

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

NHL ENTERPRISES, L.P.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-02325

Judge Elaine E. Bucklo

Magistrate Judge Heather K. McShain



PRELIMINARY INJUNCTION ORDER




THIS CAUSE being before the Court on Plaintiff NHL Enterprises, L.P.’s (“NHLE” 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 (collectively, the “Seller Aliases”).

THIS COURT HEREBY FINDS that it has personal jurisdiction over the Defendants because 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 Plaintiff’s federally

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

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

Registration Number	Trademark	Goods and Services
1,962,135	NHL	For: clothing, namely, shirts, jerseys, sweaters, jackets, sweatshirts, t-shirts, pants, sweatpants, warm-up suits, wristbands, headbands, shorts, caps, hats, socks, nightshirts, scarves, mittens and cloth bibs in class 025.
2,422,903	STANLEY CUP	For: clothing, namely, caps, cloth bibs, hats, jackets, jerseys, shirts, shorts, sweaters, sweatpants, sweatshirts, t-shirts, ties, vests and warm-up suits in class 025.
4,631,182	NHL	For: items made of precious and non-precious metals, namely, commemorative coins, and medals; trophies and key chains made of precious metals; jewelry, charms, earrings, medallions, rings, necklaces, tie tacks, pins in the nature of jewelry; chronometric instruments in the nature of docks and clocks in class 014.
4,767,415	STANLEY CUP	For: precious metal trophies in class 014.
1,678,612		For: clothing and footwear; namely, jerseys, sweaters, jackets, sweatshirts, t-shirts, sweatpants, shirts, caps, hats in class 025.
3,248,499		For: clothing, namely, bandannas, beach cover-ups, belts, body suits, boxer shorts, caps, cloth bibs, coats, dresses, footwear, ear muffs, gloves, hats, headbands, hosiery, housecoats, jackets, jerseys, leggings, leotards, mittens, nightshirts, pajamas, pants, rain coats, rain wear, robes, scarves, shirts, shorts, skirts, socks, suits, sun visors, suspenders, sweaters, sweatpants, sweatshirts, swimsuits, swim trunks, t-shirts, ties, toques, underwear, vests, warm-up suits and wristbands in class 025.

5,165,350		For: items made of precious and non-precious metals, namely, commemorative coins, and medals; trophies and key chains made of precious metals; jewelry, charms, earrings, medallions, rings, necklaces, tie tacks, pins in the nature of jewelry; chronometric instruments in the nature of docks and clocks in class 014.
2,395,418		For: clothing, namely, caps, cloth bibs, hats, jackets, jerseys, shirts, shorts, sweaters, sweatpants, sweatshirts, t-shirts, ties, vests and warm-up suits in class 025.
4,677,429		For: Items made of precious and non-precious metals, namely, commemorative coins, and medals; key chains made of precious metals; jewelry, charms, earrings, medallions, rings, necklaces, tie tacks, pins in the nature of jewelry; chronometric instruments in the nature of docks and clocks in class 014.

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 NHL 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 NHL Trademarks, and (3) Defendants’ use of NHL Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with Plaintiff. Furthermore, Defendants’ continued and unauthorized use of NHL Trademarks irreparably harms Plaintiff through diminished goodwill

and brand confidence, damage to Plaintiff's reputation, 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 NHL 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 Plaintiff's Genuine Product or not authorized by Plaintiff to be sold in connection with NHL Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as Plaintiff's genuine product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control or supervision of Plaintiff and approved by Plaintiff for sale under NHL Trademarks;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - d. further infringing NHL Trademarks and damaging Plaintiff'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 Plaintiff, nor authorized by Plaintiff to be sold or

offered for sale, and which bear any of Plaintiff's trademarks, including the NHL 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 seven (7) calendar days of receipt of this Order, shall, at Plaintiff's choosing:
 - a. unlock and change the registrar of record for the Domain Names to a registrar of Plaintiff'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 seven (7) calendar days of receipt of this Order shall take any steps necessary to transfer the Domain Names to a registrar account of Plaintiff's selection so that the Domain Names can be redirected or disabled until further ordered by this Court.
4. 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 Defendants' Online Marketplaces and 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"), Walmart Inc. ("Walmart"), and DHgate (collectively, the "Third Party Providers") shall, within seven (7) calendar 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, the 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"), DHgate, Walmart, Wish.com, Amazon Pay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
5. Upon Plaintiff's request, those with notice of the injunction, including the Third Party Providers as defined in Paragraph 4, 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 NHL 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, Walmart, Wish.com, and Amazon Pay, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants or the Seller Aliases, Online Marketplaces and Domain Names, including, but not limited to, any financial accounts connected to the information listed in Schedule A attached 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. 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, the 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.

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.

9. 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 to which the Domain Names which are transferred to Plaintiff's control will redirect, or 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 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 1 and 2 to the Declaration of Lindsay Conn [19-20], and the TRO [28] 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 the Northern District of Illinois Local Rules.
12. 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: June 8, 2022


 Elaine E. Bucklo
 United States District Judge

**NHL Enterprises, L.P. v. The Partnerships and Unincorporated Associations Identified on
Schedule "A" - Case No. 22-cv-2325**

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	btprintingfactory.en.alibaba.com	Anhui Better Advertising Production Co., Ltd.
2	feifeihugifts.en.alibaba.com	Nanjing Fly Flying Tigers Office Supplies Co., Ltd.
3	jmflags.en.alibaba.com	Dongyang Junmei Flags Co., Ltd.
4	maystargift.en.alibaba.com	Yiwu May Star International Trading Co., Ltd.
5	stoneflag.en.alibaba.com	Shanghai Stone Flag & Craft Factory
6	totemflag.en.alibaba.com	Shanghai Totem Industry Co., Ltd.
7	amazon.com/sp?seller=A13Z1S1TI1X6J4	QUALITY HOME
8	amazon.com/sp?seller=A19TO6RVCVSTX3	song jianaetr
9	amazon.com/sp?seller=A1MAN3G3SR1MVG	VSLNAN
10	amazon.com/sp?seller=A1V1IUQ0XOEMPW	kwynmd
11	amazon.com/sp?seller=A2U8APY7T430Y8	QingDaoZhongTianShengGuoJiMao
12	amazon.com/sp?seller=A2XS0NPNP9QL5Y	ZhangJiaJieShiWuLingYuanQuYanBengS uanBaiHuoDian
13	amazon.com/sp?seller=A35ILENTYYST33	A35ILENTYYST33
14	amazon.com/sp?seller=A37GHEWRR1OJ7P	A37GHEWRR1OJ7P
15	amazon.com/sp?seller=A3JRDDD6OTC2	CharlesRenfronest
16	amazon.com/sp?seller=A45U9V6ZR99F9	Danna Bowden
17	amazon.com/sp?seller=AMIOBFT77LBHH	jishuixianangmiaofuzhuangdian
18	amazon.com/sp?seller=AUTX34PQD5RGS	ShaoYangShiShuangQingQuChengWang WuJinDian
19	dhgate.com/store/13687858	michaelwen2008
20	dhgate.com/store/14433251	beijia2013
21	dhgate.com/store/14498587	Splendid Jerseys Factory
22	dhgate.com/store/20056400	fanatics

23	dhgate.com/store/20267403	Top Sport Mall
24	dhgate.com/store/20439121	projerseysword
25	dhgate.com/store/20501098	Redtrade Sport Store
26	dhgate.com/store/20529075	vip_sport
27	dhgate.com/store/20641284	mic1688
28	dhgate.com/store/20825219	movie_jersey
29	dhgate.com/store/20827203	fan_sport
30	dhgate.com/store/20933118	cheap_hot_jerseys
31	dhgate.com/store/21143327	felixjerseys
32	dhgate.com/store/21250931	ytrade
33	dhgate.com/store/21259510	New York Jerseys
34	dhgate.com/store/21378165	panarin
35	dhgate.com/store/21440402	canada_team
36	dhgate.com/store/21599948	hedman1
37	wish.com/merchant/60b76a9f41e228edcf8a8c74	GDRHyder
38	exquisitedustmask.com	exquisitedustmask.com
39	gear94.com	gear94.com
40	hetifastore.com	hetifastore.com
41	nhlhockeyjerseys2.com	nhlhockeyjerseys2.com
42	nhlhockeyjerseys2.com	nhlhockeyjerseys2.com
43	perfectdustmask.com	perfectdustmask.com
44	playerstee.com	playerstee.com
45	Skyshirt.online	Skyshirt.online
46	trendclothingsshop.com	trendclothingsshop.com
47	woowooh.com	woowooh.com

Defendant Domain Names		
No	URL	Name / Seller Alias
1	footballteamjersey.com	footballteamjersey.com
2	nhlshops.ca	nhlshops.ca
3	buffalosabresteamshop.com	buffalosabresteamshop.com
4	avalancheproshop.com	avalancheproshop.com
5	nhljerseyoutlet.com	nhljerseyoutlet.com
6	nhljerseyfans.biz	nhljerseyfans.biz
7	nhljerseyfan.net	nhljerseyfan.net
8	cbfansgear.com	cbfansgear.com
9	shopprosport.com	shopprosport.com
10	logodrawstringbag.com	logodrawstringbag.com
11	nhl-blankets.com	nhl-blankets.com
12	ehockeyfan.com	ehockeyfan.com

13	canadiensgearstore.com	canadiensgearstore.com
14	cblackhawksshop.com	cblackhawksshop.com
15	ausbfu.club	ausbfu.club
16	hhqkan.xyz	hhqkan.xyz
17	hhqtun.xyz	hhqtun.xyz
18	hhjmen.xyz	hhjmen.xyz
19	hhjhan.xyz	hhjhan.xyz
20	hhtqas.xyz	hhtqas.xyz
21	hhtxzs.xyz	hhtxzs.xyz
22	hhjdgq.top	hhjdgq.top
23	hhpupq.xyz	hhpupq.xyz
24	hhdmnx.xyz	hhdmnx.xyz
25	hhpqox.xyz	hhpqox.xyz
26	hhtzpx.xyz	hhtzpx.xyz
27	hhyvox.xyz	hhyvox.xyz
28	hhywhx.xyz	hhywhx.xyz
29	hhdbqk.xyz	hhdbqk.xyz
30	hhjshu.xyz	hhjshu.xyz
31	hhzpou.xyz	hhzpou.xyz
32	hhpsc.v	hhpsc.v
33	hhtcdw.shop	hhtcdw.shop
34	hhzjew.xyz	hhzjew.xyz
35	hhtvbn.shop	hhtvbn.shop
36	nhlprojersey.com	nhlprojersey.com
37	canadiensstoreonline.com	canadiensstoreonline.com
38	saejerseys.com	saejerseys.com
39	isojerseys.link	isojerseys.link
40	avalanchejerseys.com	avalanchejerseys.com
41	coloradoavalanchejersey.net	coloradoavalanchejersey.net
42	coloradoavalanchejersey.com	coloradoavalanchejersey.com
43	hurricanesjersey.com	hurricanesjersey.com
44	carolinahurricanesjersey.org	carolinahurricanesjersey.org
45	lightningjersey.net	lightningjersey.net
46	tampabaylightningjersey.net	tampabaylightningjersey.net
47	tampabaylightningjersey.com	tampabaylightningjersey.com
48	pittsburghpenguinsjersey.com	pittsburghpenguinsjersey.com
49	pittsburghpenguinsjersey.net	pittsburghpenguinsjersey.net
50	penguinsreversetrojersey.com	penguinsreversetrojersey.com
51	wcapitalsshop.com	wcapitalsshop.com
52	nnyrangersshop.com	nnyrangersshop.com
53	ppenguinsshop.com	ppenguinsshop.com

54	mapleleafsteamshop.com	mapleleafsteamshop.com
55	bbruinsshop.com	bbruinsshop.com
56	avalanchejersey.com	avalanchejersey.com
57	carolinahurricanesjersey.com	carolinahurricanesjersey.com
58	carolinahurricanesjersey.net	carolinahurricanesjersey.net
59	capitalsapparelstore.com	capitalsapparelstore.com
60	wildfansteamshop.com	wildfansteamshop.com
61	hurricanesgearstore.com	hurricanesgearstore.com
62	sabresapparel.com	sabresapparel.com
63	hurricanesteamstore.com	hurricanesteamstore.com
64	islandersproshop.com	islandersproshop.com
65	oilershockeystore.com	oilershockeystore.com
66	flamesedgestore.com	flamesedgestore.com
67	flameshockeystore.com	flameshockeystore.com
68	hhhpab.top	hhhpab.top
69	hhqhgb.xyz	hhqhgb.xyz
70	hhtzvb.xyz	hhtzvb.xyz
71	hhtryb.top	hhtryb.top
72	hhpeub.xyz	hhpeub.xyz
73	hhypeb.xyz	hhypeb.xyz
74	hhzgab.xyz	hhzgab.xyz
75	fzpnhl.top	fzpnhl.top
76	hunnhl.top	hunnhl.top
77	fanmart.shop	fanmart.shop
78	dipwire.shop	dipwire.shop
79	hhjydh.xyz	hhjydh.xyz
80	hhdhgt.xyz	hhdhgt.xyz
81	hhpmrt.xyz	hhpmrt.xyz
82	hhjdkd.top	hhjdkd.top
83	cheapnhljerseysredwings.com	cheapnhljerseysredwings.com
84	nhljerseyonline.shop	nhljerseyonline.shop
85	philadelphiaflyersfanstore.com	philadelphiaflyersfanstore.com
86	bluejacketsstoreofficial.com	bluejacketsstoreofficial.com
87	bruinsofficialstoreonline.com	bruinsofficialstoreonline.com
88	avalancheapparelshop.com	avalancheapparelshop.com
89	carolinahurricanesshop.com	carolinahurricanesshop.com
90	hurricanesfansteamshop.com	hurricanesfansteamshop.com
91	nhlfansjersey.biz	nhlfansjersey.biz
92	rangersnhlshop.com	rangersnhlshop.com
93	ducksteamproshop.com	ducksteamproshop.com
94	herschellamp.com	herschellamp.com