

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

EMOJI COMPANY GmbH,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A",

Defendants.

Case No. 20-cv-3862

Judge Joan B. Gottschall

FINAL JUDGMENT ORDER

This action having been commenced by EMOJI COMPANY GmbH against the defendants identified in attached First Amended Schedule A using certain Defendant Domain Names and Online Marketplace Accounts (collectively, the "Defendant Internet Stores"), and Plaintiff having moved for entry of Default and Default Judgment against the defendants identified in First Amended Schedule A (collectively, the "Defaulting Defendants");

This Court having entered, upon a showing by Plaintiff, a temporary restraining order and preliminary injunction against Defaulting Defendants which included a domain name transfer order and asset restraining order;

Plaintiff having completed service of process on Defaulting Defendants, through the combination of providing notice via electronic publication or e-mail, along with any notice that Defaulting Defendants received from domain name registrars and payment processors, such notice being reasonably calculated under the circumstances to apprise Defaulting Defendants of

the pendency of the action and affording them the opportunity to answer and present their objections; and

None of the Defaulting Defendants having answered the Complaint or appeared in any way, and the time for answering the Complaint having expired;

THIS COURT HEREBY FINDS that it has personal jurisdiction over Defaulting Defendants since Defaulting Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Defaulting Defendants are reaching out to do business with Illinois residents by operating one or more commercial, interactive Defendant Internet Stores through which Illinois residents can purchase counterfeit products bearing the EMOJI trademarks which are protected by U.S. Trademark Registration Nos. 4,868,832, 5,202,078 and 5,415,510 (the “EMOJI Trademarks”).

THIS COURT FURTHER FINDS that Defaulting Defendants are liable for willful federal trademark infringement and counterfeiting (15 U.S.C. § 1114), false designation of origin (15 U.S.C. § 1125(a)), and violation of the Illinois Uniform Deceptive Trade Practices Act (815 ILCS § 510, *et seq.*).

IT IS HEREBY ORDERED that Plaintiff’s Motion for Entry of Default and Default Judgment is GRANTED, Defaulting Defendants are deemed in default and this Final Judgment is entered against Defaulting Defendants.

IT IS FURTHER ORDERED that:

1. Defaulting 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 permanently enjoined and restrained from:
 - a. using the EMOJI Trademarks or any confusingly similar trademark or name in any manner in connection with the distribution, marketing, advertising, offering for sale,

- or sale of any products that are not genuine EMOJI products or are not authorized by Plaintiff to be sold in connection with the EMOJI Trademarks;
- b. passing off, inducing, or enabling others to sell or pass off any products as genuine EMOJI products or any other products produced by Plaintiff, that are not Plaintiff's or are not produced under the authorization, control or supervision of Plaintiff and approved by Plaintiff for sale under the EMOJI Trademarks;
 - c. committing any acts calculated to cause consumers to believe that Defaulting Defendants' products are those sold under the authorization, control or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - d. further infringing the EMOJI Trademarks and damaging Plaintiff's goodwill;
 - e. shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of the EMOJI Trademarks or any confusingly similar trademark or name;
 - f. using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Accounts, the Defendant Domain Names, or any other domain name or online marketplace account that is being used to sell or is the means by which Defaulting Defendants could continue to sell counterfeiting products bearing the EMOJI Trademarks;
 - g. operating and/or hosting websites at the Defendant Domain Names and any other domain names registered or operated by Defaulting Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing any of the EMOJI Trademarks or any products that are not genuine EMOJI

products or are not authorized by Plaintiff to be sold in connection with the EMOJI Trademarks.

2. Pursuant to 15 U.S.C. § 1117(c)(2), Plaintiff is awarded statutory damages from each of the Defaulting Defendants on Counts I, II and III of the Complaint in the amount of one-hundred thousand dollars (\$100,000) per Defaulting Defendant for the willful use of EMOJI Trademarks on counterfeit products sold through the Defendant Internet Stores.
3. Contextlegic, Inc. (“Wish”), shall within ten (10) business days of receipt of this Order, release to Plaintiff all monies currently restrained in Defaulting Defendants’ financial accounts held by Wish as partial payment of the above-identified damages.
4. The ten thousand dollar (\$10,000) surety bond posted by Plaintiff, including any interest minus the registry fee, is hereby released to Plaintiff or its counsel, Hughes Socol Piers Resnick & Dym, Ltd. The Clerk of the Court is directed to return the surety bond previously deposited with the Clerk of the Court to Plaintiff or its counsel.

This is a Final Judgment.

Dated: January 8, 2021

_____/s/_____
Joan B. Gottschall
United States District Judge

FIRST AMENDED SCHEDULE A

Doe	Seller Name
1	wupengfei
2	wutin
3	KUANGMENGFAN
4	litingting55
7	cairui
8	chichichi
9	chn mk
10	CWJ company
11	dingdong2014
12	Guangzhou Feiyang Electronic Factory
13	guoji
14	hanxueling
15	In the shop
16	jane's super market
17	liulan store
18	pengpeng's collection
19	plok258369@163.com
20	Romanceeee
21	shopping Happy O Yes
22	woaiwangyi188@163.com
23	yqbergkamp1204shop
24	15205060710
28	Adventure and Monotony
29	afdesx fashion store
33	asuacxmj
34	axfybfyyzyq
35	ayu0811
36	AZ186221
37	azsahfbrs
38	ba
39	Baby Love
41	biweizhijia
42	bruc shopping
43	caihao
44	caixue fashion
45	caiyidian
46	Canbin Fashion Online
47	ChangZhou liv Ltd
48	chaofeng88
49	chaoyanyu
50	CHENGXIN27
51	chenjingjing521
52	chenrong123
54	China various commodity shops

55	ChinaBwin
56	ChongQing Hot Pot
57	Classic trend shop
60	Composedream
62	cylkjhg
64	damishops
66	daserwd fashion store
69	Demin
70	dhfuiyeihr
71	dingqier fashion
72	DONGGUAN CHUANQI INDUSTRIAL CO., LTD.
73	dongrui shop
74	dongyi fashion
75	Dove valley shop
76	duqingyunpp
77	East International Knitting Co.,Ltd.
79	Fashion Maker Co,LTD
82	Fashion21
83	fengyandian
84	fugeng fashion
86	gaodanfeng
87	Goblinger
88	guotongtong
90	HEKEY
91	hhnewtrends
92	High Quality Goods
93	HK rianB store
94	huanyugaoke
95	hui_adm
96	huixu fashion store
97	jingnadian
98	jqshadow
99	JUN
100	KaiLi Rice Dumplings
101	kthzrysg
103	liaolidian
104	liaoshutingdian
106	LINHUAN7
108	liuqing fashion
109	longchaoqun fashion
110	lovelyxu
111	luodeying
112	luyi fashion
113	LYPP
114	mingheminxiongmei
115	MK7RVUUH
116	Mobile phone accessories LTD
117	Mosesid

118	mrkong trading company
120	Niecisy Handbags
121	nimengting
122	nokelo store
123	official*zhiyong
124	omhhkb shopping
125	one person001
126	ouqu334 plaza
128	panliuming fashion
129	panwei 123
130	Pefect
131	pengmingzhu
132	puan fashoin
133	qianliuying8056126
135	qinxuededianpu
136	qiushu
139	RuoMu
140	rzuby
142	shench1740730
144	sportniu
145	tanghua fashion
146	THANKSCC
147	tingtingdian
148	Tongren mung flour
149	UwlyssesAyndrewmall
150	weideyua Friday
151	weiweidian
152	weiyuelong
153	wfpSimple
154	Wiodg
155	wuhoodie
156	wujinzong678
158	wuqiuzengqian
159	wushenghong fashion
160	WXBBV USGB IINV
163	Xiao wu big yards shop
164	xiaomingzhang wholeshop
165	Xiaopingmilk
166	xijnmv fashion store
167	xinglidian
168	Xinlan66088
169	xutiantian2016
170	xuzhiwei
171	yadana
173	yanmingdian
174	yanzace
175	yunyys
176	yxx151010

177	zeduandian
178	zfgdfgdfgzcfg
179	ziyanpingg
180	zuf55ma
181	longsand
182	racefish
183	runningcity
184	southhillpark
185	stonehomevalley
186	Sun & Spring
188	langerton
191	fastfashiontrend
193	fdrhgfthjyt
194	forever new life
195	gaosiyu
196	GL
197	Globalebuy Co., LTD.
198	Graceful home
199	haolisayumi
200	Happy Island Toys Co.,LTD
201	happyboyqi
203	highsky009
204	Home beauty trade co., LTD
205	huahuamall
207	jialongmaoyi232123
210	lily boutique shop
211	LookingforGOOD
212	lsj
216	mi shang company
217	pin yi xuan
219	qianggegongsi
222	REMOFON
223	Sasha168
225	SFJ-fashion store
226	shining shoes
227	shuting
228	Silier
231	starfruit
234	taishanshan
235	taomumu
236	TIMO Fashion Store
237	Waltha-foes
238	argb
243	Sunwoif Co LTD
245	wisegood
247	Yes Fashion
248	yfy4
249	zhaijinxiu

251	zhenzhen905
252	zhoululu86913

No	Defendants Online Marketplace
1	https://www.wish.com/merchant/5ab9d8d1c3911a190e381a99
2	https://www.wish.com/merchant/5ac7453f972233662ec68d00
3	https://www.wish.com/merchant/5b175f0301287555ddc82285
4	https://www.wish.com/merchant/5aaf8061c1d5181e1aeb5d6f
7	https://www.wish.com/merchant/59006b5e0094b8111d275435
8	https://www.wish.com/merchant/58774b16105e246a142da8ab
9	https://www.wish.com/merchant/584e9291a7c51a4d37431118
10	https://www.wish.com/merchant/55b06de8b5996b69554506fd
11	https://www.wish.com/merchant/549ce39a653d51047182dff5
12	https://www.wish.com/merchant/5455fc7d1280fa25e02d3a54
13	https://www.wish.com/merchant/5845430715b9d74c9479a9b0
14	https://www.wish.com/merchant/58fda0e1eb8d2f1106417606
15	https://www.wish.com/merchant/5870faa8c78ddf59a9055a25
16	https://www.wish.com/merchant/576b892adb35067f3a245c3b
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19	https://www.wish.com/merchant/58798689752c7d4f12f83375
20	https://www.wish.com/merchant/554f247e6e4cb511ebdaf371
21	https://www.wish.com/merchant/568e09dad18a6d26a7028f6c
22	https://www.wish.com/merchant/589bdce6a7ed115015c4a800
23	https://www.wish.com/merchant/58705d9526ba104d71ba3a4d
24	https://www.wish.com/merchant/5aa6388b40626a4cda26fb40
28	https://www.wish.com/merchant/58ca7b592f87865046b9f730
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36	https://www.wish.com/merchant/5b27757a7752c87ec5afa18e
37	https://www.wish.com/merchant/5a22a4fcd4ffd369bcd3defe
38	https://www.wish.com/merchant/544e42bd8edcfa4c576f62cf
39	https://www.wish.com/merchant/544866e9f420dd68b49f5689
41	https://www.wish.com/merchant/5b3083dbeae8b435ce3db1b6
42	https://www.wish.com/merchant/58d3977668ce84578bb98a53
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