

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

SYD BARRETT MUSIC LIMITED,	)	
	)	
Plaintiff,	)	No. 21-cv-02372
	)	
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, SYD BARRET MUSIC LIMITED's ("SBML" 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") and using at least the online marketplace accounts identified in the Schedule A (the "Defendant Online Stores").

THIS COURT HEREBY FINDS, in the absence 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. In this case, Plaintiff has presented screenshot evidence that each Defendant Online Store is reaching out to do business with Illinois residents by operating one or more commercial, interactive Online Stores through which Illinois residents can purchase products using counterfeit versions of Plaintiff's SYD BARRETT Trademarks. Plaintiff submitted screenshot evidence confirming that each Defendant Online Store stands ready, willing, and able to ship its counterfeit goods to customers in Illinois

bearing infringing and/or counterfeit versions of the SYD BARRETT trademarks, U.S. Trademark Registration Nos. 4,110,614 and 6,077,769 (the “SYD BARRETT 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 SBML’s previously granted Motion for a Temporary Restraining Order establishes that SBML has a likelihood of success on the merits; that no remedy at law exists; and that SBML will suffer irreparable harm if the injunction is not granted.

Specifically, SBML has proved a *prima facie* case of trademark infringement because (1) the SYD BARRETT 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 SYD BARRETT Trademarks, and (3) Defendants’ use of the SYD BARRETT Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with SBML. Furthermore, Defendants continued and unauthorized use of the SYD BARRETT Trademarks irreparably harms SYD BARRETT through damage to SBML’s reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, SBML 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 the SYD BARRETT 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 SYD BARRETT Product or not authorized by SBML to be sold in connection with the SYD BARRETT Trademarks;
- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine SYD BARRETT Product or any other product produced by SBML, that is not SBML's or not produced under the authorization, control or supervision of SBML and approved by SBML for sale under the SYD BARRETT Trademarks;
- c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of SBML, or are sponsored by, approved by, or otherwise connected with SYD BARRETT;
- 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 Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's SYD BARRETT Trademarks or any reproductions, counterfeit copies or colorable imitations thereof; and
- e. using, linking to, transferring, selling, exercising control over, or otherwise owning the Defendant Online Stores, or any other online store that is being used

to sell or is the means by which Defendants could continue to sell Counterfeit/Infringing SYD BARRETT products.

2. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as, but not limited to, Alipay US, Inc. (“ALIPAY”), ContextLogic, Inc. (“WISH”), and Amazon Payments, Inc. (“Amazon”), 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 SYD BARRETT 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 SYD BARRETT Trademarks; and
  - c. take all steps necessary to prevent links to the Defendant Online Stores identified in Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Online 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 WISH and Amazon 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 Amazon, WISH, third party processors and other payment processing service providers, and 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, employees, 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 Online Stores, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Defendant Online Stores;
- c. Defendants' websites and/or any online marketplace accounts;
- d. any financial accounts owned or controlled by Defendants, including their agents, employees, 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, WISH, 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. WISH, Amazon, and Alipay, shall, within five (5) business days of receipt of this Order, for any Defendant or any of Defendants' Online Stores or websites:
  - a. locate all accounts and funds connected to Defendants, Defendants' Online Stores or Defendants' websites, including, but not limited to, any WISH, Amazon, and Alipay 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 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' Online Stores, 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. SBML 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 doing both of the following: (i) electronically publishing a link to the Complaint, Complaint, this Order and other relevant documents on a website and (ii) 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 “857857yedianxiaoge and all other Defendants identified in the 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 Online 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.

8. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order on three (3) days’ notice to SBML or on shorter notice as set by this Court.

9. The Clerk is directed to unseal any previously sealed documents in this matter, namely (1) Plaintiff’s Schedule A attached to the Complaint [2], which includes a list of the Defendant Online Stores; (2) screenshot printouts showing the active Defendant Online Stores (Exhibit 2 to the Declaration of Thomas Schlegel)[12] , and (3) the TRO [18].

10. The \$10,000 bond posted by SBML shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

Dated: August 4, 2021



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Andrea R. Wood  
United States District Judge

**SCHEDULE A**

<b>No.</b>	<b>Defendants</b>
1	857857yedianxiaoge
2	B8B8B888
3	Beibaisel Coat
4	cai fashion
5	caiweikun7890
6	caolili163
7	chenglih
8	Chenlili789
9	chenshuai77188
10	chenuying
11	cloudji
12	donqiahuiyue
13	Driscclinrete
14	dsdjksal
15	Duck sanleisa chafen Polan
16	Elizabeth Morla
17	fhueyuhwn
18	futianyu0224
19	g8g6f57g7
20	gusiqi
21	haixueyan1990
22	hechen878507712
23	huangsiceng
24	Huilibian
25	jaksjiuehr
26	jeya226jeya226
27	Jiangyu00586
28	john bresnan
29	Liander Cream
30	LianTingYi68235
31	lihao461x
32	liuanxin
33	liujxin
34	liulanying888
35	liuyujuan6855
36	Liuzhongyan288
37	liyaolong13
38	liyuxin997
39	Longxiang water pressure pump
40	lucky glil
41	luzyx
42	lvyingying153

43	Makai123456
44	Manche progran Sakeler
45	meijjee
46	MEN SNENG SHULAGE STORE
47	mengxueke147
48	Micmisecthse
49	ningxiaopaijing
50	Ouapady Underwear
51	pangzhaoou1
52	pengfeichen
53	Q ZLP EZS
54	qianbaolin0514
55	qijwiouoi
56	qucuilong199
57	Ralph Barnes
58	Ralph Hornsby54
59	rongjingjing
60	Rosalyn1
61	sara swan
62	Sarengaowa
63	sdnajxun
64	shenshuhong
65	shitoutiaosu
66	shungliming
67	songjianying
68	songxiaoyu474747
69	sourisack chansomphou
70	Stacy Estrada
71	tanxiongjiao701
72	tianxiaoxiao521
73	Tray Young
74	tushikui1230
75	waiawaimi
76	WANGHUAQIANG9988
77	wangjianping1475
78	wanglixia123
79	wangxiaozhen2548
80	wfh25
81	wnx546
82	wuehe872
83	wufush
84	wujinyi0514
85	wuyunpeng3334
86	xiaomingming84427
87	xieqingqing3688

88	xionghanyang1562
89	xuke1234
90	xuzhenyu66688
91	yuqian546
92	yushuang1212
93	zenghuizhen0909
94	zhangli online
95	zhangmeiying5633
96	zhangsan56789
97	zhangsumei81616
98	zhar9275
99	zhouyuanyuan7788
100	zhziyoux
101	Zilittlebee Toys
102	caise store
103	Carry Kim
104	ChadLazorak
105	charmbit
106	Chilli-shop
107	
108	edwtgerdgyhrtdfh
109	Engravia Digital Limited
110	FuJianXianQuanWangChuanMeiYouXianGongSi-
111	guobaojun 198
112	handandian
113	jyuanshijingrongbaihuodian
114	Jnshchengon
115	King GloryH
116	KunMingKangTingHuanWeiSheBei
117	LAURA BUTCHER
118	liangbowan
119	Maria Ken
120	MINGYUELIANG
121	nanjingweihongqinfuzhuangyouxiangongsi
122	OCloud
123	PILIPALA LF8
124	quechanglongus
125	runjingjiancaishanghang
126	sdrfgthfrefrsdfcvse
127	SUPOOK
128	Tios Artstore
129	tuhaijunriypzxck
130	UNICORM POD
131	vdfggyujy
132	WEIWEIGE

133	ZZPZJ
134	Bubbly Store
135	DPP8 Store
136	Freda Store
137	GD002 Store
138	GHH03 Store
139	GHH24 Store
140	GT001 Store
141	GT002 Store
142	GTT008 Store
143	HAI TIAN Store
144	JAP Store
145	KDH4 Store
146	Lovis Store
147	Nyqm001 Store
148	Poster & Print World Store
149	Ravryy Design Store
150	SDD07 Store
151	SELFLESSLY ART Official Store
152	Shop2869006 Store
153	Shop5586312 Store
154	Shop5592085 Store
155	Shop5603045 Store
156	Shop5605429 Store
157	Shop5607369 Store
158	Shop5607401 Store
159	Shop5887446 Store
160	t-shirt17 Store