

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

CANADA GOOSE INC.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-00799

Judge Sharon Johnson Coleman

Magistrate Judge Sheila M. Finnegan


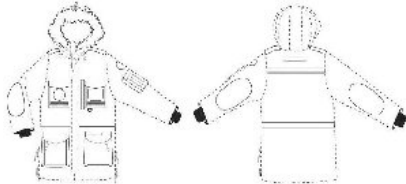
PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff Canada Goose Inc.’s (“Canada Goose” 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 stores¹ operating under the seller aliases identified in Schedule A attached hereto (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 products using infringing and counterfeit versions of Canada Goose’s federally

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

registered trademarks (“CANADA GOOSE Trademarks”) to Illinois residents. A list of the CANADA GOOSE Trademarks is included in the below chart.

| REGISTRATION NUMBER | REGISTERED TRADEMARK | REGISTRATION DATE | INTERNATIONAL CLASSES |
|---------------------|---|-------------------|---|
| 3,254,771 |  | June 26, 2007 | For: Clothing, namely parkas, coats, jackets, pullovers, vests, sweaters, shirts, anoraks, and headwear, substantially made of goose down, where applicable in class 025. |
| 4,455,111 | CANADA GOOSE | December 24, 2013 | For: Outerwear, namely, coats, parkas, jackets, vests, pullovers, shirts, headwear, scarves, gloves and mittens, substantially made of goose down, where applicable in class 025. |
| 5,102,866 |  | December 20, 2016 | For: Clothing and outerwear, namely, coats and jackets in class 025. |

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 Canada Goose’s previously granted Motion for Entry of a Temporary Restraining Order establishes that Canada

Goose has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Canada Goose will suffer irreparable harm if the injunction is not granted. Specifically, Canada Goose has proved a *prima facie* case of trademark infringement because (1) the CANADA GOOSE 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 CANADA GOOSE Trademarks, and (3) Defendants' use of the CANADA GOOSE Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with Canada Goose. Furthermore, Defendants' continued and unauthorized use of the CANADA GOOSE Trademarks irreparably harms Canada Goose through diminished goodwill and brand confidence, causes damage to Canada Goose's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Canada Goose 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 preliminarily enjoined and restrained from:
 - a. using the CANADA GOOSE Trademarks 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 Canada Goose product or not authorized by Canada Goose to be sold in connection with the CANADA GOOSE Trademarks;

- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Canada Goose product or any other product produced by Canada Goose, that is not Canada Goose's or not produced under the authorization, control or supervision of Canada Goose and approved by Canada Goose for sale under the CANADA GOOSE Trademarks;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Canada Goose, or are sponsored by, approved by, or otherwise connected with Canada Goose;
 - d. further infringing the CANADA GOOSE Trademarks and damaging Canada Goose's goodwill; and
 - e. 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 Canada Goose, nor authorized by Canada Goose to be sold or offered for sale, and which bear any of Canada Goose's trademarks, including the CANADA GOOSE Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.
2. The domain name registries for the Domain Names, including, but not limited to, VeriSign, Inc., Neustar, Inc., Afiliast Limited, CentralNic, Nominet, and the Public Interest Registry, within ten (10) business days of receipt of this Order, shall, at Canada Goose's choosing:
- a. unlock and change the registrar of record for the Domain Names to a registrar of Canada Goose's selection until further ordered by this Court; or
 - b. disable the Domain Names and make them inactive and untransferable until further ordered by this Court.

3. The domain name registrars, including but not limited to, GoDaddy Operating Company, LLC (“GoDaddy”), Name.com, PDR LTD. d/b/a PublicDomainRegistry.com (“PDR”), and Namecheap Inc. (“Namecheap”), within ten (10) business days of receipt of this Order, shall take any steps necessary to transfer the Domain Names to a registrar account of Canada Goose’s selection so that the Domain Names can be redirected or disabled until further ordered by this Court.
4. Upon Canada Goose’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 the Online Marketplaces or Domain Names, 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 Canada Goose 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 affiliates, officers, 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, Domain Names, and Defendants’ financial accounts, as well as providing a full accounting of Defendants’ sales and listing history related to their respective Online Marketplaces and Domain Names; and

- c. any financial accounts owned or controlled by Defendants, including their agents, servants, employees, confederates, 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).
5. Upon Canada Goose’s request, those with notice of the injunction, including Third Party Providers as defined in Paragraph 4, 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 counterfeit and infringing goods using the CANADA GOOSE Trademarks.
6. 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.
7. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, DHgate, 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 and the Defendants’ Seller Aliases, Online Marketplaces or Domain Names, 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.
8. Canada Goose 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 affiliates, officers, 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, Domain Names, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces and Domain Names.

Canada Goose is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within three (3) business days of being served via e-mail

9. Canada Goose 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 to which the Domain Names which are transferred to Canada Goose's control will redirect, or by sending an e-mail to the e-mail addresses identified in Exhibits 5 and 6 to the Declaration of Hongyi Geng-Dueck and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The Clerk of the Court is directed to issue

a single original summons in the name of “The Partnerships and all other Defendants identified in the Complaint” that shall apply to all Defendants. The combination of providing notice via electronic publication or e-mail, along with any notice that Defendants receive from domain name registrars 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.

10. Schedule A to the Complaint [2], Exhibits 5 and 6 to the Declaration of Hongyi Geng-Dueck [17] and [18], and the TRO [25] are unsealed.
11. 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.
12. The \$10,000 bond posted by Canada Goose 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 23, 2022

A handwritten signature in black ink, appearing to read "Sharon Johnson Coleman", written over a horizontal line.

Sharon Johnson Coleman
United States District Judge

Canada Goose Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule "A"
- Case No. 22-cv-00799

Schedule A

| Defendant Online Marketplaces | | |
|--------------------------------------|--|---|
| No | URL | Name / Seller Alias |
| 1 | bettergreenlife.en.alibaba.com | Xiamen Better Green Life Outdoor Gear Co., Ltd. |
| 2 | cn1524303644odyb.en.alibaba.com | Xiamen Huanqiu Aerospace Technology Co., Ltd. |
| 3 | fashiondaisy.en.alibaba.com | Xiamen Daisy Global Trading Co., Ltd. |
| 4 | fzqj03.en.alibaba.com | Fuzhou Qiji Network Technology Co., Ltd. |
| 5 | fzqj04.en.alibaba.com | Fuzhou Zhong Zi Jin Fu Information Technology Co., Ltd. |
| 6 | kasongarment.en.alibaba.com | Foshan Kaichen Garment Co., Ltd. |
| 7 | lxhtgj.en.alibaba.com | Longxing Hengtai International Import & Export Trade (Suzhou) Co., Ltd. |
| 8 | wish.com/merchant/615406b525dd0880a5d426bc | fanjunjie668 |
| 9 | workclothes.en.alibaba.com | Mudanjiang Yihui Garment Co., Ltd. |
| 10 | xmantonio.en.alibaba.com | Xiamen Anton Yio Trading Co., Ltd. |
| 11 | xmyfxmy.en.alibaba.com | Xiamen Yifeixuan Trade Limited Company |
| 12 | yalaida.en.alibaba.com | Zhongshan Yalaida Daily Necessities Co., Ltd. |
| 13 | aliexpress.com/store/1100037040 | Love you Store |
| 14 | aliexpress.com/store/131118 | ABreeze Official Store |
| 15 | aliexpress.com/store/1906838 | Q S C Store |
| 16 | aliexpress.com/store/3051006 | Shop3051006 Store |
| 17 | aliexpress.com/store/3675066 | MCKLP OUTDOOR Store |
| 18 | aliexpress.com/store/5026069 | Auniwyer Store |
| 19 | aliexpress.com/store/5100033 | shudaji Store |
| 20 | aliexpress.com/store/5419303 | singbail SINGBAIL Store |
| 21 | aliexpress.com/store/5746010 | MaiDangDi Official Store |
| 22 | aliexpress.com/store/911014070 | Shop911014070 Store |
| 23 | aliexpress.com/store/911024046 | Wanda Clothes Store |
| 24 | aliexpress.com/store/911059134 | CANCAN Store |
| 25 | aliexpress.com/store/912002088 | Hanfu Youpin Store |
| 26 | aliexpress.com/store/912214029 | xinrumei |
| 27 | aliexpress.com/store/912242153 | Men And Women Clothes Shop Store |
| 28 | aliexpress.com/store/912283070 | Yang Bin Store |

| | | |
|----|-------------------------------------|--|
| 29 | aliexpress.com/store/912375518 | Rongda Coats Store |
| 30 | aliexpress.com/store/912394315 | Wuwu apparel Store |
| 31 | aliexpress.com/store/912395865 | Southeast Alliance Store |
| 32 | aliexpress.com/store/912403806 | European trend shoppers Store |
| 33 | aliexpress.com/store/912423128 | SCHB04-dropshipping Store |
| 34 | aliexpress.com/store/912423419 | FMorl Store |
| 35 | aliexpress.com/store/912495527 | The Bronson Clothes Store |
| 36 | aliexpress.com/store/912602166 | XIYUNFEI8 Store |
| 37 | aliexpress.com/store/912614614 | MMYYLM Store |
| 38 | aliexpress.com/store/912635119 | 6282367 Store |
| 39 | aliexpress.com/store/1827093 | first quality |
| 40 | aliexpress.com/store/5377125 | The Good Make Clothes Store Store |
| 41 | aliexpress.com/store/911044174 | Shop911044174 Store |
| 42 | amazon.com/sp?seller=A3FEMZH5FQCARI | ZhanJiangShiFenZhengYingXiaoCeHuaYouXianGongSi |
| 43 | amazon.com/sp?seller=A99YBH5DM6MGF | FGJNHR654G1E6R51W841W6 |
| 44 | dhgate.com/store/20899944 | vogocm99 Store |
| 45 | dhgate.com/store/20950667 | Balmain Jeans Store |
| 46 | dhgate.com/store/21215839 | coatzheng Store |
| 47 | dhgate.com/store/21271434 | patagonia Store |
| 48 | dhgate.com/store/21307871 | gzbrandproduct Store |
| 49 | dhgate.com/store/21555674 | wu6721 Store |
| 50 | dhgate.com/store/21588481 | hoodiecoatsjacket02 Store |
| 51 | dhgate.com/store/21664078 | mile2199 Store |
| 52 | dhgate.com/store/21669650 | OneLife699 Store |
| 53 | dhgate.com/store/21680107 | designer_style8 Store |
| 54 | dhgate.com/store/21688853 | phenomenal2021 Store |
| 55 | dhgate.com/store/21692620 | topgoosecoat Store |
| 56 | dhgate.com/store/21693099 | swancoat Store |
| 57 | dhgate.com/store/21715439 | canadadown Store |
| 58 | dhgate.com/store/21715486 | fashionmoncler19 Store |
| 59 | dhgate.com/store/21716127 | kqjstore Store |
| 60 | dhgate.com/store/21739344 | universe_01 Store |
| 61 | instagram.com/vipbes.8 | vipbes.8 |

| Defendant Domain Names | | |
|------------------------|-------------------------|-------------------------|
| No | URL | Name / Seller Alias |
| 62 | canadagoosesaler.com | canadagoosesaler.com |
| 63 | canadagoose-romania.com | canadagoose-romania.com |
| 64 | canadagoosekabat.com | canadagoosekabat.com |

| | | |
|----|---------------------|---------------------|
| 65 | elumfitness.com | elumfitness.com |
| 66 | malynition.com | malynition.com |
| 67 | mycoldseason.com | mycoldseason.com |
| 68 | cooldak.net | cooldak.net |
| 69 | keepwarmer.shop | keepwarmer.shop |
| 70 | pushingmidnight.com | pushingmidnight.com |
| 71 | shirts-sports.com | shirts-sports.com |
| 72 | eecoats.com | eecoats.com |