

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

ADVANCE MAGAZINE PUBLISHERS INC.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-00252

Judge Manish S. Shah




PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff Vogue, Inc.’s (“Plaintiff” or “Vogue”) Motion for Entry of a Preliminary Injunction, and this Court having heard the evidence before it hereby GRANTS Vogue’s Motion for Entry of a Preliminary Injunction against the fully interactive, e-commerce stores¹ operating under the seller aliases identified in Schedule A attached hereto (the “Seller Aliases”).

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. 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 counterfeit and infringing versions of Vogue’s federally registered trademarks (“VOGUE

¹ The e-commerce store urls are listed on Schedule A hereto under the Online Marketplaces.

Trademarks”) to residents of Illinois. A list of the VOGUE Trademarks is included in the below chart.

Registration No.	Trademark	Goods and Services
6,248,343	VOGUE	For: Plastic coasters in class 21.
6,181,442	VOGUE	For: Stationery in class 16.
6,131,876	VOGUE	For: Playing cards in class 28.
5,897,368	VOGUE	For: Notebooks in class 16.
5,776,006	VOGUE	For: calendars in class 16.
5,454,848	VOGUE	For: jigsaw puzzles in class 28.
5,686,488	VOGUE	For: Paper for wrapping and packaging; Gift wrapping paper in class 16.
1,659,761	VOGUE	For: tote bags in class 18.
1,666,656	VOGUE	For: paper cube pads, pens, and pencils in class 16.
1,336,659	VOGUE	For: Magazines in class 16.
504,006	VOGUE	For: Magazines in class 16.
6,289,836		For: Fitness apparel, namely, tops and bottoms; tops as clothing in class 25.
5,398,198		For: Lingerie, pajamas, shirts and sweatshirts in class 25.
5,645,061		For: tote bags; shoulder bags; toiletry bags sold empty; luggage; travel accessories, namely, luggage tags; grooming kit bags sold empty; shaving kit bags sold empty; and dopp kit bags sold empty in class 18.

Registration No.	Trademark	Goods and Services
5,428,664	VOGUE	For: Handbags and wristlets in class 18.
5,413,137	VOGUE	For: Sweatshirts, hoodies, pajamas and shirts in class 25.
5,655,921	VOGUE	For: hand bags, totebags, luggage in class 18.
2,701,928	VOGUE	For: clothing, namely, T-shirts in class 25.
125,542	VOGUE	For: Magazines in class 16.
103,770	VOGUE	For: Patterns in class 16.

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 Vogue’s previously granted Motion for Entry of a Temporary Restraining Order establishes that Vogue has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Vogue

will suffer irreparable harm if the injunction is not granted. Specifically, Vogue has proved a *prima facie* case of trademark infringement because (1) the VOGUE 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 Vogue Trademarks, and (3) Defendants' use of the Vogue Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with Vogue. Furthermore, Defendants' continued and unauthorized use of the Vogue Trademarks irreparably harms Vogue through diminished goodwill and brand confidence, damage to Vogue's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Vogue 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. As such, this Court orders that:

1. Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily and preliminarily enjoined and restrained from:
 - a. using the VOGUE 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 Vogue product or not authorized by Vogue to be sold in connection with the VOGUE Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Vogue product or any other product produced by Vogue, that is not Vogue's or not produced under the authorization, control or supervision of Vogue and approved by Vogue for sale under the VOGUE Trademarks;

- c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Vogue, or are sponsored by, approved by, or otherwise connected with Vogue;
 - 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 Vogue, nor authorized by Vogue to be sold or offered for sale, and which bear any of Vogue's trademarks, including the VOGUE Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.
- 2. Upon Vogue's request, 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 Marketplaces, including, without limitation, any online marketplace platforms such as eBay, Inc. ("eBay"), AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc. ("Amazon"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), and DHgate (collectively, the "Third Party Providers") shall, within seven (7) calendar days after receipt of such notice, provide to Vogue 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 agents, servants, employees, confederates, attorneys, and any persons acting in 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, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces; and

- c. any financial accounts owned or controlled by Defendants, including their agents, servants, 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, PayPal, Inc. ("PayPal"), eBay, Alipay, Alibaba, Ant Financial Services Group ("Ant Financial"), Amazon Pay, Wish.com, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
3. Upon Vogue's request, those with notice of the injunction, including Third Party Providers as defined in Paragraph 2, 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 VOGUE Trademarks.
4. Defendants shall be temporarily and preliminarily restrained and enjoined from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
5. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, Wish.com, and Amazon Pay, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants' Seller Aliases and Online Marketplaces, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto; and

- b. restrain and enjoin any such accounts or funds from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
6. Vogue is authorized to issue expedited written discovery, pursuant to the Federal Rules of Civil Procedure 33, 34 and 36, related 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, including any and all associated e-mail addresses; and
 - 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, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces.

Vogue is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within seven (7) calendar days of being served via e-mail.

7. Vogue may provide notice of these proceedings 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 Complaint, this Order and other relevant documents on a website and by sending an e-mail to Defendants that includes a link to said website. The Clerk of the Court is directed to issue a single original summons in the name of "Free girl Official Store 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.

8. Schedule A to the Complaint [2], Exhibit 3 to the Declaration of Eric Gisolfi [15], and the TRO [23] are unsealed.
9. 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 Northern District of Illinois Local Rules.
10. The \$50,000 bond posted by Vogue shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

IT IS SO ORDERED.

Dated: March 1, 2022

A handwritten signature in black ink, appearing to read 'Manish S. Shah', is written over a horizontal line.

Manish S. Shah
United States District Judge

**Advance Magazine Publishers Inc. v. The Partnerships and Unincorporated Associations
Identified on Schedule "A" - Case No. 22-cv-00252**

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	aliexpress.com/store/1178841	free girl Official Store
2	aliexpress.com/store/1897218	Shop1897218 Store
3	aliexpress.com/store/1922464	RUICCASE Store
4	aliexpress.com/store/1961667	Simple Wall&Art Store
5	aliexpress.com/store/2347011	World Design Phone Cases Store
6	aliexpress.com/store/2885064	Girl's Secret Phone Accessories Store
7	aliexpress.com/store/2901043	TOMOCOMO Official Store
8	aliexpress.com/store/3211013	LWJ Store
9	aliexpress.com/store/3267027	COLORFULBOY Prints Store
10	aliexpress.com/store/4045035	OMG Tech Store
11	aliexpress.com/store/4393056	Shop4393056 Store
12	aliexpress.com/store/4657091	Weiss Store
13	aliexpress.com/store/4822044	MOGOTA Art Paintings Store
14	aliexpress.com/store/4976002	Shop4976002 Store
15	aliexpress.com/store/5051131	Instagram Cases Store
16	aliexpress.com/store/5057151	4HAO Store
17	aliexpress.com/store/5083012	VOZRO Digital Online Store
18	aliexpress.com/store/5101008	JJiangTshirt Store
19	aliexpress.com/store/5247168	Shop5247168 Store
20	aliexpress.com/store/5379232	Lisa-Chic Store
21	aliexpress.com/store/5442269	Shop5442269 Store
22	aliexpress.com/store/5484256	Tai Global Store
23	aliexpress.com/store/5591040	ARMYQZ Yue Store
24	aliexpress.com/store/5604341	HUIZHOU Phone Drop shipping Store
25	aliexpress.com/store/5725101	ZYGALLOP Official Store
26	aliexpress.com/store/5785248	Shop5785248 Store
27	aliexpress.com/store/5869583	estini Store
28	aliexpress.com/store/5883847	Sunfun Official Store
29	aliexpress.com/store/5889944	Shop5889944 Store
30	aliexpress.com/store/5890272	LUCKYLSY Store
31	aliexpress.com/store/900250307	W-Decal Store
32	aliexpress.com/store/900252090	ShenZhen Drop Shipping 2 Store

33	aliexpress.com/store/910321232	Noger phone fitting 45 Store
34	aliexpress.com/store/910347425	Larisa Official Store
35	aliexpress.com/store/910352437	PRINCESS OF WEDDING Store
36	aliexpress.com/store/910354379	Veromca Store
37	aliexpress.com/store/910358420	Good-day 63 Store
38	aliexpress.com/store/910368262	Warm decor Store
39	aliexpress.com/store/910544121	Wienen decoration painting Store
40	aliexpress.com/store/910554279	Shop910554279 Store
41	aliexpress.com/store/910569155	bvlg ari Store
42	aliexpress.com/store/910570390	Varied Art Decor Store
43	aliexpress.com/store/910739056	Sweetness Wall Art Store
44	aliexpress.com/store/910913016	DIYmone121 Store
45	aliexpress.com/store/911053182	US Trademark Casician Store
46	aliexpress.com/store/911067162	Wenya Art Store
47	aliexpress.com/store/911228058	Shop911228058 Store
48	aliexpress.com/store/911233031	Shop911233031 Store
49	aliexpress.com/store/911259087	Shop911259087 Store
50	aliexpress.com/store/911262427	TudouTu Store
51	aliexpress.com/store/911267308	Katz _Painting Store
52	aliexpress.com/store/911290201	jenkins Official Store
53	aliexpress.com/store/911389111	Shop911389111 Store
54	aliexpress.com/store/911394013	AFFTOBOM Store
55	aliexpress.com/store/911442112	Shop911442112 Store
56	aliexpress.com/store/911557287	Warmness Art Prints Store
57	aliexpress.com/store/911603430	Xuan Wall Art Store
58	aliexpress.com/store/911605161	Tanger Decor Store
59	aliexpress.com/store/911612438	Sontonga Official Store
60	aliexpress.com/store/911707522	POWERBRAND Store
61	aliexpress.com/store/911716159	SellingCases Store
62	aliexpress.com/store/911759407	Bachelor Party Store
63	aliexpress.com/store/911767424	Wishcraft Art Store
64	aliexpress.com/store/911767670	GD PDSTI Store
65	aliexpress.com/store/911779660	ZWQHOT Store
66	aliexpress.com/store/911789692	HUIZHOU Phone Drop shipping Store Store
67	aliexpress.com/store/911830204	WantOneCase Store
68	aliexpress.com/store/911928236	diyparadise Store
69	aliexpress.com/store/911934354	luckyNo9 Store
70	aliexpress.com/store/911934607	fashing Store
71	aliexpress.com/store/911937326	prettyart Store
72	aliexpress.com/store/911937756	Digital Bar Store

73	aliexpress.com/store/911957242	YUUY Store
74	aliexpress.com/store/911982061	Daybreak01 Store
75	aliexpress.com/store/912022297	NEW202 Store
76	aliexpress.com/store/912025365	GoodLucky 520 Store
77	aliexpress.com/store/912041073	WSNBB Store
78	aliexpress.com/store/912057014	JBSQJ Store
79	aliexpress.com/store/912058286	JJXX2021 Store
80	aliexpress.com/store/912063165	TinAngel Store
81	aliexpress.com/store/912066035	DropshippingTen Store
82	aliexpress.com/store/912118056	fashiondesigncaseshop Store
83	aliexpress.com/store/912152115	Good T-shirts Store
84	aliexpress.com/store/912166410	C-Two-PhoneCase Store
85	aliexpress.com/store/912173996	Sudaderas Dropshipping Store
86	aliexpress.com/store/912212158	MANSI TAN Cases Store
87	aliexpress.com/store/912242157	5050yyds Store
88	aliexpress.com/store/912254085	fallsbrookshop Store
89	aliexpress.com/store/912267488	Zororong No.3 Store
90	aliexpress.com/store/912270345	PANGU Store
91	aliexpress.com/store/912272573	Beloved Authentic Store
92	aliexpress.com/store/912304231	NIUBfashionstore Store
93	aliexpress.com/store/912318359	WTQ Retro anime poster Store
94	aliexpress.com/store/912323265	5698566 Store
95	aliexpress.com/store/912363913	saturday 10101699 Store
96	aliexpress.com/store/912366184	Sunniness Wall Art Store
97	aliexpress.com/store/912373917	Dionysus2 Store
98	aliexpress.com/store/912374986	z078 Store
99	aliexpress.com/store/912395758	Shape of my house Store
100	aliexpress.com/store/912397335	qiaoen art Store
101	aliexpress.com/store/912400462	erdongc Store
102	aliexpress.com/store/912403109	Z073 Store
103	aliexpress.com/store/912421163	Hhha089 Store
104	aliexpress.com/store/912425527	ggcc138 Store
105	aliexpress.com/store/912431047	216 ZT Hotsale Store
106	aliexpress.com/store/912459232	M-eet0920 Store
107	aliexpress.com/store/912461479	222 YYDS Store
108	aliexpress.com/store/912463884	Romantic Wall&Art Store
109	aliexpress.com/store/912465467	225 NZND Store
110	aliexpress.com/store/912465829	Unique Wall&Art Store
111	aliexpress.com/store/912469471	219 YY Store
112	aliexpress.com/store/912470745	NaHuiHui Store
113	aliexpress.com/store/912471480	218 YYCase Store
114	aliexpress.com/store/912471491	yin 2001 Store

115	aliexpress.com/store/912488293	CUT Store
116	aliexpress.com/store/912493519	235 TipTop Store
117	aliexpress.com/store/912495680	ZHAO95 Store
118	aliexpress.com/store/912511707	XMPC001 Store
119	aliexpress.com/store/912582314	FEERIJT Store
120	aliexpress.com/store/912603013	The European CCC Store
121	aliexpress.com/store/912614291	European service Store
122	aliexpress.com/store/912618046	SweetHome Art Store
123	aliexpress.com/store/912618340	Canvas-Painting-Art Store
124	aliexpress.com/store/912618590	Nordic Art Life Store
125	aliexpress.com/store/912626646	Shop912626646 Store
126	aliexpress.com/store/912632140	Hasbroa Store
127	aliexpress.com/store/912632390	xiami ccc Store
128	aliexpress.com/store/912635020	ruoruofuzhuang Store
129	aliexpress.com/store/912662559	ChaoJiJiaBei Store
130	aliexpress.com/store/912665674	WanWanWan Store
131	aliexpress.com/store/912665944	YY Art Poster Store
132	aliexpress.com/store/2345097	ALMUDENA Official Store
133	aliexpress.com/store/2780148	Afflatus Official Store
134	aliexpress.com/store/2784095	SPLSPL Official Store
135	aliexpress.com/store/4036008	HAOCHU Home Painting Store
136	aliexpress.com/store/4201024	Angel Wall Art Store
137	aliexpress.com/store/4836250	Shop4836250 Store
138	aliexpress.com/store/4848006	Veromca Official Store
139	aliexpress.com/store/4978019	SIMPLEWAY Little Art Store
140	aliexpress.com/store/4989416	classic AJ Store
141	aliexpress.com/store/5027128	Saily Garcia Official Store
142	aliexpress.com/store/5028141	CLSTROSE Official Store
143	aliexpress.com/store/5251235	Amoart paintingpainting Store
144	aliexpress.com/store/5369306	Gotinkart Official Store
145	aliexpress.com/store/5384108	9yun Wall Art Store
146	aliexpress.com/store/5591220	Professional Art Wall Painting Outlet Store
147	aliexpress.com/store/910329231	Shop910329231 Store
148	aliexpress.com/store/910370003	Autumn Wall Art Store
149	aliexpress.com/store/910557208	Shop910557208 Store
150	aliexpress.com/store/911044095	Mr. K's Painting Store
151	aliexpress.com/store/911178004	BE ST Art Store
152	aliexpress.com/store/911240083	LEEPLL Store
153	aliexpress.com/store/911267192	EBNALONE Official Store
154	aliexpress.com/store/911315006	FEIER Store
155	aliexpress.com/store/911340132	Killian Decorative Posters Store

156	aliexpress.com/store/911350036	Norberto Store
157	aliexpress.com/store/911356015	Shop911356015 Store
158	aliexpress.com/store/911390052	Shop911390052 Store
159	aliexpress.com/store/911425102	Your House Art Decoration Store
160	aliexpress.com/store/911519063	Disnay Anime Store
161	aliexpress.com/store/912368322	shop6945818 Store
162	aliexpress.com/store/912391192	Dropshippingselven Store
163	aliexpress.com/store/912661384	MDNG-xiaomi Store
164	amazon.com/sp?seller=A114S6EO99HD8X	A114S6EO99HD8X
165	amazon.com/sp?seller=A13OA4CWB22AIH	psoifdx
166	amazon.com/sp?seller=A1BJUYCU6JSSE5	Yuw art
167	amazon.com/sp?seller=A1V82XOQ61A73X	Zebraart
168	amazon.com/sp?seller=A1XTXS9CG51RZD	boswon
169	amazon.com/sp?seller=A2BKYJK65CS4KD	A2BKYJK65CS4KD
170	amazon.com/sp?seller=A2JY6A8H76DHQX	JULLIEART
171	amazon.com/sp?seller=A2OO3S7OW9JLK0	KOSKIMER
172	amazon.com/sp?seller=A2YHORMKMX92TA	mianxianourongrongbaihuo1
173	amazon.com/sp?seller=A3R07409AMN791	xiaintel
174	amazon.com/sp?seller=A6EU54SRNEDW7	WuBiYingDianZiShangWu
175	amazon.com/sp?seller=ADUL5GPYDZOZF	ADUL5GPYDZOZF
176	amazon.com/sp?seller=AF6YKLM9Y2CNX	liuhaiyanyamaxundian
177	amazon.com/sp?seller=AUEBAOE1R3ASY	liangchunwenju
178	amazon.com/sp?seller=AX0AF7Z3NQJKQ	NPlus Furniture Management Co.,Ltd
179	wish.com/merchant/52f5efd8bb72c5069f7d0485	fashion market
180	wish.com/merchant/566ea263e363a36f96400a10	Joyce women's dress
181	wish.com/merchant/578b77cc013f1b51de5912c2	morloy
182	wish.com/merchant/59e0c0f3448a52632e1e9f89	mingxiaoxu
183	wish.com/merchant/59eec672dd03295828a869c7	zh657752455
184	wish.com/merchant/5ac1cb9547a0e77a39501401	ArtPaintingcanvas
185	wish.com/merchant/5b97e7ba3ef61630310074be	Lifetreewallart
186	wish.com/merchant/5d4a6b611d9a8e3d0084f8a1	Kaiwen123
187	wish.com/merchant/5ddf652939adf290836af189	gfhkjutfyjdtu
188	wish.com/merchant/5e670cfcfc578f0ec1933138	ArtemidaKaravajkina4046
189	wish.com/merchant/5e674c0f48763f58dbd57ea1	AleksandrinaTalipova6312
190	wish.com/merchant/5e742c557a3af3148545226f	ejreouioij
191	wish.com/merchant/5e8175e1e273cd4ad9491888	Jairo Dominguez
192	wish.com/merchant/5e9c41342aad6e4c02e74d55	Be Colorful Store
193	wish.com/merchant/5eb02b3d8108dfb99e2a5d20	Gxjxbdmxvzvkhznxvh
194	wish.com/merchant/5eb3d6c9e0ff6411c35c96c	mayong12
195	wish.com/merchant/5f01817cc917f8123dbdb6f5	goufangli12345

196	wish.com/merchant/5f0a98a7b7696f2b4c98363e	danml26shop
197	wish.com/merchant/5fcda9dd91d2e587a67612b4	qinziweiyt
198	wish.com/merchant/60a4c72b0aff1d72949b7d82	yika art
199	wish.com/merchant/60aa667007b3300b017c373a	H cgsdfgsdt
200	wish.com/merchant/611ddd4cf9091f1274d197c9	tanpeipei1134