

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

KHARA INC. and GROUND WORKS CO., LTD.,

Plaintiffs,

Civil Action No.: 1:22-cv-00165

v.

Judge Charles R. Norgle, Sr.

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

Magistrate Judge Jeffrey T. Gilbert

Defendants.

**PRELIMINARY INJUNCTION ORDER**

Plaintiffs KHARA INC., and GROUND WORKS CO., LTD. (collectively, “GWC” or “Plaintiffs”) 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 GWC’s Motion as follows.

This Court finds GWC has provided notice to Defendants in accordance with the Temporary Restraining Order entered January 12, 2022, [17] (“TRO”), and Federal Rule of Civil Procedure 65(a)(1).

This Court also finds that it has personal jurisdiction over Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, GWC 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 and counterfeit versions of GWC’s

federally registered trademarks, which are protected by U.S. Trademark Registration Nos. 2,923,657 and 6,193,482 (collectively the “NEON GENESIS EVANGELION Trademarks”) to residents of Illinois. In this case, GWC 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 counterfeit and infringing versions of the NEON GENESIS EVANGELION Trademarks. *See* Docket No. 12, which includes screenshot evidence confirming that each Defendant e-commerce store does stand ready, willing and able to ship its counterfeit goods to customers in Illinois bearing infringing and/or counterfeit versions of the NEON GENESIS EVANGELION Trademarks.

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 GWC’s previously granted Motion for Entry of a TRO establishes that GWC has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that GWC will suffer irreparable harm if the injunction is not granted.

Specifically, GWC has proved a *prima facie* case of trademark infringement because (1) the NEON GENESIS EVANGELION 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 any of the NEON GENESIS EVANGELION Trademarks, and (3) Defendants’ use of the NEON GENESIS EVANGELION Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with GWC. Furthermore, Defendants’ continued and unauthorized use of the NEON GENESIS

EVANGELION Trademarks irreparably harms GWC through diminished goodwill and brand confidence, damage to GWC's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, GWC 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, 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 NEON GENESIS EVANGELION Trademarks or any reproductions, counterfeit 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 GWC product or not authorized by GWC to be sold in connection with the NEON GENESIS EVANGELION Trademarks;
  - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine GWC product or any other product produced by GWC, that is not GWC's or not produced under the authorization, control, or supervision of GWC and approved by GWC for sale under the NEON GENESIS EVANGELION Trademarks;
  - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of GWC, or are sponsored by, approved by, or otherwise connected with GWC; 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 GWC, nor authorized by GWC to

be sold or offered for sale, and which bear any of GWC's trademarks, including the NEON GENESIS EVANGELION Trademarks, or any reproductions, counterfeit 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 GWC'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 ContextLogic, Inc. ("WISH"), shall, within seven (7) calendar days after receipt of such notice, provide to GWC 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

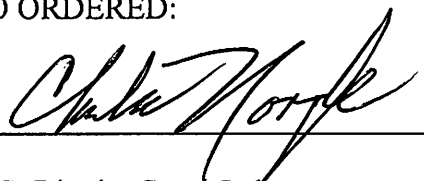
of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, WISH or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

4. Upon GWC'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 counterfeit and infringing goods using the NEON GENESIS EVANGELION Trademarks.
5. Any Third Party Providers, including 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 Yasuhiro Kamimura, 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. GWC 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 Yasuhiro Kamimura 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 “1995storeshop 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. Plaintiffs’ Schedule A [2], Exhibit 2 to the Declaration of Yasuhiro Kamimura [12], and the TRO [17] 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 GWC shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:

  
\_\_\_\_\_  
U.S. District Court Judge

Dated: January 19, 2022

**Schedule A**

<b>No.</b>	<b>Defendants</b>
1	1995storeshop
2	2508280188
3	a858a
4	Aaron Lawrence
5	abaitt
6	abbyann
7	actorman
8	Ainsley Clift
9	Amos A Reed
10	ananzjj
11	Andreatales
12	Angela Fashion Here
13	Animation city
14	Animation Toy Complete
15	AopohaopY
16	Arcrosk Market Cys
17	asfaee
18	ashtoncharles
19	awesome_wall_art
20	baixiaohong653986
21	Baojingjing117
22	bbvmm
23	BeishuoshiqiaofC
24	BeiyelujialAt
25	BELIZEAN COMMITTEE, INC.
26	Best price auctions
27	Bestpop store
28	bhjgvgf
29	BidaotuieB
30	BiFangShi
31	Big Collectors
32	Black Lotus
33	Black&White
34	Brad Shipe
35	brilliantlo
36	Brother Compay Store
37	caifushijia
38	CanglanzhiyA

39	caohuixiang fashion
40	caowenyao
41	carnyl64sjea
42	Cascade41
43	Catshop.vicky
44	ccf521
45	ccv6
46	cdslotmou
47	Cecelia R. James
48	Cell Tech Store
49	cgbeauty store
50	CHANG YOUNG
51	chengcase
52	chengyekai1712
53	Chenhuaiping123
54	chenjinpeng555
55	chenmeng3009
56	chenying88618
57	Christine Guerard
58	CloserGround
59	CongbachuihP
60	cool gift world
61	Crosk sycs Market
62	cucaracho store burger
63	cui2
64	cuiyinghao46457
65	cuizhuoshop
66	cvghkhkg
67	DaonashawenlYb
68	David Hands
69	dbd821
70	December Store
71	Deihl6151
72	delagarza93labbe36
73	delicacyJin
74	DengfeiClothing
75	Denise Haines
76	des2017
77	Design For Worldwide



78	Desordenados
79	dfdfghj
80	dfgdfghdfdsx
81	dfsdfdf
82	dghdtrh
83	dhrtuse
84	Dina M. Gerold
85	DingXiang Electronic Business Company
86	diu5rr4
87	DIY phone case factory
88	djkhdfiu
89	Donna Foley54
90	donstrosin982
91	DP_Store
92	dsgdfgdfhcx
93	dsgdfhdfh
94	Duanmeiying888
95	duhui1233
96	dxz2
97	e2e2e2
98	ecv2
99	Eggs mom
100	eist2h0n
101	Encono
102	enjeathome
103	erjiu
104	escuw83shop
105	eve*s-closet
106	ewa2
107	EYG54.S
108	Fashion Woman counter
109	fashiongirl7
110	FasyShop
111	fbxfb
112	fdsef
113	feeeter
114	fffeswssw
115	ffh6
116	fft2

117	fgdfgdfkkk
118	Fjfggfgfhfhchfhvggj
119	Fly Wings
120	frist-cc
121	FrosirShop
122	fuejew
123	fuweichun77
124	fvh2
125	fvmvvhmvf
126	GanjiuheiqXq
127	gdgdfg
128	geqianlong
129	gerenshuma
130	ghfghfg
131	ghk2
132	GKMSAAD
133	gleams
134	Good luck with shops
135	gttddee
136	guanshuaishuai2026
137	guanstore
138	guerreroinversiones
139	guguqy
140	GutanzhuonairA
141	h8hh8
142	haiwei store
143	haizhongmeishi
144	haoweier
145	happy6661
146	Happypotatoto
147	hfd1
148	hfeilsu6g
149	hfieo8hs
150	hfieriowo
151	himbwltqoden
152	hji2
153	hnm2
154	HO's Bros Store
155	hollins

156	Honyutae
157	Hot Anime toy
158	Hotgirl Factory
159	huangchun147258
160	huanghui06
161	huangmengminga
162	huangxiao66085
163	HuanXiangstore
164	Huashangjian
165	hwe2
166	iaofander
167	IHHAS
168	ikufhlaio45
169	isuerouoei
170	IvesHarlanwTjRs
171	j8hj88
172	jackcyz
173	jackzlb
174	JamiePrimarHcG
175	Janice Drader
176	Jay Guerra
177	Jessica Marie Conklin
178	jessicaa
179	jiafeng
180	Jiayuee
181	jinbang001
182	Jinfurui Trade
183	jinshengmanyang
184	jinyumantangmz
185	JoannaRoderickkHuN
186	jsiennfie
187	jtchuyfhij
188	Juan9
189	JulououqinoQa
190	Jzxioldz
191	K&Y welove
192	k77e223
193	k8f8b8y66
194	kailiu fashion

195	Katerine
196	kennaahn55397419
197	keyi998
198	KJHGFDGHDdfg
199	kkk58841k285
200	kombat store
201	kongchuiji9679
202	kundee
203	kunmings
204	ladydesiderata
205	LanyouranaosEf
206	Laolinstore
207	leornsa
208	Lg Petif
209	Li Fang Art Painting
210	liaguty
211	liangchuling53401
212	liangwenhao111
213	liangxian226
214	libenyan123456
215	lidasa
216	Lifeng0620
217	LifeTeste
218	lihongling163
219	lihongying147
220	lijiawei4628
221	likangning0456
222	lilong fashion
223	limingqing7890
224	LingFeng Store
225	linshuang3664
226	linyangchuan112
227	linyuhome
228	LiQiang Store
229	Lisa Thompson
230	liuqingyu5326
231	liushuang464665
232	liuxinbo88097
233	liuzewang1788

234	Liuzhen96
235	lixin52295
236	liyinting
237	liyufu1734
238	liyujie0825
239	lovettebrendan
240	lsiliusha
241	LU manli
242	lucky ling ^-^
243	luguosheng0416
244	luiferty
245	LunfanzhipC
246	lxwalldecor
247	lzhART
248	mafei200826
249	MAGICAL onlie store
250	maipinqiao