

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

POLYBLANK DESIGNS LIMITED,)	
)	
Plaintiff,)	No. 21-cv-02241
)	
v.)	Judge Andrea R. Wood
)	
THE PARTNERSHIPS AND)	Magistrate Judge Jeffrey Cole
UNINCORPORATED ASSOCIATIONS)	
IDENTIFIED ON SCHEDULE "A",)	
)	
Defendants.)	

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff, POLYBLANK DESIGN LIMITED's ("PDL" 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, in the lack of adversarial presentation, that it has personal jurisdiction over the Defendants since the Defendants directly target their business activities toward consumers in the United States, including Illinois. 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 Trademark. *See* [12] 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 PETS ROCK Trademark, U.S. Trademark Registration No. 5,097,681 and/or products infringing PETS ROCK Works, U.S. Copyright Registration Nos.

VA0002104989; VA0002103969; VA0002102690; VA0002102692; VA0002102693;
 VA0002102694; VA0002102696; VA0002102213; VA0002102214; VA0002103929;
 VA0002103970; VA0002102215; VA0002103971; VA0002103972; VA0002102216;
 VA0002103973; VA0002102217; VA0002102218; VA0002102219; VA0002103974;
 VA0002102220; VA0002102221; VA0002103975; VA0002103976; VA0002102223;
 VA0002102222; VA0002102211; VA0002102210; VA0002102209; VA0002103977;
 VA0002103978; VA0002102208; VA0002116325; VA0002102206; VA0002117815;
 VA0002102204; VA0002102212; VA0002103968; VA0002102697; VA0002223713;
 VA0002223846; VA0002223716; VA0002223658 VA0002223659; VA0002223598;
 VA0002223584; VA0002223710; VA0002223582; VA0002223576; VA0002223614;
 VA0002223848; VA0002223581; VA0002223708; VA0002223671; VA0002223669;
 VA0002223664; VA0002223596; VA0002223838; VA0002223660; VA0002223855;
 VA0002223854; VA0002223589; VA0002223586; VA0002223720; VA0002223615;
 VA0002223602; VA0002223611; VA0002223592; VA0002223612; VA0002223593;
 VA0002223588; VA0002223609; VA0002223608; VA0002223605; VA0002223607;
 VA0002223603; VA0002223606; VA0002223577; VA0002223591; VA0002223613;
 VA0002223578; VA0002223595; VA0002223610; VA0002223585; and VA0002223600 (the
 “PETS ROCK Works”).

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 PDL’s previously granted Motion for a Temporary Restraining Order establishes that PDL has a likelihood of success

on the merits; that no remedy at law exists; and that PDL will suffer irreparable harm if the injunction is not granted.

Specifically, PDL has proved a *prima facie* case of trademark infringement because (1) the PETS ROCK Trademark is a distinctive mark and is registered with the U.S. Patent and Trademark Office on the Principal Register and the PETS ROCK Works are registered with the United States Copyright Office, (2) Defendants are not licensed or authorized to use the PETS ROCK Trademark and PETS ROCK Works, and (3) Defendants' use of the PETS ROCK Trademark and PETS ROCK Works is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with PDL. Furthermore, Defendants' continued and unauthorized use of the PETS ROCK Trademark and PETS ROCK Works irreparably harms PDL through damage to PDL's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, PDL 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, employees, attorneys, and all persons acting for, with, by, through, under or in active concert with them be temporarily enjoined and restrained from:
 - a. using PDL's PETS ROCK Trademark and Works 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 PETS ROCK product or not authorized by PDL to be sold in connection with PDL's PETS ROCK Trademark and PETS ROCK Works;

- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine PETS ROCK product or any other product produced by PDL, that is not PDL's or not produced under the authorization, control or supervision of PDL and approved by PDL for sale under PDL's PETS ROCK Trademark and PETS ROCK Works;
- c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of PDL, or are sponsored by, approved by, or otherwise connected with PDL;
- d. 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 PDL, nor authorized by PDL to be sold or offered for sale, and which bear PDL's PETS ROCK Trademark and PETS ROCK Works or any reproductions, counterfeit copies or colorable imitations thereof;
- e. using, linking to, transferring, selling, exercising control over, or otherwise owning the Defendant Internet Stores, or any other internet store that is being used to sell or is the means by which Defendants could continue to sell Counterfeit/Infringing PETS ROCK Products; and
- f. operating and/or hosting the Defendant Internet Stores and any other internet stores registered or operated by Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing PDL's PETS ROCK Trademark and PETS ROCK Works or any reproductions, counterfeit copies or colorable imitations thereof that is not a

genuine PETS ROCK product or not authorized by PDL to be sold in connection with PDL's PETS ROCK Trademark and PETS ROCK Works.

2. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as, Alibaba Group Holding Ltd., Alipay.com Co., Ltd. and any related Alibaba entities (collectively, "Alibaba"), social media platforms, Facebook, YouTube, LinkedIn, Twitter, Internet search engines such as Google, Bing and Yahoo, shall within five (5) 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 PETS ROCK Trademark and PETS ROCK Works, 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 PETS ROCK Trademark and PETS ROCK Works; 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 Defendant Internet Stores 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 other websites operated by Defendants, including, without limitation, any online marketplace platforms such as Alibaba, 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, Alibaba, Western Union, third party processors and other payment processing service providers, shippers (collectively, the “Third Party Providers”) shall, within five (5) business days after receipt of such notice, provide to Plaintiff 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 Defendant Internet Stores, 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. 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, PayPal, Alibaba, 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. Western Union shall, within five (5) business days of receipt of this Order, block any Western Union money transfers and funds from being received by the Defendants identified in Schedule A until further ordered by this Court.
6. Amazon Payments, Inc. ("Amazon"), Alipay US, Inc. and its entities ("Alipay"), PayPal, Inc. ("PayPal"), and Heguang International Limited or Dunhuang Group d/b/a DHGATE, DHGate.com, DHPORT, DHLINK and DHPAY ("DHgate"), shall, within five (5) business days of receipt of this Order, for any Defendant or any of Defendants' Internet Stores or websites:
 - a. locate all accounts and funds connected to Defendants, Defendants' Internet Stores or Defendants' websites, including, but not limited to, any Amazon, Alipay, PayPal, and DHgate accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 3 to the Declaration of David Denholm; 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.
7. Any banks, savings and loan associations, payment processors, or other financial institutions, for any Defendant or any of Defendants' Internet Stores or websites, shall within five (5) business days of receipt of this Order:

- a. locate all accounts and funds connected to Defendants, or Defendants' Internet Stores, including, but not limited to, any accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 3 to the Declaration of David Denholm; 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.
8. Plaintiff 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 3 to the Declaration of David Denholm 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 “60art 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 the Defendant Internet Stores 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.
9. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order on three (3) days' notice to PDL or on shorter notice as set by this Court. The \$10,000 bond posted by PDL shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

10. The Clerk of Court is directed to unseal any previously sealed documents in this case. Specifically, the Clerk is directed to unseal Plaintiff's Schedule A to the Complaint [2], Exhibit 3 to the Declaration of David Denholm [12] and the Temporary Restraining Order [16].

Dated: August 4, 2021

A handwritten signature in black ink, appearing to read "Andrea R. Wood", written over a horizontal line.

Andrea R. Wood
United States District Judge

SCHEDULE A

No.	Defendants
1	60art
2	ADBUTTY
3	anhuinuanjiangnuantonggongchenyouxiangongsi
4	Awesocrafts
5	bindongshangmao999
6	BIWYE
7	BUI XUAN
8	CHEN YUNXING
9	ChenLiangNian-SHOP
10	DaTongShiPingChengQuXingJiaBianLiDian
11	dfgdyht
12	Drusilla Shop
13	edwtgerdgyhrtdfh
14	ErChangBaiHuoXiaoShouDian
15	FANCY PUMPKIN
16	FeiMoART
17	FENG SENG
18	fhfghdrgtsese
19	fsdgaga
20	Funny&Designer Collection
21	Good luck sign shop
22	Good/Trading
23	GSWJ STORE
24	gtedrrfy
25	Guangzhou Ding
26	guantongGT
27	hcvghcgfxcdx
28	herunfushangmaogongsi
29	HEYISHU
30	jizexianjianshuojianzhugongchengyouxiangongsi
31	JLHBM
32	Juxin.T.C.
33	Kennedy Leacock
34	Lihan E-Commerce
35	lilizeng198
36	LINGCHENART
37	linrongzong
38	lirenpeixun
39	Looife Direct
40	Pattern painting co
41	PaxenShoesandhatsClothingStorePingshanCounty
42	penggeshop

43	Ricketts26
44	SAI Love
45	Scott654ay
46	
47	vdfggyujy
48	Wang Zeng Wei
49	Wangbingjun
50	wenfengquchengxinfangshuicailiaodian
51	wukuishangmao
52	xianyouxianlaidianchenbinwenjujingyingbu
53	xianzaizhidaoletaishicijiushichulailianjiande
54	XIAO HU QI PEI
55	XiXuCai58588
56	Yi Chaoxing
57	Yulinshiyuyangquzuxinlaowufuwubu
58	YZBEDSET
59	Zhang Wenl
60	zhengzishen
61	zhou hong min zhao biao dai li you xian gong si
62	合生貿易会社
63	520 Good Life Store
64	7 the shopkeeper Store
65	ALxpress Store
66	Amy House Store
67	ANNIEBRITNEY Homme&Gardern Store
68	baigong Store
69	Beadssupplieswholesale Store
70	Beautiful Print Bag Store
71	BJYWDAP Store
72	bolang Store
73	CaiXuKun S 13 Store
74	Cozy Decoration Store
75	Dai Li secret Store
76	Daxiangqiwu Art Store
77	DEEPDEE Meow Store
78	Digital Print Garment Factory Store
79	Dongyang Relife Cultural Creativity Co., Ltd.
80	DRAWtheSEA Store
81	Etiya Store
82	Factory Household Store
83	FORUDESIGNS WORKGROUP store
84	Freesia' Store
85	Ghtphy Decor Store
86	Global Direct Mail Makeup Boutique Store

87	Good management Store
88	GozLeung Art Store
89	Happiness Socks Store
90	HEZHUKEJI Store
91	Hi Textiles Store
92	Househeld life Store
93	HowsHome Store
94	J&M Factory
95	Joyloading Store
96	Kadische Official Store
97	KK77 Art Store
98	Laimai Pantyhose Co., Ltd. Store
99	Laixiaoli Official Store
100	Meilian Headscarf Store
101	MENGLINXI Official Store
102	MiLao Mouse Store
103	Misss Luna's Store
104	Muizai Store
105	My-ART Global Store
106	Nordic Supplies Store
107	OLEVO Textiles Decor Store
108	Partners at the table Store
109	Print bages Store
110	QinyeThree Official Store
111	Quality Men's Clothes Store
112	RANTING Store
113	REFJJ China made socks Store
114	Ring girl Store
115	Salimism Sock Store
116	Shen Store
117	Shop3282009 Store
118	Shop4355010 Store
119	Shop5564183 Store
120	Shop5571175 Store
121	Shop5587419 Store
122	Shop5721159 Store
123	Shop5790185 Store
124	Shop5838088 Store
125	Shop5869090 Store
126	Shop5879376 Store
127	Shop5880974 Store
128	Shop5882596 Store
129	Shop5974384 Store
130	Shop626939 Store
131	Shop900236438 Store

132	Shop900239365 Store
133	Shop900244397 Store
134	Shop900249375 Store
135	Shop900253376 Store
136	Shop911251238 Store
137	Shop911339051 Store
138	Shop911340151 Store
139	So Yeah Store
140	Surloog Store
141	Thymiland. Store
142	Toy Fun Wold Store
143	Ulika Textile Store
144	UNNYS Mother&Baby Store
145	WARM YOUR HOUSE Store
146	Warmbeds Store
147	WellCraft Decor Store
148	Woman Apparel Fanatic Store
149	wostar Official Store
150	yidiya Store
151	YIERNINL Official Store
152	YiYiMiYu Store
153	aigtgr
154	Chuanyuexian
155	Cslikdd
156	Faone24
157	huyinginternational
158	Kmdjsiwnb
159	palameila
160	Pillowcases
161	shu120806
162	zijilo