

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

VOLKSWAGEN GROUP OF AMERICA,
INC.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-00857

Judge John Robert Blakey

PRELIMINARY INJUNCTION ORDER






THIS CAUSE being before the Court on Plaintiff Volkswagen Group of America, Inc.’s (“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 defendants identified on Schedule A attached hereto (the “Defendants”) and using the fully interactive, e-commerce stores¹ operating under the seller aliases identified on Schedule A (the “Seller Aliases”).

This Court further 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. “In the context of cases like this one, that means a plaintiff must show that each defendant is actually operating an interactive website

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

that is accessible in Illinois and that each defendant has aimed such site at Illinois by standing ready, willing and able to ship its [infringing] goods to customers in Illinois in particular (or otherwise has some sufficient voluntary contacts with the state).” *Am. Bridal & Prom Indus. Ass’n v. P’ships & Unincorporated Ass’ns Identified on Schedule A*, 192 F. Supp. 3d 924, 934 (N.D. Ill. 2016). 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 the Volkswagen Trademarks to residents of Illinois (a list of which is included in the below chart). *See* [17] (Declaration of Dana A. Cizmadia) at ¶ 13; [17]-[18]. In addition, Plaintiff’s screenshot evidence confirms that each Seller Alias does stand ready, willing, and able to ship its counterfeit goods to customers in Illinois. *Id.* Moreover, several Seller Aliases have in fact shipped counterfeit goods to Illinois. *Id.*

Registration No.	Mark
2,835,662	VOLKSWAGEN
2,818,615	VW
3,431,414	TIGUAN
2,682,428	TOUAREG
2,528,763	BEETLE
2,411,743	JETTA
1,540,381	GTI
1,468,206	PASSAT
1,361,724	GOLF

2,987,620	
2,849,974	
2,100,963	
3,850,256	
3,864,460	

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 Plaintiff’s previously granted Motion for Entry of a

Temporary Restraining Order establishes that Plaintiff has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Plaintiff will suffer irreparable harm if the injunction is not granted.

Specifically, Plaintiff has proved a *prima facie* case of trademark infringement because (1) the Volkswagen 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 Volkswagen Trademarks, and (3) Defendants' use of the Volkswagen Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Counterfeit Products with Plaintiff. Defendants' continued and unauthorized use of the Volkswagen Trademarks irreparably harms Plaintiff through diminished goodwill and brand confidence, damage to Plaintiff's reputations, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Plaintiff 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 Volkswagen 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 Volkswagen product or not authorized by Volkswagen to be sold in connection with the Volkswagen Trademarks;

- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Volkswagen product or any other product produced by Volkswagen, that is not Volkswagen's or not produced under the authorization, control or supervision of Volkswagen and approved by Volkswagen for sale under the Volkswagen Trademarks;
- c. committing any acts calculated to cause consumers to believe that Defendants' Products are those sold under the authorization, control or supervision of Volkswagen, or are sponsored by, approved by, or otherwise connected with Volkswagen;
- d. further infringing the Volkswagen Trademarks and damaging Volkswagen'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 Volkswagen, nor authorized by Volkswagen to be sold or offered for sale, and which bear any of Volkswagen's trademarks, including the Volkswagen Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.

2. Upon Plaintiff'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

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 Plaintiff 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, 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, 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).

3. Upon Plaintiff’s request, those with notice of the injunction, including the 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 counterfeit and infringing goods using the Volkswagen 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, Amazon Pay and Wish.com, 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. Plaintiff 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.

Plaintiff 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.

7. Plaintiff 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 "The Partnerships and all other Defendants identified in the Complaint" that shall apply to all Defendants. The

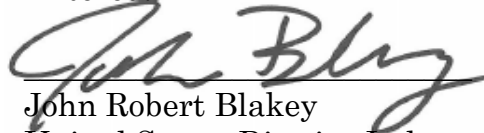
combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

8. Schedule A to the Complaint [2], Exhibit 3 to the Declaration of Dana A. Cizmadia [18], and the TRO [24] 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 accordance with the Federal Rules of Civil Procedure and Northern District of Illinois Local Rules.
10. The \$10,000 bond posted by Plaintiff 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 21, 2022

Entered:


John Robert Blakey
United States District Judge

**Volkswagen Group of America, Inc. v. The Partnerships and Unincorporated Associations
Identified on Schedule "A" - Case No. 22-cv-00857**

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	badge-logo.en.alibaba.com	Jing-Tuo Exquisite Metal Decoration Factory
2	chinahycent.en.alibaba.com	Jilin Hycent Technology Co., Ltd
3	cnwygy.en.alibaba.com	Cangnan Wenyi Arts & Crafts Factory
4	cztaoju.en.alibaba.com	Changzhou Taoju Trading Co., Ltd
5	forwelltech.en.alibaba.com	Qingdao Fuweiheng Technologies Co., Ltd
6	fuwu.alibaba.com	Foshan Shark Dynamic auto parts co., ltd
7	hdeautoparts.en.alibaba.com	Guangzhou Hde Auto Parts Limited
8	jianyunwz.en.alibaba.co	Cangnan Jianyun Gift Factory
9	lcy-technology.en.alibaba.com	Guangzhou LCY Technology Co., Ltd
10	leyiautoparts.en.alibaba.com	Guangzhou Leyi Auto Parts Co., Ltd
11	xirongtech168.en.alibaba.com	Shenzhen Xirong Technology Co., Ltd
12	zhuixin2021.en.alibaba.com	Guangzhou Zhuixin Cross-Border Trading Co.,Ltd
13	zxlcauto.en.alibaba.com	Guangzhou Zhimeng Industrial Co., Ltd
14	aliexpress.com/store/1496961	Shop1496961 Store
15	aliexpress.com/store/1808221	Shop1808221 Store
16	aliexpress.com/store/1955458	Goodtopsale Group Holding Ltd
17	aliexpress.com/store/1961932	Yanteng Store
18	aliexpress.com/store/3059076	Shop3059076 Store
19	aliexpress.com/store/3376026	owakesped store
20	aliexpress.com/store/3401009	Yanzhiqi 5137 car supplies Store
21	aliexpress.com/store/3521018	jun xi store
22	aliexpress.com/store/3572036	Yszplay Store
23	aliexpress.com/store/3897002	HSPEED Store
24	aliexpress.com/store/4059060	OVERE VIP Store

25	aliexpress.com/store/4548055	car accessories high quality Store
26	aliexpress.com/store/4652209	flyouth car accessories store
27	aliexpress.com/store/4993347	Qsupokey locksmithhobd Store
28	aliexpress.com/store/5051168	flyouth tool store
29	aliexpress.com/store/5081259	Shop5081259 Store
30	aliexpress.com/store/5145048	Shop5145048 Store
31	aliexpress.com/store/5259089	Shop5083318 Store
32	aliexpress.com/store/5365252	Car Interior Accessories Store
33	aliexpress.com/store/5381052	Shop5381052 Store
34	aliexpress.com/store/5589458	Emblem Door Light Store
35	aliexpress.com/store/5617344	Shop5617344 Store
36	aliexpress.com/store/5787925	PIDMOUT Store
37	aliexpress.com/store/5885280	Shop5885280 Store
38	aliexpress.com/store/900237069	Shop900237069 Store
39	aliexpress.com/store/910336319	ZEMAR Car Accessories Store
40	aliexpress.com/store/910357078	Car stickers 0313 Store
41	aliexpress.com/store/910425064	Shop910425064 Store
42	aliexpress.com/store/910449115	loadok Store
43	aliexpress.com/store/910568115	NewStrength Store
44	aliexpress.com/store/910647043	DAOEC Car Accessories Store
45	aliexpress.com/store/910739084	SNBLO VW Accessories Store
46	aliexpress.com/store/910794035	kcimo store
47	aliexpress.com/store/910812036	COSMOSKA racing Store
48	aliexpress.com/store/910939003	Shop910939003 Store
49	aliexpress.com/store/910975052	MYMZNGZCD Store
50	aliexpress.com/store/911061234	DK Car Decoration Store
51	aliexpress.com/store/911068107	Shop911068107 Store
52	aliexpress.com/store/911121096	Huyi Global Store
53	aliexpress.com/store/911303025	Shop911303025 Store
54	aliexpress.com/store/911337147	Sdical me Store
55	aliexpress.com/store/911383054	TXDY Store
56	aliexpress.com/store/911384135	Shop911384135 Store
57	aliexpress.com/store/911440014	Auto-Motorcycle Store
58	aliexpress.com/store/911528079	Shop911528079 Store
59	aliexpress.com/store/911601261	Shop911601261 Store
60	aliexpress.com/store/911647017	Xinxin shines Store
61	aliexpress.com/store/911653120	TDOFYH Car Accessories Store
62	aliexpress.com/store/911715117	XDW AutoParts Store
63	aliexpress.com/store/911754540	mimanni Store
64	aliexpress.com/store/911754746	GG Car Store
65	aliexpress.com/store/911755628	Lamqi car accessories Store
66	aliexpress.com/store/911796735	Chaoshanren Store

67	aliexpress.com/store/911796955	Car mileage Store
68	aliexpress.com/store/911833378	Nuoyoupin Store
69	aliexpress.com/store/911959030	Merry Car Accessories Store
70	aliexpress.com/store/912061670	YS2 Store
71	aliexpress.com/store/912069710	WHC Store
72	aliexpress.com/store/912137275	Ting Benjing Store
73	aliexpress.com/store/912159051	yunhai2 Store
74	aliexpress.com/store/912169140	Jisu Autoparts Store
75	aliexpress.com/store/912184530	ZHO-Huacheng Car dealership Store
76	aliexpress.com/store/912226337	Car Decoration Accessory Store
77	aliexpress.com/store/912229404	Rachel Car Part Store
78	aliexpress.com/store/912256969	Evey car decoration modification Store
79	aliexpress.com/store/912341396	FCFY Car Store
80	aliexpress.com/store/912348688	ggxy car Store
81	aliexpress.com/store/912489463	PC Car Store
82	aliexpress.com/store/912496704	Csya-Auto supplies Store
83	aliexpress.com/store/912564130	CHE GOOD Store
84	aliexpress.com/store/1818021	AutoSunShine Store
85	aliexpress.com/store/2056028	Loves-Home
86	aliexpress.com/store/2675242	sunny99 store Store
87	aliexpress.com/store/3240050	Xin Cun Car Parts Store
88	aliexpress.com/store/4058004	autopromotions store
89	aliexpress.com/store/5126062	LISIDIC Car-Part Store
90	aliexpress.com/store/5837138	Yuangang Store
91	aliexpress.com/store/616780	Coosports Store
92	aliexpress.com/store/910757007	Shop910757007 Store
93	amazon.com/s?me=A1Q0LPYVHDYFTC	SZSSCAR
94	amazon.com/s?me=A3O2JS344DOCXW&marketplaceID=ATVPDKIKX0DER	Team-power
95	amazon.com/s?me=A3S6QXITPWP3V0&marketplaceID=ATVPDKIKX0DER	huihui50
96	amazon.com/sp?seller=A113SL2703TTO	Gang za
97	amazon.com/sp?seller=A113XM94EHGMT7	YUE ZONG
98	amazon.com/sp?seller=A1104GWTD53XEH	Big goose
99	amazon.com/sp?seller=A11RW6855OY2J	Kerri-007
100	amazon.com/sp?seller=A11TWSUO3F571O	Yxsd
101	amazon.com/sp?seller=A12DPR0OWRA19K	JYYSMB
102	amazon.com/sp?seller=A12V8CP1AMHNKY	Mouch Tooyu
103	amazon.com/sp?seller=A13LVN57941RJY	Tianjingao
104	amazon.com/sp?seller=A14AL7CCPRAGBE	HAXINSHANGMAO

105	amazon.com/sp?seller=A15E9AJOKNROCD	LFEWOXQ
106	amazon.com/sp?seller=A15UC2GB72UN6H	Lucnos LCC
107	amazon.com/sp?seller=A165EJJOCYWYZT	zhouyunamz
108	amazon.com/sp?seller=A16CK3RZSSX4Y6	AOWIFT
109	amazon.com/sp?seller=A18AC59B0E53E6	yangailian-Home
110	amazon.com/sp?seller=A18UZCVUT4M30Y	XIAODENGLI
111	amazon.com/sp?seller=A18W3AV9HRUR8H	Odie Tom
112	amazon.com/sp?seller=A1BGVKQD6FVD8O	Amelie ChaputUS
113	amazon.com/sp?seller=A1BRYLBA02QAAC	KUN DA
114	amazon.com/sp?seller=A1D7O0AYSGWCIQ	Ganxiazhi
115	amazon.com/sp?seller=A1E431UFHVXWQS	QUFE
116	amazon.com/sp?seller=A1E9ZWCE0PPKLG	QiaoEZongHeShangDian
117	amazon.com/sp?seller=A1FKTOEJ5LVH2U	AiNuoMeiRongYuan
118	amazon.com/sp?seller=A1GSLYV9E4M99Z	zhoukoushilianyeshangmaoyouxi angongsi
119	amazon.com/sp?seller=A1IL2KA068VNDV	ping-Shop
120	amazon.com/sp?seller=A1IVKV8KL1L8AC	YANGLEHE
121	amazon.com/sp?seller=A1IVUAYYLFJ9Q3	Home Parkway
122	amazon.com/sp?seller=A1JYTO2UTH154N	Haojiecool
123	amazon.com/sp?seller=A1MB4DOY8THZTL	PingPingSpeed
124	amazon.com/sp?seller=A1MYTGNUZ92KSS	qfgjt
125	amazon.com/sp?seller=A1NDJEREOABFGM	Xhshl Lcc
126	amazon.com/sp?seller=A1NIGR5ZVQP460	dehuilong27
127	amazon.com/sp?seller=A1P5VT63YE1NBZ	SHENYI US
128	amazon.com/sp?seller=A1PB98UEAQTZGL	flq2021888
129	amazon.com/sp?seller=A1R3MI2273JUD8	chumingjiejiancai
130	amazon.com/sp?seller=A1R8KAINOPISJJ	wenshengbianlidian
131	amazon.com/sp?seller=A1RMOC8S7J7BQC	Sunru Technology
132	amazon.com/sp?seller=A1SK4E7E9NSFXZ	ming Pigeon
133	amazon.com/sp?seller=A1VZUILDUCUKAXM	LinJieQiche-kak6645
134	amazon.com/sp?seller=A1WBT4UVEVMDV3	Nice-juan
135	amazon.com/sp?seller=A1Y9ECDGBGDBSK	SHENRUI2021
136	amazon.com/sp?seller=A1YVTU6VFPDNP	MLBH
137	amazon.com/sp?seller=A21363L2C7IYTJ	A21363L2C7IYTJ
138	amazon.com/sp?seller=A23OR5H9IPRLRF	A23OR5H9IPRLRF
139	amazon.com/sp?seller=A23U7SI0O1RBAW	YIFLLOY&METRY
140	amazon.com/sp?seller=A23YI5EGAJ320M	A23YI5EGAJ320M
141	amazon.com/sp?seller=A26C6NSM3ICXYY	Yuzhouhuaxin
142	amazon.com/sp?seller=A27A8XIG59C08C	FJSA
143	amazon.com/sp?seller=A27FTCZJRJ947P	Speed engine
144	amazon.com/sp?seller=A27KJOKNVR7W2M	zhoukoushizhipengshangmaoyou xiangongsi

145	amazon.com/sp?seller=A286MU8XWOP95E	ajie123
146	amazon.com/sp?seller=A28XQI1UXARPHT	luoweilumanbaihuo
147	amazon.com/sp?seller=A2AK5C54NU3BH3	taihuxianjingyubaihuo
148	amazon.com/sp?seller=A2B0IO1FHLK6EV	zhaoyonghong
149	amazon.com/sp?seller=A2BAIZ2FLIL9DG	zhou666qifei
150	amazon.com/sp?seller=A2BPN5XLG3LMGS	guanxigeliuwu
151	amazon.com/sp?seller=A2C0D1A8TEF0H4	Korean pine
152	amazon.com/sp?seller=A2C96SKCGQ3EG4	WANJIE STORE
153	amazon.com/sp?seller=A2DFGPOL46JVWM	Wildsovo Direct
154	amazon.com/sp?seller=A2EK3PWFBZPIIK	BoJie Car
155	amazon.com/sp?seller=A2F7TS6AZIMX55	lifeng-Home
156	amazon.com/sp?seller=A2FEYOF7DN4HIT	MAI DSM
157	amazon.com/sp?seller=A2FOW04Q5WFQ2U	SHENGBD
158	amazon.com/sp?seller=A2GJ9B034KOS72	SongXiangtao
159	amazon.com/sp?seller=A2GUZ1LL8U841K	ZHANQILAI
160	amazon.com/sp?seller=A2GVQ6I7CRRO46	Huida&Trading MG
161	amazon.com/sp?seller=A2HBKLTIOG04E0	Yunweiweishangdian
162	amazon.com/sp?seller=A2I6RBBZANT3IE	chiou
163	amazon.com/sp?seller=A2ITBXOJZW2QAN	CUPTOGYQ XOKFABJU IUSMR
164	amazon.com/sp?seller=A2JIKC9IPS2MFR	JIHH
165	amazon.com/sp?seller=A2JW3FGUYQ6N6L	Joygowe
166	amazon.com/sp?seller=A2MH6PFQ41O2UR	Tfbos
167	amazon.com/sp?seller=A2PEYPN43HOI73	XUGUIQIN
168	amazon.com/sp?seller=A2Q2Q2X0VTI0NN	zhengzhoushipaoerfeishangmaoy ouxiangongsi
169	amazon.com/sp?seller=A2RFG5YVJY2NER	SWL-Home
170	amazon.com/sp?seller=A2RJSMOAV8P2GW	qiaoqian shop
171	amazon.com/sp?seller=A2TSE0OI4W0VMK	Minisoo
172	amazon.com/sp?seller=A2UAIIXP0W5KDH	kexiaoting shop
173	amazon.com/sp?seller=A2VO3WKVHRGE96	yujinhua shop
174	amazon.com/sp?seller=A2WAL2NWGK2UD3	dalianbest2020
175	amazon.com/sp?seller=A2Y0UBDPHEVM9H	Hccyl Lcc
176	amazon.com/sp?seller=A2Y2YGHKR49ZXR	ybtmhhhuoupx
177	amazon.com/sp?seller=A2Z4DP38J76ETM	jieshuolong
178	amazon.com/sp?seller=A2Z9ZK4RDO12J2	PANWANG
179	amazon.com/sp?seller=A304RQRY507FGW	DLiQ
180	amazon.com/sp?seller=A30VSW5KLZDLUR	Mad badge