

**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-01152

Judge Gary Feinerman

Magistrate Judge Jeffrey Cole

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 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 counterfeit and infringing versions of Vogue’s federally registered trademarks (“VOGUE Trademarks”) to residents of Illinois. A list of the VOGUE Trademarks is included in the below chart.

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

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	VOGUE	For: Fitness apparel, namely, tops and bottoms; tops as clothing in class 25.
5,398,198	VOGUE	For: Lingerie, pajamas, shirts and sweatshirts in class 25.
5,645,061	VOGUE	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.
5,428,664	VOGUE	For: Handbags and wristlets in class 18.

Registration No.	Trademark	Goods and Services
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. further infringing the VOGUE Trademarks and damaging Vogue'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 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.
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 ten (10) business days after receipt of such notice, provide to Vogue 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, DHgate, 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 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 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, DHgate, 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. 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 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 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 three (3) business 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 "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 4 to the Declaration of Eric Gisolfi [20], and the TRO [26] 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 \$10,000 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: April 19, 2022

A handwritten signature in black ink, appearing to read "G. Feinerman", written over a horizontal line.

Gary Feinerman
United States District Judge

**Advance Magazine Publishers Inc. v. The Partnerships and Unincorporated Associations Identified on
Schedule "A" - Case No. 22-cv-01152**

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	aliexpress.com/store/912373454	&YuY& Store
2	aliexpress.com/store/912245294	(Garden) Store
3	aliexpress.com/store/911547010	@_@ Store
4	aliexpress.com/store/211045	[oLo Art Gallery] Wholesale Retail Oil Paintings
5	aliexpress.com/store/911386060	_ Store
6	aliexpress.com/store/911715344	100% Cotton T-shirts Store
7	aliexpress.com/store/911934037	1032062956 Store
8	aliexpress.com/store/911881306	16 stores Store
9	aliexpress.com/store/3659098	1860 Art Print Store
10	aliexpress.com/store/912053013	1998 Art Store
11	aliexpress.com/store/912743163	2022 Art Prints Store
12	aliexpress.com/store/912495569	234 First-Rate Store
13	aliexpress.com/store/911795755	35 Grocery Store
14	aliexpress.com/store/911718321	555666 Store
15	aliexpress.com/store/3506081	7-Space Art Prints Store
16	aliexpress.com/store/912603313	986pillowcase Store
17	aliexpress.com/store/5785199	A Painting Store
18	aliexpress.com/store/3670109	A Tshirt Store
19	aliexpress.com/store/911695055	ackery Official Store
20	aliexpress.com/store/3199024	Afflatus Art Prints Store
21	aliexpress.com/store/5491262	AliPaintings Art Store
22	aliexpress.com/store/911522175	All kinds of bags Store
23	aliexpress.com/store/4553066	ALLBLUE - Official Store
24	aliexpress.com/store/912259374	AnanArt Store
25	aliexpress.com/store/5253165	Angelbabe Store
26	aliexpress.com/store/5785471	Angelina Factory Store

27	aliexpress.com/store/4813205	Angels Wall Art Store
28	aliexpress.com/store/912280052	Anna Xuan Store
29	aliexpress.com/store/711405	Artsailing Online Store
30	aliexpress.com/store/2828050	AtFipan Official Store
31	aliexpress.com/store/911252193	Attractness Wall Art Store
32	aliexpress.com/store/3744001	ATTRAYANT Art Prints Store
33	aliexpress.com/store/4628023	BabaiZZY24 Store
34	aliexpress.com/store/911709472	baldry Official Store
35	aliexpress.com/store/912652138	BBTT Store
36	aliexpress.com/store/2186050	Beautiful
37	aliexpress.com/store/5168028	Beautify Shopping Store
38	aliexpress.com/store/636329	BEBIRDCASE Official Store
39	aliexpress.com/store/912159304	BESTEN Art Print Store
40	aliexpress.com/store/5889098	BestTops Store
41	aliexpress.com/store/912263760	BGrace Life Wall Art Store
42	aliexpress.com/store/1357203	BigChen Phone Cases Store
43	aliexpress.com/store/912603318	Blanket004 Store Store
44	aliexpress.com/store/910348011	BlingArt Store
45	aliexpress.com/store/911612421	Blissful Wall Art Store
46	aliexpress.com/store/912688511	Breguest Store
47	aliexpress.com/store/343596	brendan Store
48	aliexpress.com/store/911877057	Brionie Store
49	aliexpress.com/store/2469012	BWAYCASE Store
50	aliexpress.com/store/2030091	By-Your-Side Store
51	aliexpress.com/store/911376261	Carmine Official Store
52	aliexpress.com/store/5082221	CaseTown Store
53	aliexpress.com/store/911265041	CHAMPRINT Pillowcase Store
54	aliexpress.com/store/5870619	Chilploby Store
55	aliexpress.com/store/4665020	chinahao Store
56	aliexpress.com/store/911611842	Cici-art Store
57	aliexpress.com/store/4455041	Comforts Art Corridor Store
58	aliexpress.com/store/911933081	C-One-PhoneCase Store
59	aliexpress.com/store/5030070	COOC ART Store
60	aliexpress.com/store/911789474	Cordium Store
61	aliexpress.com/store/910334268	CPWAD Beautify Store
62	aliexpress.com/store/735917	CROWNPRO Official Store
63	aliexpress.com/store/3631059	Crowns Store
64	aliexpress.com/store/911777878	CXY Art Life Store
65	aliexpress.com/store/912360431	Davy Store
66	aliexpress.com/store/911919112	DB Art Store
67	aliexpress.com/store/911840184	Decorative painting garden Store

68	aliexpress.com/store/4373025	DecorHome Store
69	aliexpress.com/store/900250275	DenHonya Official Store
70	aliexpress.com/store/911600467	Disney-Painting Store
71	aliexpress.com/store/912616924	dongguanlizhi-Pillowcase Store
72	aliexpress.com/store/912058478	Donyi Digital Store
73	aliexpress.com/store/912186522	Doriley Store
74	aliexpress.com/store/3561007	DPYGYT Painting Drop Shipping Store
75	aliexpress.com/store/912260766	Dreaming Life Wall Art Store
76	aliexpress.com/store/912491021	DreamRoom 224 Store
77	aliexpress.com/store/912066033	DropshippingNine Store
78	aliexpress.com/store/911239152	Dropshippings Store
79	aliexpress.com/store/911612562	Eliza Life Store
80	aliexpress.com/store/912177119	En digital Store
81	aliexpress.com/store/911552271	EncoreLoveArt Painting Store
82	aliexpress.com/store/911885327	ES Design Art Store
83	aliexpress.com/store/910410052	Eternlworld Store
84	aliexpress.com/store/4703178	Eyes On Walls Art Store
85	aliexpress.com/store/2785078	Eyes On Walls Store
86	aliexpress.com/store/4046072	Fanatu Second Store
87	aliexpress.com/store/912251136	FANXI Art Store
88	aliexpress.com/store/912329386	Fanxishi Art Store
89	aliexpress.com/store/911291117	farstar Store
90	aliexpress.com/store/5892711	Fashionbrand94 Store
91	aliexpress.com/store/5884087	Fashioncase89 Store
92	aliexpress.com/store/911828302	Feragamo Store
93	aliexpress.com/store/911532002	Fish Doll MR.KYC88 Store
94	aliexpress.com/store/911029025	Fish D-oll Painting Store
95	aliexpress.com/store/911601602	fish wall art Store
96	aliexpress.com/store/911992002	Floating 99% Store
97	aliexpress.com/store/911933863	Floating Painting Store
98	aliexpress.com/store/5700156	Fonseca Sign Store Store
99	aliexpress.com/store/911705230	For your Art Store
100	aliexpress.com/store/911599719	forest wall art Store
101	aliexpress.com/store/911806572	frendiy Store
102	aliexpress.com/store/911707473	Freya Art Store
103	aliexpress.com/store/911266168	futuer Store
104	aliexpress.com/store/4647166	Get a painting Store
105	aliexpress.com/store/911202011	Get riches 88 Store
106	aliexpress.com/store/912535340	GLOCosmetic Store
107	aliexpress.com/store/911751559	Gloriousky Store
108	aliexpress.com/store/911603483	Gogi Life Store

109	aliexpress.com/store/4099007	Gohipang Official Store
110	aliexpress.com/store/910349215	gongzhi beautiful decor Store
111	aliexpress.com/store/911767988	Gonzalez Official Store
112	aliexpress.com/store/4474087	GoodLuck ZZW Store
113	aliexpress.com/store/912279018	GoodsChina Store
114	aliexpress.com/store/5074230	GUULI Store
115	aliexpress.com/store/911612419	Happily Wall Art Store
116	aliexpress.com/store/912216067	HeartHandHome Store
117	aliexpress.com/store/1212549	HEYI Official Store
118	aliexpress.com/store/2672162	Hi Tech Store
119	aliexpress.com/store/912647064	High quality 37 Store
120	aliexpress.com/store/5795911	Hillsionly Store
121	aliexpress.com/store/2659077	Hoffen Official Store
122	aliexpress.com/store/911267376	hoodies new Store
123	aliexpress.com/store/106379	HoozGee Global Store
124	aliexpress.com/store/3621164	HoozGee Official Store
125	aliexpress.com/store/911229149	HOTBIKINI Store
126	aliexpress.com/store/5066214	HPYMRT YT2 Store
127	aliexpress.com/store/911812572	HTH Store
128	aliexpress.com/store/912509440	HUA-SHAN Store
129	aliexpress.com/store/5003418	huiyicase54 Store
130	aliexpress.com/store/912364666	I LLOVE YOU PAINTING Store
131	aliexpress.com/store/5886353	Janelove28 Store
132	aliexpress.com/store/911932545	JANY Store
133	aliexpress.com/store/4409003	Jasber Art Store
134	aliexpress.com/store/1815568	JayHomeDecor
135	aliexpress.com/store/911374004	Jenkins Decors Store
136	aliexpress.com/store/912071232	Jincai Decor Store
137	aliexpress.com/store/912237154	jincancu128 Store
138	aliexpress.com/store/4918096	Jiuyun Wearing Store
139	aliexpress.com/store/911874185	Jordvn Store
140	aliexpress.com/store/911305118	Juhua diamonds painting Store
141	aliexpress.com/store/2496028	JZ CASES Store
142	aliexpress.com/store/911415271	KALAFUO Art Prints Store
143	aliexpress.com/store/1172068	KENHONER Official Store
144	aliexpress.com/store/911600068	Kimi Art Store
145	aliexpress.com/store/912069695	KK Art Store
146	aliexpress.com/store/2172120	Korea harajuku Store
147	aliexpress.com/store/5557009	Laanstra Decor Store
148	aliexpress.com/store/5085335	Lankshear Official Store
149	aliexpress.com/store/5017143	LeiBen Official Store

150	aliexpress.com/store/912157431	lifedays Store
151	aliexpress.com/store/912019486	Liliyang Store
152	aliexpress.com/store/4618038	lindagadget26 Store
153	aliexpress.com/store/912135195	Living Wall Art Shop Store
154	aliexpress.com/store/912360536	LK0075 Store
155	aliexpress.com/store/912176574	lIdjzsimon ART Store
156	aliexpress.com/store/911790573	LookThis01 Store
157	aliexpress.com/store/911798513	LookThis04 Store
158	aliexpress.com/store/911790585	LookThis05 Store
159	aliexpress.com/store/912175228	LookThis07 Store
160	aliexpress.com/store/5068173	LoveDo Store
161	aliexpress.com/store/2809064	Loving Baby Store
162	aliexpress.com/store/912471206	Lucily Life Wall Art Store
163	aliexpress.com/store/912175258	Luckily You Store
164	aliexpress.com/store/912374320	Luxu77 Store
165	aliexpress.com/store/912731299	Luyixu2016 Store
166	aliexpress.com/store/900235175	Magic sky paintings Store
167	aliexpress.com/store/912469667	magical dresss 666 Store
168	aliexpress.com/store/2395065	MaiYaCa Official Store
169	aliexpress.com/store/911869196	Make Design Store
170	aliexpress.com/store/911114073	Marrart Store
171	aliexpress.com/store/1454227	Marvellous Clothes Store
172	aliexpress.com/store/1873259	MatteobenniFly Store
173	aliexpress.com/store/912624695	MaySun MayShine Store
174	aliexpress.com/store/3872050	Meetyou Store
175	aliexpress.com/store/5589505	Memories Poster Painting Store
176	aliexpress.com/store/911761544	MengHuan Wall Art Store
177	aliexpress.com/store/911601683	MLZ Art Store
178	aliexpress.com/store/912734346	MO Art Prints Store
179	aliexpress.com/store/4795018	Mobile phone accessories factory shop Store
180	aliexpress.com/store/911943818	Modern-Art Store
181	aliexpress.com/store/912071111	Moderning Art Store
182	aliexpress.com/store/1779017	momoluna apparel Store
183	aliexpress.com/store/910444125	Monalt art Store
184	aliexpress.com/store/912722084	MONO-JY01 Store
185	aliexpress.com/store/4999456	MoYan First Store
186	aliexpress.com/store/911254221	Natividad Art Store
187	aliexpress.com/store/911111149	nawago official store
188	aliexpress.com/store/912345699	NBest Art Store
189	aliexpress.com/store/911552228	NESArt Painting Store
190	aliexpress.com/store/5959001	New World Art Store

191	aliexpress.com/store/911610229	NEWART Store
192	aliexpress.com/store/4520024	NHDARC Official Store
193	aliexpress.com/store/4666130	NOOG Store
194	aliexpress.com/store/911607881	Nordic Supplies Store
195	aliexpress.com/store/911613233	NVKAZNA Art Prints Store
196	aliexpress.com/store/2922083	OKHOTCN Official Store
197	aliexpress.com/store/4430218	OMINA Decoration Painting Store
198	aliexpress.com/store/912653155	OOHH Store
199	aliexpress.com/store/912681745	Oranges Art Store
200	aliexpress.com/store/910544088	Orianna Art Store
201	aliexpress.com/store/911653039	Orianna Official Store
202	aliexpress.com/store/912009038	Our Wedding Store
203	aliexpress.com/store/912461758	Overture Art Store
204	aliexpress.com/store/911934713	Painting Wall Art Store
205	aliexpress.com/store/910942044	Painting-Art Store
206	aliexpress.com/store/911400001	PALTTUN Art Prints Store
207	aliexpress.com/store/912069119	Paradiso Store
208	aliexpress.com/store/911046047	PHONEDADA Store
209	aliexpress.com/store/911252365	powerluckydog Store