

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

LEGEND PICTURES, LLC,

Plaintiff,

Civil Action No.: 1:21-cv-03335

v.

Judge Matthew F. Kennelly

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

Defendants.

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff, LEGEND PICTURES, LLC (“LEGEND PICTURES” 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 Online Store is reaching out to do business with Illinois residents by operating one or more commercial, interactive Internet Stores through which Illinois

residents can purchase products using counterfeit versions of Plaintiff's trademarks and copyrights. *See* [12] which includes screenshot evidence confirming that each Defendant Online Store does stand ready, willing and able to ship its counterfeit goods to customers in Illinois bearing infringing and/or counterfeit versions of the PACIFIC RIM trademarks, U.S. Trademark Registration Nos. 5,840,140; 5,840,142; 6,195,470; 6,205,935 (collectively, the "PACIFIC RIM Trademarks") and/or products infringing the PACIFIC RIM Works, Copyright Registration Nos. PA0001859894 and PA0002091781 (the "PACIFIC RIM 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 LEGEND PICTURES's previously granted Motion for a Temporary Restraining Order establishes that LEGEND PICTURES has a likelihood of success on the merits; that no remedy at law exists; and that LEGEND PICTURES will suffer irreparable harm if the injunction is not granted.

Specifically, LEGEND PICTURES has proved a *prima facie* case of trademark infringement because (1) the PACIFIC RIM Trademarks are distinctive marks and are registered with the U.S. Patent and Trademark Office on the Principal Register and the PACIFIC RIM Works are registered with the United States Copyright Office, (2) Defendants are not licensed or authorized to use the PACIFIC RIM Trademarks and PACIFIC RIM Works, and (3) Defendants' use of the PACIFIC RIM Trademarks and PACIFIC RIM Works is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with LEGEND PICTURES. Furthermore, Defendants continued and unauthorized use of the PACIFIC RIM Trademarks and PACIFIC RIM Works irreparably harms LEGEND PICTURES through diminished goodwill and

brand confidence, damage to LEGEND PICTURES's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, LEGEND PICTURES 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 PACIFIC RIM Trademarks and PACIFIC RIM 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 PACIFIC RIM product or not authorized by LEGEND PICTURES to be sold in connection with the PACIFIC RIM Trademarks and PACIFIC RIM Works;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine PACIFIC RIM product or any other product produced by LEGEND PICTURES, that is not LEGEND PICTURES's or not produced under the authorization, control or supervision of LEGEND PICTURES and approved by LEGEND PICTURES for sale under the PACIFIC RIM Trademarks and PACIFIC RIM Works;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of

LEGEND PICTURES, or are sponsored by, approved by, or otherwise connected with PACIFIC RIM;

- d. further infringing the PACIFIC RIM Trademarks and PACIFIC RIM Works and damaging LEGEND PICTURES's goodwill;
- e. otherwise competing unfairly with LEGEND PICTURES 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 LEGEND PICTURES, nor authorized by LEGEND PICTURES to be sold or offered for sale, and which bear any of the PACIFIC RIM Trademarks and PACIFIC RIM Works or any reproductions, counterfeit copies or colorable imitations thereof;
- g. using, linking to, transferring, selling, exercising control over, or otherwise owning the Defendant Online Stores, 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 PACIFIC RIM products; and
- h. operating and/or hosting at the Defendant Online Stores and any other online marketplace accounts registered or operated by Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing the PACIFIC RIM Trademarks and PACIFIC RIM Works or any reproductions, counterfeit copies or colorable imitations thereof that is not a genuine PACIFIC RIM product or not authorized by LEGEND PICTURES to be sold in connection with the PACIFIC RIM Trademarks and PACIFIC RIM Works.

2. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as, but not limited to, Amazon and WISH/Alibaba Group Holding Ltd. along with any related Alibaba entities (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 PACIFIC RIM Trademarks and PACIFIC RIM 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 PACIFIC RIM Trademarks and PACIFIC RIM Works; 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 of Defendants' Online Stores, 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 Amazon, WISH, 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 LEGEND PICTURES 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. the Defendant Online Stores registered by Defendants; and
- e. 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, 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. Amazon Payments, Inc. ("Amazon"), and ContextLogic, Inc. ("WISH"), shall, within three (3) business days of receipt of this Order, for any Defendant or any of the Defendant Online Stores:
 - a. locate all accounts and funds connected to Defendants, Defendant Online Stores, including, but not limited to, any Amazon and WISH accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 3 to the Declaration of Kristina Holliman; 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 Defendant Online Stores, shall within three (3) 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 3 to the Declaration of Kristina Holliman; 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. LEGEND PICTURES 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 Kristina Holliman 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 “7SharonMaggie 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 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 three days' notice to LEGEND PICTURES or on shorter notice as set by this Court.
9. The \$10,000 bond posted by LEGEND PICTURES shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.
10. The Clerk is directed to unseal any previously sealed documents in this matter, namely (1) Plaintiff's Schedule A attached to the Complaint, which includes a list of the Defendant Online Stores; (2) screenshot printouts showing the active Defendant Online Stores (Exhibit 3 to the Declaration of Kristina Holliman) and (3) the Temporary Restraining Order.

Dated: July 12, 2021



U.S. District Court Judge

SCHEDULE A

| No. | Defendants |
|------------|---------------------|
| 1 | 7SharonMaggie |
| 2 | aaress |
| 3 | Adrian Stafford |
| 4 | aiyukun2619 |
| 5 | Ambrosia Owen |
| 6 | AmyChristianbQeL |
| 7 | Anemogamic |
| 8 | Anitaabh |
| 9 | Annie Walton |
| 10 | Anthony Greens |
| 11 | arzaurlno |
| 12 | AsaJustinbrpXxZzS |
| 13 | augustinemjv42aysq |
| 14 | B8B8B888 |
| 15 | baiyufeng33431 |
| 16 | banerjihdyxuin |
| 17 | baronesslvqoeer |
| 18 | Becoming Beautiful |
| 19 | Beifgereay Shoes |
| 20 | BeishuoshiqiaofC |
| 21 | Bernadette Burns |
| 22 | bicheng12 |
| 23 | bielvegfdt |
| 24 | bishufang058991 |
| 25 | Blueaid |
| 26 | bomrjyngon |
| 27 | Brooke Hammons |
| 28 | bxb1111 |
| 29 | CaesarJuliaqPtEbN |
| 30 | caiweikun7890 |
| 31 | caoxu71025 |
| 32 | ccKevinRenatahKsK |
| 33 | cdfgjboth |
| 34 | celmagxrjki |
| 35 | Chante Smiths |
| 36 | cheel juhs |
| 37 | chenbohuan2418 |
| 38 | chenchunhui9424 |
| 39 | chendongmei1229 |
| 40 | chengqingxiang920 |
| 41 | chengguanghui Store |
| 42 | chengzhen666 |

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| 43 | chenhui8247 |
| 44 | chenhuiying17367 |
| 45 | chenmanli45776 |
| 46 | chenqinlin520 |
| 47 | chenwei582 |
| 48 | Chenweishop |
| 49 | chenxia0814 |
| 50 | chenyinhai1234 |
| 51 | chuichuiyangxiu1227 |
| 52 | cojcxuoizc |
| 53 | Collin Richard |
| 54 | congshaoxuan125 |
| 55 | cqnyi6shop |
| 56 | cuiming hui5584668 |
| 57 | Cxying |
| 58 | dailibo3767 |
| 59 | Dasanala |
| 60 | David Copes |
| 61 | delicacyJin |
| 62 | dengqisheng8232 |
| 63 | dicefxoqkon |
| 64 | dongchichi3183 |
| 65 | dongwei7890 |
| 66 | dongyimeng9995 |
| 67 | dongzhenhua06502 |
| 68 | dorizetiqwaon |
| 69 | drfwr |
| 70 | duanjian12345 |
| 71 | duanxiulaner |
| 72 | duanyaping39983 |
| 73 | dukun Store |
| 74 | Edwin Morales66 |
| 75 | Edwin West |
| 76 | efrdwji wholeshop |
| 77 | efwsfr |
| 78 | efzhsrtjhdytjrtger |
| 79 | ElvaUptonlDwWiP |
| 80 | enjeathome |
| 81 | Erin Zebrowski |
| 82 | ETHElefeLLer |
| 83 | EuniceQuennelcMwCe |
| 84 | Evelyn Greathouse |
| 85 | fanguofu66058 |
| 86 | fcdsiuhcdsku |
| 87 | fengxiuhua1 |

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| 88 | Fengyiyuany |
| 89 | ffhidyfidsfids |
| 90 | Fkdmjtisoie589345 |
| 91 | fon-laps |
| 92 | Frederick Crook |
| 93 | fuguangning258 |
| 94 | futianyu0224 |
| 95 | GanjiuheiqXq |
| 96 | 59Supreme |
| 97 | 69Supre |
| 98 | 911Suncar |
| 99 | 95Supreme |
| 100 | 999suncar |
| 101 | 99Supre |
| 102 | AbbieCCaruthers |
| 103 | ai ou yi pin |
| 104 | ALEXDA |
| 105 | ALSAYM |
| 106 | AMZYUAN |
| 107 | Andren James |
| 108 | angziquyuanmengwudaopeixun |
| 109 | Apeachen |
| 110 | Art-BeTSHOP |
| 111 | BAIYANFENG |
| 112 | BaoDingAoNiSiTeShangMaoYouXianGongS |
| 113 | baojishiweibinqulongdianbaihuodian |
| 114 | baoliduo |
| 115 | Bauhinia shop |
| 116 | Best Poster Shop |
| 117 | Blanketssxxx |
| 118 | BOBO 968 |
| 119 | Boutique supplier556 |
| 120 | Boutique supplier557 |
| 121 | BOVALINA |
| 122 | bqxwv |
| 123 | CaiFaXianXiaoZheKuZuiTong |
| 124 | caimaofengbaihuodian |
| 125 | caizhuang666 |
| 126 | CDUshop |
| 127 | Chaerchaye |
| 128 | Changshu Chuangxin Textile Co., Ltd |
| 129 | ChaoAnJianSheYouXianGongSi |
| 130 | chenbinzhuangshipinshanghang |
| 131 | chengduyuejianhongshangmaoyouxiangongsi |
| 132 | chenjianxidiyigedian |

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| 133 | chenzhenyangdezahuopu |
| 134 | chenzhichengshop |
| 135 | Chilli-shop |
| 136 | chiniceco |
| 137 | CHNOLOGY |
| 138 | Chume |
| 139 | Clearlaiy |
| 140 | cling |
| 141 | CNNGSS |
| 142 | CuterOVO |
| 143 | CxEmuiDyGL |
| 144 | DaLaoDaiWoFly |
| 145 | dongguanshisenguan |
| 146 | Dongjunhan Department Store, Xiuyan Manchu Autonomous County |
| 147 | DPFDSD |
| 148 | fangqibaihuodian |
| 149 | fanyu4321 |
| 150 | Fashion Custom-Shop |
| 151 | Fashions brand |
| 152 | Fast delivery to parcel |
| 153 | FDFGDHK |
| 154 | Fenglin-joys |
| 155 | Fethawi Kinfe |
| 156 | fhaiyang |
| 157 | field tree |
| 158 | FJZ-SHOP |
| 159 | Flechazo19 |
| 160 | flydesign |
| 161 | For Everything Everyone |
| 162 | foshanqinliuliumeimaoyi |
| 163 | FTING Poster shop |
| 164 | FuhoviLa |
| 165 | fuyangshifumangezhuangshishejiyouxiangongsi |
| 166 | FYXUKAILONG |
| 167 | G100YC |
| 168 | gaoyingjun1992 |
| 169 | ggkkuuss |
| 170 | GHZHU |
| 171 | Good-looking sweaters |
| 172 | GSSMAAJH |
| 173 | guangjinshangmao0 |
| 174 | Guangliuying |
| 175 | guangzhouguijiandianzishangmao |
| 176 | guangzhoushifumanheguojimaoyiyouxiangongsi |

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| 177 | GuangZhouShuXiMaoYiYouXianGongS |
| 178 | guangzhouyuchenmaoyiyouxiangongsi |
| 179 | guangzhouyudedeyunshuwuliuyouxiangongsi |
| 180 | GUERPEQWE |
| 181 | GUOJIAJIE |
| 182 | GUYLON |
| 183 | HaiShiGaoXinQuTangDouDouGuaGuoDian |
| 184 | HANG ZEN |
| 185 | hangxinjiajudian |
| 186 | Hangzhou Quanyi Electronic Commerce Co., Ltd. |
| 187 | HaoBoLinJ |
| 188 | he guoqiang's |
| 189 | HeBeiJiaSaiTiYuKeJiYouXianGongSi |
| 190 | Hechting |
| 191 | HEJUEYU05 |
| 192 | henanshengzanrunjianzhulaowuyouxiangongsi |
| 193 | HEYLOOKHERE |
| 194 | Hilotus |
| 195 | HK XIN |
| 196 | Home Art Decoration |
| 197 | Hongjiaxin |
| 198 | HQXMD |
| 199 | HUA JIE1 |
| 200 | huangbingwendezahuopu |