHD
195	Abhay 07 Store
196	CasePioneer Store
197	cases 2 Store
198	Gerleek Phone Accessories Store
199	High-end art Store
200	Noger phone fitting 15 Store
201	Pengcheng mobile phone accessories Store
202	Shop4661204 Store

203	Shop5015214 Store
204	Shop5140036 Store
205	Shop5747122 Store
206	Shop5874839 Store
207	Shop5883720 Store
208	Shop5885763 Store
209	Shop5885764 Store
210	Shop5885765 Store
211	Shop5885784 Store
212	Shop5891798 Store
213	Shop5952220 Store
214	Shop5967037 Store
215	Shop5974384 Store
216	Shop900234138 Store
217	Shop900234375 Store
218	Shop900236438 Store
219	Shop900253376 Store
220	Shop910316262 Store
221	Shop910321232 Store
222	Shop910339255 Store
223	SiliconePhoneCase Store
224	yidianli Store
225	Yinuoda NO.12 Store
226	lzxlr
227	mayanka
228	afgsadgasdg
229	asdasdkhjasnkjd
230	Baby New Language Maternal and Infant Supplies Sho
231	Baskoi
232	beijinghuayanzhongshangjingjixinxizhongxin
233	beijingriguangshangulvyouguanliyouxiangongsi
234	BlackAura
235	Boyang Down
236	CAVIH
237	CYL585065
238	Default Co., Ltd
239	Ding20Yucai0307
240	FEICHANGSH UAI
241	G9X6K6QSF7
242	guang zhou xin fu lai mao yi you xian gong si
243	guangzhouhetianjiaoyukejiyouxiangongsi

244	hghghghghg
245	HTL610839
246	HXH641008
247	JDY7783805
248	Linetyoaes-Store
249	Loko vivi
250	LUCK MASK
251	LXG643215
252	Manduo E
253	Miao Yi
254	Mushroom pink
255	NICOLE BANKS
256	polong lai
257	seiruh
258	SFHYGJHKUK
259	shengmingshu915
260	STONSTAIN
261	taoyapbu
262	Treemen
263	trust-self
264	VFDBEFB
265	wangyong19900
266	wengshijian1987
267	WY5030702
268	XY7103216
269	yanfind
270	yantaimengbangqichexiaoshouyouxiangongsi
271	yiwushiqianqidianzishangwuyouxiangongsi
272	YSL7164228
273	Yuanshengchang Information Technology Co., Ltd.
274	Yuyihai
275	zdsgrds
276	ZXC970052
277	zxhrer
278	Sportswear & swimming sult dropship Store
279	GaoTian
280	liuyancong6881
281	cvmkendq
282	TIJiang
283	Dongda Funny
284	fdsfas001

285	fgdrnyfry55
286	High Toop
287	KunBlue
288	Liiyann
289	PaMeek
290	Smalluniron
291	Transa Juedi
292	XianYingDanM
293	yuecaijing325
294	A-Hha
295	BODATONGTU
296	ChenzhilianKL
297	HECV1A22AG
298	jdfg96as
299	longli 21
300	suyanyuguoqimaoyi
301	sxdvgfhgjkui
302	Yoae Store
303	Esencuan
304	Funnygal
305	JBSMYXGS
306	JiNingGaoXinQuDuoQiShangHang
307	Smeer fashion
308	Toptrader86
309	Yicool-Direct
310	Aiyirun Night Store
311	Dtrrj719
312	Mussszzz55
313	jingpei186weng
314	thaiwitnystore
315	Grace89Tobia
316	MOUGH
317	Valerie Doris
318	USA Inventory Battery Store
319	402EPAGCBS
320	Bodanfu
321	DengW
322	fangzhanp
323	Lyetcup
324	pingyangxianbaodingshengzhuyangzhizhuanyezuoshe
325	Qianbaigu



326	wangjiquan321
327	CHANGNAN YJ
328	Gifts Guru
329	HanWuRiYongBaiHuo
330	hfjojhghkhkhhu
331	KONGZIR
332	SwissTA
333	YALIUYA
334	yongqiang Li
335	Coolwayer
336	JZhang-Lxm
337	sujianlongsd
338	sure clothing
339	TAYLOR WEBB
340	tMJTTnDJ
341	nangunanguorui
342	Uchengqumi
343	VV8VJBOY0D
344	Yang Cui Xia
345	Shop900241162 Store
346	miguoer
347	J-C Toy Store
348	Optical test meter Store
349	Opticalglassfactory
350	hangzhouyanyanmaoyiyouxiangongsjvn
351	liana0824
352	Outdoor Indoor Flags
353	Zhaoyuan Ganci
354	ichioha2011
355	matan.revivo
356	jerifashion
357	pennyhouse lolita
358	CASEHOME
359	ColourBus
360	jiangjihuiwenhua
361	lmf379581
362	MEROU
363	nonghangshouji
364	Profit letter department store
365	Rock Roll Murals and Wallpaper
366	xjoumiie

367	yunengmaoyi
368	HOME BEAUTY Official Store
369	PGY HEHUOREN Clothes Decor Store
370	Shop3722008 Store
371	Shop900237042 Store