

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

ALICE COOPER,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-02077

Judge Thomas M. Durkin

Magistrate Judge Gabriel A. Fuentes

PRELIMINARY INJUNCTION ORDER

Plaintiff ALICE COOPER (“ALICE COOPER” or “Plaintiff”) 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 “Defendant Internet Stores”). After reviewing the Motion and the accompanying record, this Court GRANTS ALICE COOPER’s Motion in part as follows.

This Court finds ALICE COOPER has provided notice to Defendants in accordance with the Temporary Restraining Order entered April 22, 2022, [16] (“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, ALICE COOPER 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 ALICE COOPER's federally registered trademark, which is covered by U.S. Trademark Registration No. 5,780,525 (the "ALICE COOPER Trademark") to residents of Illinois. In this case, ALICE COOPER 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 ALICE COOPER Trademark. *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 ALICE COOPER Trademark.

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 ALICE COOPER's previously granted Motion for Entry of a TRO establishes that ALICE COOPER has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that ALICE COOPER will suffer irreparable harm if the injunction is not granted.

Specifically, ALICE COOPER has proved a *prima facie* case of trademark infringement because (1) the ALICE COOPER Trademark is a distinctive mark and is registered with the U.S. Patent and Trademark Office on the Principal Register, (2) Defendants are not licensed or authorized to use the ALICE COOPER Trademark, and (3) Defendants' use

of the ALICE COOPER Trademark is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with ALICE COOPER. Furthermore, Defendants' continued and unauthorized use of the ALICE COOPER Trademark irreparably harms ALICE COOPER through diminished goodwill and brand confidence, damage to ALICE COOPER's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, ALICE COOPER 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 ALICE COOPER Trademark 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 ALICE COOPER product or not authorized by ALICE COOPER to be sold in connection with the ALICE COOPER Trademark;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine ALICE COOPER product or any other product produced by ALICE COOPER, that is not ALICE COOPER's or not produced under the authorization, control, or supervision of ALICE COOPER and approved by ALICE COOPER for sale under the ALICE COOPER Trademark;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of ALICE

COOPER, or are sponsored by, approved by, or otherwise connected with ALICE COOPER; and

- d. 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 ALICE COOPER, nor authorized by ALICE COOPER to be sold or offered for sale, and which bear any of ALICE COOPER's trademarks, including the ALICE COOPER Trademark, 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 ALICE COOPER'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' Defendant Internet Stores, including, without limitation, any online marketplace platforms such as Amazon Payments, Inc. ("Amazon"), ContextLogic Inc. d/b/a Wish.com ("WISH"), and 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 ALICE COOPER 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 Defendant Internet Stores and Defendants' financial accounts, including Defendants' sales and listing history related to their respective Defendant Internet Stores; 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, Amazon, WISH, and Alipay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
- 4. Upon ALICE COOPER'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 ALICE COOPER Trademark.
- 5. Any Third Party Providers, including Amazon, WISH, and 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 Thomas Schlegel, 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. ALICE COOPER 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 Thomas Schlegel and any e-mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of "11JYH917J 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.
7. Plaintiff's Schedule A to the Complaint [2], Exhibit 2 to the Declaration of Thomas Schlegel [12], and the TRO [16] 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 Cooper 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, reading "Thomas M. Durkin". The signature is written in a cursive, flowing style.

Thomas M. Durkin
United States District Judge

Dated: May 17, 2022

Schedule A

No.	Defendants
1	11JYH917J
2	2011 fashion clothes
3	AAQQZ55
4	aaron hoffman
5	Abby Townsend
6	AbigailSidneySidontPkR
7	adolfshrlgbx3
8	Aelfric Eden Store
9	agardy
10	AgroMarket TheChivas
11	aibabaaw
12	ajhbwnppth
13	AlbertaElroyeVIO
14	Ali Petersen
15	Amy Bennett
16	Annie Walton
17	anquijingshuai
18	ArmstrongAuroradGtBu
19	Arreglosenyeso
20	AsaJustinbrpXxZzS
21	asdasd123fu
22	ayu0811
23	baigang fashion
24	BeihuangmengzOd
25	BetsyGilesvEqXx
26	Beverly Dorsey
27	bfdgvjerwed8453
28	bifdgpu
29	BolkanesTwo
30	cai xin mr
31	CaimiyamP
32	Camp Bow Wow Houston
33	Canbin Fashion Online
34	Cangrejos Number One Fetis
35	caoying3502
36	cccstore
37	Chadron Robinson
38	chanchanstore
39	chaxiaoyan0344963589
40	chenbeibei 552018
41	chenchuanliang4628

42	chenderong7226
43	chenghualong fashion
44	chenguohui Store me
45	chenjingjing521
46	chenwenyuan1234
47	chenxia0814
48	chenyong235
49	chijinhao9815
50	Christina Hopson
51	ChristineBelle
52	Concetta Johns
53	Connor Heckert
54	conslyzpsnt
55	CrewWonder
56	cuilinlin89160
57	cuishaolian
58	d3h4i4i4
59	d5f55
60	dainannan7342
61	David Douglas Krick
62	Dentalsf
63	denyuwaixing
64	Deratechnologyalliance
65	dfgxfjytdjdtudjt
66	Doralys
67	dosanlpm
68	duhuimin88866
69	duojiexiangxiu91723
70	dutianxia123
71	duyajing24247
72	duyanbing40574
73	echosky
74	Electro los rapidos
75	Erin Coylei
76	fancooler
77	fangyue77318
78	FanziduanwDr
79	fdrtyrw
80	FEEEE6665
81	fenghuilu
82	fengzihao89698
83	fus2393shop
84	g8g6f57g7
85	gaomingda

86	gaorana
87	gaoshujuan1234
88	gaozhiyuan7890
89	Ghoulto
90	GilbertDorazKdFe
91	GOODSTRO_FORYOU
92	Greg Gabel
93	Gregory Taggart
94	guanqingli
95	gujinhong
96	guorui71320
97	guoshichao55104
98	guoshuying235
99	Guyueshe Pants
100	guyueyue
101	guzhengyang89712
102	hacklgukezslte
103	haiguang fashion
104	Hanmoa
105	Hanyue426
106	haungchengxin45201
107	hechongkai22807
108	hexianhuia
109	HghjhgmK
110	honruifeit
111	houliangyan66058
112	houranran55007
113	huangyulan fashion
114	huihuilor
115	Humengmeng25536
116	huricha76112
117	Husieifio
118	huxinlai46454
119	huzhipeng
120	IbizaShopVzla
121	Ignatius B. Wadya
122	incongruent
123	Jason E. Tieman
124	Jenna Murphy
125	Jennifer Marino45
126	Jennifer Roberts
127	Jiangtao Sotre
128	JiaocaishifF
129	jiaozhenyun

130	jihonghu29551
131	Jinglinger Vase
132	Jioary Cream
133	Jluyuehong
134	Josue21
135	Joyce Banks
136	Judith Damkroger
137	Juerdong Toys
138	k8er7
139	kangguoqing22801
140	Kelly Shatzer
141	kforiotrty
142	KimberlyMcGee
143	KyleRichardxNhCo
144	Larry Ericson
145	Lawnsapes
146	Lecheycafecito
147	liang yinyinger
148	liangyongkangshop
149	liaolei fashion
150	Aleanor Wradly
151	Alisoall12
152	Aoxianx63
153	Asern
154	Beautiful Alliance
155	bhcdp
156	cx827
157	Daih Anle
158	Dorothy1Gariza3
159	Drniel
160	EITOXITLI
161	Hefeisi
162	JIDFGDFA
163	JKIUWVEF
164	JINIKEDFY
165	Johnny Depp Shop
166	JoshuaPaul
167	JU1yLIXIANG
168	Kendall heller
169	LIMEREX
170	LIUXIAOTONGDESHANGMAOYOUXIANGONGSI
171	Maldoomei
172	Mountfly
173	Narc Nton

174	SDFEF12EFE
175	systxqxsjhxbl
176	xhwenju
177	yejieying
178	yunchengshiyunchengjingjijishukaifaquhubaonvzhuang
179	Zeng Lixia Clothing Store
180	Zhouyou
181	Ztryhthth
182	运城市运城经济技术开发区马玉凤日杂店
183	!00% cotton tshirts0000 Store
184	100% cotton tshirts..... Store
185	AAH2 Store
186	AB05 Store
187	abing5566 Store
188	ai bu Store
189	AK-14 Store
190	AK-2 Store
191	AK001 Store
192	AK008 Store
193	AK22 Store
194	ARROM Store
195	bandstee Store
196	Christo Store
197	Clairy Store
198	da xiao Store
199	dasrt Store
200	Design Your T-Shirts Store
201	DHD Store
202	DHD3 Store
203	DHD7 Store
204	dong dong Store
205	DPP12 Store
206	DPP15 Store
207	DPP9 Store
208	DRTYO Store
209	Endeavors Store
210	F102 Store
211	F161 Store
212	F58 Store
213	fei la Store
214	FunnyPrintShirt Store
215	Furlar Store
216	GD003 Store
217	GGGK Store

218	GHH.11 Store
219	GHH.7 Store
220	GHH.8 Store
221	GHH16 Store
222	GHH28 Store
223	GHH29 Store
224	gon niu Store
225	gong niu Store
226	GT002 Store
227	GT003 Store
228	GTT002 Store
229	GTT007 Store
230	GTT009 Store
231	GTT11 Store
232	GWG Store
233	hai xin Store
234	Halle-Berry Store
235	hei dong Store
236	hei ma Store
237	Jaegery Store
238	KAERY Store
239	KDH.7 Store
240	KDH.9 Store
241	KDH15 Store
242	KDH18 Store
243	KDH8 Store
244	KDH9 Store
245	KHL Store
246	KHS.6 Store
247	LegendForever Store
248	long ji Store
249	manni999 Store
250	men lu Store

