

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

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

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-00842

**Judge Jorge L. Alonso**

**Magistrate Judge Gabriel A. Fuentes**

**PRELIMINARY INJUNCTION ORDER**

Plaintiff KHARA INC. and GROUND WORKS CO., LTD (“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 in part as follows.

This Court finds GWC has provided notice to Defendants in accordance with the Temporary Restraining Order entered February 22, 2022, [15] (“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, 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; 6,193,482; and 6,187,814 (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 and do purchase products using counterfeit 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, 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 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, or returning, 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 Alipay US, Inc. and its related companies and affiliates ("Alipay") (collectively, the "Third Party Providers"), 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, Alipay, 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 Alipay, 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 and 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 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 Yasuhiro Kamimura [12], and the TRO [15] 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:

A handwritten signature in black ink, appearing to be 'JL Alonso', enclosed within a large, loopy oval shape.

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Jorge L. Alonso  
United States District Judge

Dated: March 16, 2022

**Schedule A**

<b>No.</b>	<b>Defendants</b>
1	1547474875 Store
2	158 Women's Hoodie Store
3	21888 Store
4	262623203 Store
5	411 Cosland Store
6	521 Child COS Store
7	6230 Spiderman Store
8	666 Clothes Store
9	788 Cos Store
10	8.18 Cos Store
11	8006 Store
12	8668 Acting costume Store
13	911 orders Store
14	A new beginning Store
15	A-354 Store
16	A364 Store
17	A398 Store
18	abing5566 Store
19	ABINGTXU4 Store
20	aboutcos Official Store
21	Ali Shop 8901123 Store
22	Ali-Coslife Store
23	Aliso Store
24	Animation cloak shop Store
25	Animation Cos Store
26	Anime Comic Game Store
27	Anime Cos Timi Store
28	Anime costume wig Store
29	Anime Fantasy Party Store
30	Anime Lovers Club Store
31	Anime Movies Store
32	Anime Peripherals Joint Store
33	Anime props Store
34	Anime World cos Store
35	Animelucos Official Store
36	anytimecn Store
37	A-S8887779 Store
38	B-A Clothes Factory Store
39	babab Store
40	Barda Cos Factory Store
41	Bayline-Fashion Store
42	B-B Clothes Factory Store
43	B-C Clothes Factory Store
44	Believer Unite Store
45	BestChance Store
46	Biamoxer Store

47	bluesix Store
48	BOBOANGEL Store
49	Bravelemon Store
50	Btide Store
51	Bzx Cos Store
52	Cadika Store
53	C-C Store Store
54	Children-toy Store
55	China Hoodie factory Store
56	CHIZHEN888 Store
57	cLong's Boutique Store
58	C-MUJI Store
59	Coldker Store
60	Colouration Anime Clothes Store
61	Confident Clothes Store
62	cos apparel factory Store
63	Cos Funny Store
64	Cosfly Store
65	CosMermaid Store
66	COSNYC Store
67	CosplayCatalog Store
68	Cosplayfly Store
69	Costumebuy Store
70	Coszero Costume Store
71	CosZtkhp cos Store
72	CosztkhpNew Store
73	COYOUNG Store
74	CREATINGOURTIME Store
75	cute-love Store
76	CZ cos Store
77	D&L Zentai Factory Store
78	daoshijie12 Store
79	DaosjQQ Store
80	DaosjVV Store
81	Deadly Woman Store
82	DEMLFEN C Store
83	DHD4 Store
84	domibag Store
85	dong man tian xia Store
86	DoubleJ Store
87	Dropshipping Xiao Toy Store
88	DSJ9 Store
89	eastical men Store
90	Elves Cos Store
91	Ethnic Clothes Store
92	European trend shoppers Store
93	Extreme challenge 97 Store
94	Factory DropshipWholesale Store
95	fair price Store



96	Fakuntn GX Store
97	FancyCose Store
98	fashionable costume 02 Store Store
99	fashionable11 Store
100	FashionAnimeJP Store
101	FashionCos- Store
102	FCCEXIO Official Store
103	feng dou trading company Store
104	Ferla Store
105	For KB Manba Store
106	FUNNY HMN Store
107	Funny tideplay Store
108	Funtees Shop Store
109	Genshin Impact Peripheral Store
110	Gesh-Fashion Store
111	Gesikai Store
112	Giyu666 Store
113	Good design Store
114	Gooooogleady Store
115	Goth&Cos Store
116	Guerlen Store
117	GUMONI Store
118	hanhan toy Store
119	HaoRuihe COS Store
120	Happydog Store
121	Harajuku Children's T-shirts Store
122	Harajuku Women T-shirt Store
123	Harvest936 Store
124	Healthy Shopping Store
125	Hengba cos Store
126	hhz tshirts.... Store
127	hihk004 290821 Store
128	HKSNG Costume-Dropship Store
129	HL-Party Cos Store
130	Holiday Party Store
131	honney Store
132	Hugoo Store
133	IDesigner Store
134	INTERSECTION Store
135	IOC Store
136	IYUNGTOO Global Store
137	Jackey Store
138	Jie Jie Store Store
139	JOJOHOO Store
140	Juma Tshirt Store
141	KAERY Store
142	KaiHoon Store
143	kaikai888 Store
144	KDH16 Store

145	KDH20 Store
146	KDH6 Store
147	KDH8 Store
148	Kimy Store
149	KKUU049 Store
150	LAIKBO Store
151	Lanco Store
152	LD decoration Store
153	LD finery fourth Store
154	let we go Store
155	liaolixia clothes Store
156	LIASOSO 09 Store
157	Licheng New Men's Store
158	Litchi's Store
159	llp666 Store
160	LOLCOSFAN Store
161	Longyao's world Store
162	Luoshen Store
163	Lyy Cos Store
164	Madinon Store
165	Maihe0598 Store
166	Maladi Store
167	Manlu Cos Store
168	maqies Store
169	MAZIAO Official Store
170	Mchmoon Store
171	Medieval Party Store
172	men's T-shirt hoodie Store
173	MGovs Store
174	MI YA 999 Store
175	MNIG Anime Club Store
176	MoMoUp Store
177	MONCER Store
178	morematch morematch Store
179	Movie Cos Costume Store
180	Movie fantasy Store
181	Mr. Gorilla Store
182	Mr-Right Store
183	Mtank Store
184	MTKE Store
185	Must Having Store
186	MuYan Anime Store
187	NA NA NA Store
188	Naughty Girl Store
189	New cos school Store
190	New Kids cosplay Store
191	Nianer Online Apparel Store
192	Ninja Academia Store
193	NinjaGear Store

194	NOVELTY-COSPLAY Store
195	Nuobitet Store
196	oeing poster Store
197	OIMG Cos Store
198	OIMG Dropshipping Store
199	Panna Costume Store
200	Personality Factory Store
201	Peter Clothes Store
202	PiaPia Monkey Store
203	Pink art Store
204	PiPiGuo cos Store
205	PLD7 Store
206	POP Shack Store
207	Portmans Store
208	PP COS Store
209	Purple Game Store
210	qin12345678 Store
211	QIO02 Store
212	QITE Store
213	QPP GO Store
214	Quality football t-shirt Store
215	qwexiaomo666 Store
216	Renee wang
217	Retro party costume Store
218	RichNana Store
219	Robmaster Store
220	Ropa mujer Store
221	Round cos Store
222	Rspctou Store
223	Rucheng Store
224	SeeYouShy Dropshipping Store
225	Selina B Store
226	SES6 Store
227	Sexual Orientation Store
228	shanda Store
229	ShierToySale Store
230	Shimmer Cos
231	Shimmer Fashion Life
232	Shop1100005100 Store
233	Shop1100007051 Store
234	Shop1100008046 Store
235	Shop1100010090 Store
236	Shop1100011091 Store
237	Shop1100012136 Store
238	Shop1100023075 Store
239	Shop5245203 Store
240	Shop5590235 Store
241	Shop5874837 Store
242	Shop5886540 Store

243	Shop910350074 Store
244	Shop910369324 Store
245	Shop910841017 Store
246	Shop911217158 Store
247	Shop912624058 Store
248	Shop912625979 Store
249	spring show store
250	-Top 10 Store