

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

ILUSTRATA SERVICOS DESIGN, LTDA.,

Plaintiff,

Civil Action No.: 1:22-cv-00012

v.

Judge Gary Feinerman

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

Magistrate Judge Susan E. Cox

Defendants.

PRELIMINARY INJUNCTION ORDER

Plaintiff, ILUSTRATA SERVICOS DESIGN, LTDA. (“ILUSTRATA” or “Plaintiff”) filed a Motion for Entry of a Preliminary Injunction against the against the fully interactive, e-commerce stores operating under the seller aliases identified in Schedule A to the Complaint and attached hereto (collectively, “Defendants”) and using at least the online marketplace accounts identified in Schedule A (the “Online Marketplaces”). After reviewing the Motion and the accompanying record, this Court GRANTS Plaintiff’s Motion as follows.

This Court finds Plaintiff has provided notice to Defendants in accordance with the Temporary Restraining Order entered January 11, 2022, [20] (“TRO”), and Federal Rule of Civil Procedure 65(a)(1).

This Court also finds, in the absence of adversarial presentation, that it has personal jurisdiction over Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Plaintiff has provided a basis to conclude that Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more seller aliases, offer

shipping to the United States, including Illinois, and have sold products using infringing versions of ILUSTRATA's federally registered copyrights, which are protected by Copyright Registration Nos. VA 2-270-596, VA 2-270-798, VA 2-270-796, VA 2-270-763 and VA 2-270-802 (the "ILUSTRATA Works") to residents of Illinois. In this case, Plaintiff has presented screenshot evidence that each Defendant e-commerce 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 infringing versions of the ILUSTRATA Works. *See* Docket No. 12, which includes screenshot evidence confirming that each Defendant e-commerce store does stand ready, willing and able to ship its infringing goods to customers in Illinois bearing infringing versions of the ILUSTRATA Works.

This Court also finds that the injunctive relief previously granted in the 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 Plaintiff's previously granted Motion for Entry of a TRO establishes that Plaintiff has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Plaintiff will suffer irreparable harm if the injunction is not granted.

Specifically, Plaintiff has proved a *prima facie* case of copyright infringement because (1) Plaintiff is the owner of the registered ILUSTRATA Works, (2) Defendants are not licensed or authorized to use any of the ILUSTRATA Works, and (3) Defendants' use of the ILUSTRATA Works is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with Plaintiff. Furthermore, Defendants' continued and unauthorized use of the ILUSTRATA Works irreparably harms Plaintiff through diminished goodwill and brand

confidence, damage to Plaintiff's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Plaintiff 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 officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be preliminarily enjoined and restrained from:
 - a. using the ILUSTRATA Works or any reproductions, infringing copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine Plaintiff product or not authorized by Plaintiff to be sold in connection with the ILUSTRATA Works;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Plaintiff product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the ILUSTRATA Works;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff; and
 - d. manufacturing, 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 registered

copyrights, including the ILLUSTRATA Works, or any reproductions, infringing copies, or colorable imitations.

2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
3. Upon Plaintiff's request, Defendants and any third party with actual notice of this Order who is providing services for any of Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as Amazon Payments, Inc. ("Amazon") and ContextLogic, Inc. ("WISH") (collectively, the "Third Party Providers"), shall, within seven (7) calendar days after receipt of such notice, provide to Plaintiff expedited discovery, limited to copies of documents and records in such person's or entity's possession or control sufficient to determine:
 - a. the identities and locations of Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including all known contact information and all associated e-mail addresses;
 - b. the nature of Defendants' operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the Online Marketplaces and Defendants' financial accounts, including Defendants' sales and listing history related to their respective Online Marketplaces; and
 - c. any financial accounts owned or controlled by Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including such accounts residing with or under the control

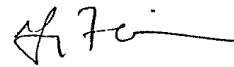
of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, Amazon, WISH, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

4. Upon Plaintiff's request, those with notice of this Order, including the Third Party Providers as defined in Paragraph 3, shall within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of infringing goods using the ILUSTRATA Works.
5. Any Third Party Providers, including Amazon and WISH, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants' seller aliases, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit 2 to the Declaration of David Faraum, and any e-mail addresses provided for Defendants by third parties; and
 - b. restrain and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further order by this Court.
6. Plaintiff may provide notice of the proceedings in this case to Defendants, including service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Pleadings, this Order, and other relevant documents on a website or by sending an e-mail with a link to said website to the e-mail addresses identified in Exhibit 2 to the Declaration of David Faraum and any e-

mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of “amusing T-shirt 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 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.

7. Plaintiff’s Schedule A to the Complaint [2], Exhibit 2 to the Declaration of David Faraum [12], and the TRO [20] are unsealed.
8. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order as permitted by and in compliance with the Federal Rules of Civil Procedure and the Northern District of Illinois Local Rules. Any third party impacted by this Order may move for appropriate relief.
9. The Ten Thousand dollar (\$10,000) bond posted by Plaintiff shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:



Gary Feinerman
United States District Judge

Dated: 1/25/2022

Schedule A

No.	Defendant
1	amusing T-shirt
2	1978
3	fuxianzhi
4	Zhangtaidian
5	Snow island art store
6	wangchuanji
7	Li Fang Art Painting
8	golden years
9	A8a888
10	Wondlandy Magic
11	nanxie
12	daixupanjiu
13	vxjdnfjffjfxnjcjFeynma
14	xiaoxiaoming fashion
15	ToopenatrenchuO
16	LGBTQ Advisory Board
17	YIJIN01
18	burchett13marvin7743
19	noiwaehagiojhngblifshfiluhwsfhvzeghdfvsdcv
20	kuhlmanrandall0
21	kellikrom63616395
22	duweijun1900
23	yinyongqiang45765
24	frVUIzvN
25	2ccm06
26	wangjiwang7721
27	guanjingfengdi
28	John V Naranjo
29	duhuimin88866
30	Marinna
31	2ccm
32	GKDMSFGSJKL56420
33	zhaochunsheng4645795
34	JingketunpV
35	MerlinAndrewhZnO
36	huoyimian4112
37	YIJIN10
38	Business and trade KID
39	MengsongduizZb
40	YIJIN03

41	jielong0634
42	CHYQ
43	Yongchang business
44	chexixnhey
45	Lorenza M Harris
46	Beverleyahhj
47	sundeshun3169
48	cebrero
49	Damonaw
50	KENNETH L LEMONS
51	zhanghaitao7890
52	mg781217
53	dghdtrh
54	lilin2
55	xiewenxing668
56	5VVPPC
57	Williamcb
58	wlgus0601
59	Bonnie Galloway
60	zhangyufeng0606
61	liyang0418
62	mafengqin159357
63	yuejinyang
64	zhangyh
65	Northwest Houston
66	sara swan
67	luoxiaolong19950408
68	StewartPetersshop9
69	shopkeepers
70	wuyongping7282
71	Shane B Pulaski
72	mtaxc
73	Patricia H Sanford
74	Dan W Berlanga
75	Robert M Seal
76	seventa
77	Veincony Bags
78	symp
79	Ashley Pennine
80	wangyouming0076
81	renqingsong
82	Melinda Kelsay
83	yuqiang668

84	MALING998
85	limingqing7890
86	Anne Smitha
87	ruanqiang2627
88	Joyce K Evangelista
89	Eugene S Moore
90	liliang1234
91	Tonya Whaley
92	luorenbin8888
93	yanxuepeng54544
94	ousg
95	wanglele668
96	Darlene kwasniewski
97	panguangzhou668
98	Earlmg1
99	caomengcong6137
100	hufangling1234
101	Caleb Norton
102	Deborah Curtis
103	Parable Limited
104	jgoiawerj giopwejra;zoijghier hkgnfdkjg
105	Willyam Romero
106	wangcong668
107	wangkun662
108	guanyinghua7890
109	hexiaolu19
110	xiushuizhilishang
111	Michael R Stroman
112	lanhualanhua
113	chen.su.ling698898
114	Armanda Burnett
115	yangguizhi1356
116	caichenxin389568
117	guoqiang77611
118	Alan Scheatzle
119	Brian Swan
120	pedlllzvte
121	Todd Smith
122	Karla B Cisneros
123	Nicholas R Boyd
124	Michael Robie
125	zhangjiafu7946
126	Nathaniel W Ming

127	John W Ingram
128	jiaxiao1234
129	chenxia0814
130	Aubrey Borders
131	Rtiin
132	liubo66648
133	jinlei1604
134	xialiang905
135	dfzhuyio
136	James Daniel
137	guheming12775
138	xizhiwen2289
139	Harley Cayer
140	huieahghsijahhfsdghdfgretg
141	xuchuhan6281
142	BillLevimSvQjU
143	Elizabethaahh
144	Luozhongmei
145	triminhdao88936
146	xionghongyang1X
147	wangzixu1630
148	gundanxue2061
149	hieuphongdao90064
150	zhangguanghong8563656
151	xiahongjie83854
152	chenyanan62170
153	liyang82383
154	yangruize63726
155	UCR
156	Tyrone G Bennett
157	Nicole G Hopper
158	Eliseo Parker
159	Bianca R Hoffman
160	agrrn nkhdshuyoupeng
161	Walter W Blose
162	youyan7505
163	peimengyue55108
164	wuwenjie4513
165	shudingyun1079
166	tyuihfdeb
167	LennonBlakeRsFs
168	gianhitang43730
169	Celia B Boudreaux

170	Mary J Morgan
171	NICELI
172	everon king
173	guangzhouxinyuchuanmeiyouxiangongsi
174	Vanessa Sanchez Store
175	Dorathy
176	WINBCOLOR
177	XIANCOL
178	charming90118
179	XMZGS
180	dnjs92jhd80
181	Goodsprout
182	Fuzhou Hengguang Hong Trading Co., Ltd
183	Jianhe
184	Snoopdy
185	NIGMA STUDIO
186	Mlilizart
187	graduathe62
188	zhangleiya
189	ROEETQ
190	WHONTA
191	jinchishop
192	zhuimaodianzishangwushanghang
193	Choudin
194	shandongzhaoxingshizhengyuanlingongchengyouxiangon
195	wukuishangmao
196	Unnyaz
197	panpandala
198	FQIANGY
199	xiaoyangmaoyi
200	STZX01
201	Gubies
202	zmgg
203	通山县廖搜服装店
204	oklover
205	LuckyHaloo
206	chenmingyou123
207	zhangheli
208	xunyangchengguanzenfuminjiubaihuodian
209	FANXINTIAN
210	ChenYiWen
211	MILMELO
212	EATIG

213	GuangZhouShiDongZhuDian
214	NEWGE
215	XLDNP