

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

DYSON TECHNOLOGY LIMITED,

Plaintiff,

v.

DUANSIQI2409 and THE INDIVIDUALS  
AND ENTITIES OPERATING  
DUANSIQI2409,

Defendants.

Case No. 22-cv-00664

**Judge Edmond E. Chang**

**Magistrate Judge M. David Weisman**

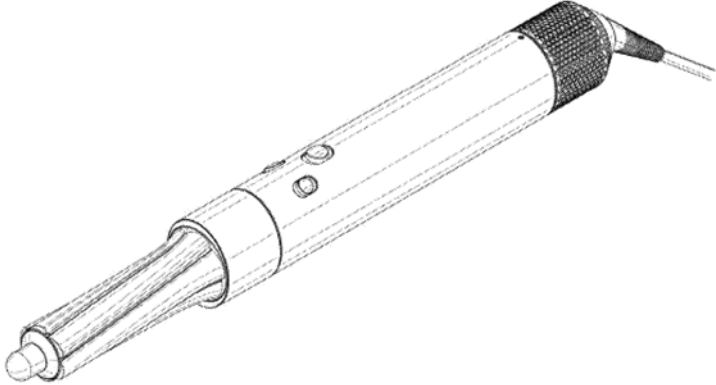
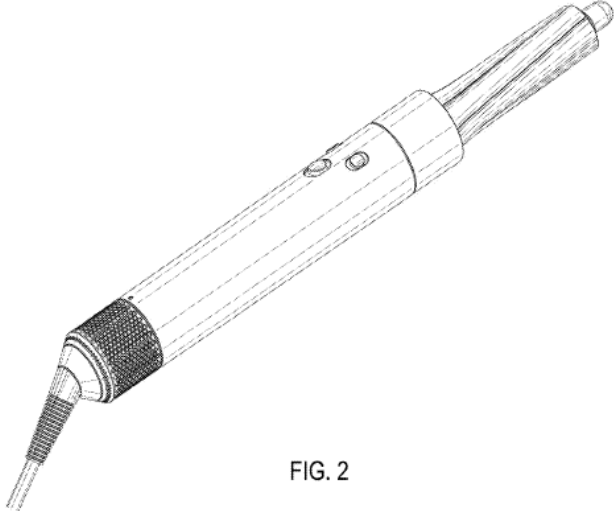



**PRELIMINARY INJUNCTION ORDER**

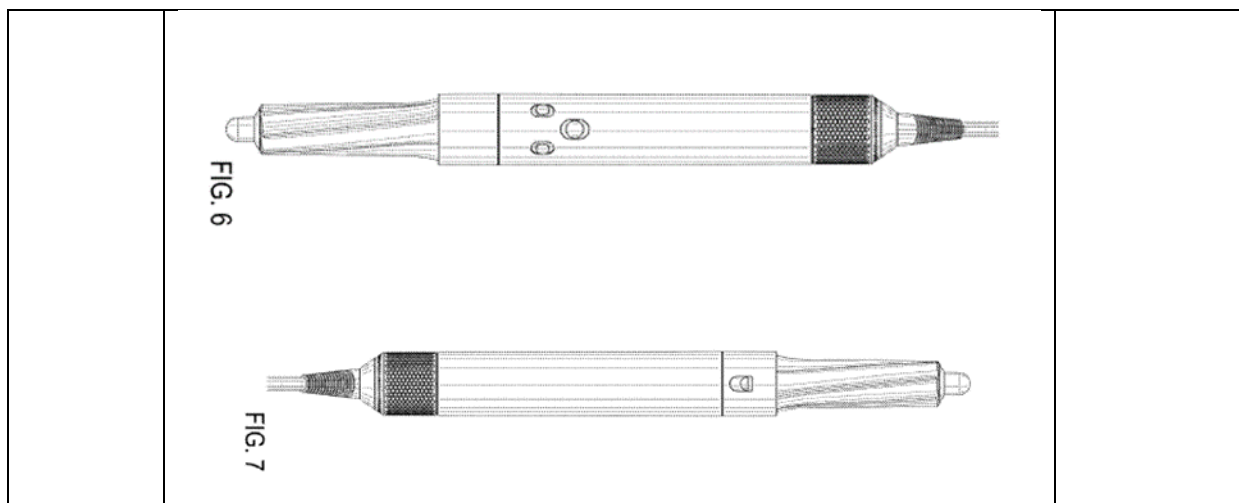
THIS CAUSE being before the Court on Plaintiff Dyson Technology Limited (“Dyson” or “Plaintiff”) Motion for Entry of a Preliminary Injunction, and this Court having heard the evidence before it hereby GRANTS Plaintiff’s Motion for Entry of a Preliminary Injunction in its entirety against the fully interactive, e-commerce stores<sup>1</sup> operating under the seller aliases identified in Schedule A attached hereto (collectively, the “Seller Aliases”).

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. Specifically, 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, accept payment in U.S. dollars and have sold the same product that infringes directly and/or indirectly Plaintiff’s United States design patent in the below chart (the “Dyson Design”).

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

Patent Number	Claim	Issue Date
D853,642	 <p data-bbox="781 663 846 695">FIG. 1</p>  <p data-bbox="764 1178 829 1209">FIG. 2</p>  <p data-bbox="435 1314 459 1377">FIG. 3</p>  <p data-bbox="626 1734 695 1766">FIG. 4</p>  <p data-bbox="867 1728 935 1759">FIG. 5</p>	July 9, 2019



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 Dyson’s previously granted Motion for Entry of a Temporary Restraining Order establishes that Dyson has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Dyson will suffer irreparable harm if the injunction is not granted. Specifically, Dyson has proved a *prima facie* case of design infringement because (1) Dyson is the lawful assignee of all right, title and interest in and to the Dyson Design, (2) Defendants make, use, offer for sale, sell, and/or import into the United States for subsequent sale or use products that infringe directly and/or indirectly the ornamental design claimed in the Dyson Design, and (3) an ordinary observer would be deceived into thinking the Infringing Product was the same as the Dyson Design. Furthermore, Defendants’ continued and unauthorized use of the Dyson Design irreparably harms Dyson through loss of customers’ goodwill, reputational harm, and Dyson’s ability to exploit the Dyson Design. Monetary damages fail to address such damage and, therefore, Dyson 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 officers, agents, servants, employees, attorneys, and other persons acting in active concert or participation with them be preliminarily enjoined and restrained from:
  - a. offering for sale, selling and importing any products not authorized by Dyson and that include any reproduction, copy or colorable imitation of the design claimed in the Dyson Design;
  - b. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the Dyson Design; and
  - c. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs (a) and (b).
2. Upon Dyson'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 ten (10) business days after receipt of such notice, provide to Dyson 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, servants, employees, 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 Dyson's request, those with notice of the injunction, including Third Party Providers as defined in Paragraph 2, shall within ten (10) business 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 Dyson Design.
4. Defendants 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. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, Wish.com, and Amazon Pay, shall, within ten (10) business 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. Dyson is authorized to issue expedited written discovery, pursuant to Federal Rules of Civil Procedure 33, 34 and 36, related to:
  - a. the identities and locations of Defendants, their agents, servants, employees, 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.

Dyson is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within ten (10) business days of being served via e-mail.

7. Dyson 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 Amended 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 “DUANSIQI2409 and THE INDIVIDUALS AND ENTITIES OPERATING DUANSIQI2409” 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], and Amended Complaint [14], Exhibit 1 to the Complaint [3], and Amended Complaint [15], Exhibit 2 to the Declaration of Giles Samuel Lane [20], and the Temporary Restraining Order [25] 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 \$1,000 bond posted by Dyson 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 24, 2022

/s/ Edmond E. Chang  
Edmond E. Chang  
United States District Judge

**DYSON TECHNOLOGY LIMITED v. duansiqi2409 and the Individuals and Entities Operating  
duansiqi2409 - Case No. 22-cv-00664**

## **Schedule A**

<b>Defendant Online Marketplaces</b>		
<b>No</b>	<b>URL</b>	<b>Name / Seller Alias</b>
1	wish.com/merchant/6175170ff7fc7196d0757c19	duansiqi2409