

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

BOARD OF SUPERVISORS OF LOUISIANA
STATE UNIVERSITY AND
AGRICULTURAL AND MECHANICAL
COLLEGE,

Plaintiff,

v.

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

Case No. 22-cv-02630

Judge Gary Feinerman

Magistrate Judge Maria Valdez


PRELIMINARY INJUNCTION ORDER


THIS CAUSE being before the Court on Plaintiff Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (hereinafter, “LSU” 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.


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


dollars, and have sold products using infringing and counterfeit versions of Plaintiff's federally registered trademarks ("LSU Trademarks") to residents of Illinois. A list of the LSU Trademarks is included in the chart below.

Registration Number	Trademark	Goods and Services
3,260,053		<p>For: Printed greeting cards, announcement cards, stationery, blank note pads, writing tablets, calendars, paper napkins, wrapping paper, gift bags, namely, paper gift bags in class 016.</p> <p>For: Household utensils namely, spatulas, forks, spoons, tongs and plates, beverage glassware, ceramic figures in class 021.</p> <p>For: Visors, hats, t-shirts, ponchos, jerseys, polo shirts, jeans, flip flops in class 025.</p> <p>For: Stuffed toy animals, puzzles, Christmas tree ornaments, toy mini-helmets, playing cards in class 028.</p> <p>For: Educational services, namely, providing courses of instruction at the college level, entertainment services, namely, providing theatrical productions, and athletic events, namely, sports camps, arranging and conducting athletic competitions, namely, football games, basketball games, baseball games, soccer games, softball games, swimming meets, track meets, golf matches, tennis matches, volleyball matches and gymnastics competitions in class 041.</p>
3,161,850	LOUISIANA STATE UNIVERSITY	<p>For: Printed greeting cards, stationery, note pads, writing tablets, calendars, paper napkins, wrapping paper, gift bags, namely, paper gift bags in class 016.</p> <p>For: Household utensils namely, spatulas, serving forks, forks for use as utensils for barbecues, basting spoons, mixing spoons, serving spoons, slotted spoons, serving tongs, tongs for use as utensils for barbecues, and</p>

		<p>plates, beverage glassware, ceramic figures in class 021.</p> <p>For: visors, hats, t-shirts, ponchos, jerseys, polo shirts, jeans, socks, flip flops, tennis shoes in class 025.</p> <p>For: Stuffed toy animals, puzzles, Christmas tree ornaments, toy mini-helmets, playing cards in class 028.</p> <p>For: Educational services, namely, providing instruction at the college level and entertainment services, namely, providing theatrical productions and athletic events, namely, football games, basketball games, baseball games, soccer games, softball games, swimming meets, track meets, golf matches, tennis matches, volleyball matches and gymnastics competitions in class 041.</p>
4,089,446		<p>For: visors, hats, t-shirts, ponchos, jerseys, polo shirts, jeans, flip flops, all the foregoing relating to a university and/or to collegiate sports in class 025.</p> <p>For: Stuffed toy animals, puzzles, Christmas tree ornaments, playing cards, all the foregoing relating to a university and/or to collegiate sports in class 028.</p>
4,089,445	LSU TIGERS	<p>For: printing cards in the nature of greeting cards, announcement cards, note pads, stationery, writing tablets, calendars, paper napkins, gift wrapping paper and paper gift bags, all the foregoing relating to a university and/or to collegiate sports in class 016.</p> <p>For: household utensils, namely, spatulas, serving forks, serving spoons, serving tongs and plates, beverage glassware; and ceramic figures, all the foregoing relating to a university and/or to collegiate sports in class 021.</p> <p>For: visors, hats, t-shirts, ponchos, jerseys, polo shirts, jeans, socks, flip flops, tennis shoes, all the foregoing relating to a</p>

		<p>university and/or to collegiate sports in class 025.</p> <p>For: stuffed animals, puzzles, Christmas tree ornaments, sports balls, miniature toy helmets, playing cards, all the foregoing relating to a university and/or to collegiate sports in class 028.</p> <p>For: Educational services, namely, providing courses of instruction at the college level, entertainment services, namely, providing theatrical productions, and athletic events, namely, sports camps, arranging and conducting athletic competitions, namely, football games, basketball games, baseball games, soccer games, softball games, swimming meets, track meets, golf matches, tennis matches, volleyball matches and gymnastics competitions; all the foregoing in a university context or collegiate sports context in class 041</p>
1,331,940	LSU	<p>For: License Plates in class 012.</p> <p>For: Wall Clock Shaped to Resemble the State of Louisiana in class 014.</p> <p>For: Music Box in class 015.</p> <p>For: Writing Tablets and Playing Cards in class 016.</p> <p>For: Umbrella in class 018.</p> <p>For: Stadium Cushion, Stadium Chair Seat in class 020.</p> <p>For: Cloth Pennants in class 024.</p> <p>For: ponchos, visors, coaching caps, sweatshirts, football jerseys, and sport shirts in class 025.</p> <p>For: Belt Buckles in class 026.</p>

		<p>For: Christmas Tree Ornaments, Football Helmets and Spirit Hands, namely, a novelty item consisting of a styrofoam enlarged hand, in class 028.</p> <p>For: Educational Services-Namely, Providing Instruction at the College Level in class 041.</p>
4,089,447	GEAUX TIGERS	<p>For: Printed greeting cards, stationery, note pads, bumper stickers, calendars, paper napkins, wrapping paper, gift bags, namely, paper gift bags, all the foregoing relating to a university or to collegiate sports in class 016.</p> <p>For: Household utensils namely, spatulas, serving forks, serving spoons, tongs and plates, beverage glassware, ceramic figures, all the foregoing relating to a university or to collegiate sports in class 021.</p> <p>For: visors, hats, t-shirts, ponchos, jerseys, polo shirts, socks, flip flops, tennis shoes, all the foregoing relating to a university or to collegiate sports in class 025.</p> <p>For: Stuffed toy animals, puzzles, Christmas tree ornaments, playing cards, sports equipment, namely, eye black to reduce sun glare for outdoors and sports activities, all the foregoing relating to a university or to collegiate sports in class 028.</p>
4,076,023		<p>For: Decals, greeting cards, announcement cards, stationery, blank note pads, writing tablets, calendars, paper napkins, wrapping paper, gift bags, pens, pencils and glass paperweights in class 016.</p> <p>For: Shot glasses, beverage glassware, ceramic figures, mugs, travel mugs, spatulas, serving forks, serving spoons, and plates in class 021.</p> <p>For: sweatshirts, caps, t-shirts, knit hats, pullover and zip up jackets, infant creeper sets, ear warmers, and headbands in class 025.</p>

		<p>For: Stuffed toy animals, puzzles, Christmas tree ornaments, playing cards, board games, footballs, baseballs, basketballs, rubber balls, and softballs in class 028.</p> <p>For: Education services, namely, providing courses of instruction at the university level and educational research; entertainment services, namely, arranging and conducting athletic events, athletic tournaments, athletic exhibitions, educational conferences, live performances, and festivals in class 041.</p>
4,938,989	TIGER BAIT	For: Clothing, namely, shirts in class 025.
4,542,518	LSU	<p>For: Metal combination locks; metal cabinet knobs; metal drawer pulls; metal key chains in class 006.</p> <p>For: DVDs featuring educational and athletic events; phone cases, namely, cell phone cases; headphones; earphone covers, namely, covers specially adapted for use with earphones; blank USB flash drives; protective covers as tablet cases in class 009.</p> <p>For: Metal money clips in class 016.</p> <p>For: Beverage ware, namely, cups and glasses, coffee mugs, travel mugs, glass and metal drinking steins; ceramic serving platters; ceramic cookie jars; salt and pepper shakers; ceramic relish trays; chip and dip platters; drink pitchers; bottle openers in class 021.</p>
4,984,211		For: Paper, cardboard and goods made from these materials, not included in other classes, namely, notebooks, posters, postcards, greeting cards, planners, calendars, folders, bumper stickers, and stickers; printed matter, namely, books, magazines, newspapers, newsletters, pamphlets, flyers, booklets, and brochures concerning college life, campus activities, academics, educational, and athletic programs, and alumni; photographs; stationery; printed instructional and teaching

		<p>material in the areas of University level courses of study in class 016.</p> <p>For: Containers for household or kitchen use and kitchen utensils, namely, dishes, crocks, serving platters, serving trays, kitchen tongs, spatulas, cooking forks, cooking spoons; combs and cleaning sponges; brushes, namely, cake brushes, cleaning brushes for household use; articles for cleaning purposes, namely, cleaning cloths and cleaning pads; unworked or semi-worked glass, not for building; glassware, porcelain and earthenware not included in other classes, namely, beverage glassware, mugs, travel mugs, porcelain mugs, drink pitchers; salt and pepper shakers; bottle openers; bottle stoppers specially adapted for use with wine bottles; coasters, not of paper and other than table linen in class 021.</p> <p>For: Clothing, namely, T-shirts, ponchos, athletic uniforms, pants, dresses, shorts, and tops, footwear, and headwear in class 025.</p> <p>For: Games and playthings, namely, board games, action figure toys, stuffed toy animals, puzzles, playing cards, bath toys, construction toys, disc toss toys; bobble head dolls; gymnastic and sporting articles not included in other classes, namely, exercise machines, rowing machines, basketballs, footballs, baseballs, toy mini-helmets, football goals; decorations for Christmas trees in class 028.</p> <p>For: Entertainment and educational services, namely, providing courses of instruction at the university level; arranging and conducting athletic competitions, athletic events, athletic tournaments, and athletic exhibitions in class 041.</p>
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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 LSU 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 LSU Trademarks, and (3) Defendants' use of LSU 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 LSU 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 LSU 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 LSU 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 LSU 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 LSU 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 LSU 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., Afiliat 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 the 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”), Walmart, DHgate, 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 LSU 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, Walmart, DHgate, 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 [18-19], and the TRO [25] 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 28, 2022

Gary Feinerman
United States District Judge

**Board of Supervisors of Louisiana State University and Agricultural and Mechanical College
v. The Partnerships and Unincorporated Associations Identified on Schedule "A"
Case No. 22-cv-2630**

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	aliexpress.com/store/1100064031	Shop1100064031 Store
2	aliexpress.com/store/1100080168	Shop1100080168 Store
3	aliexpress.com/store/5885492	yellowpod b Store
4	aliexpress.com/store/910729065	Shop910729065 Store
5	aliexpress.com/store/911726115	customrings Store
6	aliexpress.com/store/911778115	ZZDW Store
7	aliexpress.com/store/911792932	woman weaver Store
8	aliexpress.com/store/911871037	fdwd 1985 Store
9	aliexpress.com/store/912178080	Nuanyang Life Store Store
10	aliexpress.com/store/912225475	PLD6 Store
11	aliexpress.com/store/912353794	xizhengyuan Store
12	aliexpress.com/store/912396164	printing 100% cotton T-shirt 018 Store
13	aliexpress.com/store/912580178	customhats Store
14	amazon.com/sp?seller=A17YOWRTTBW3OS	-1
15	amazon.com/sp?seller=A1LMBYNW0TYWAN	PERF LICENT
16	amazon.com/sp?seller=A1QGPPLS10S5RA	kun ming shi xi shan qu ze sen fu zhuang dian
17	amazon.com/sp?seller=A2940MF0MWFBQT	lxuemey
18	amazon.com/sp?seller=A2K8S1JU7RH2U	ZEWLLY
19	amazon.com/sp?seller=A2M0ISC1MIRQAO	PANHUNKETE
20	amazon.com/sp?seller=A2WDFC9639QOCR	PSNTM AHAT
21	amazon.com/sp?seller=A33VDTQUOB5KDI	Kunyilai
22	amazon.com/sp?seller=A35OKOP0MLLU8D	frgfg

23	amazon.com/sp?seller=A37R27X43T33 CW	ZGzucCOBBY
24	amazon.com/sp?seller=A38IISNYBFDY2 1	PUGEE
25	amazon.com/sp?seller=A3DY4CCN9FW ZW	A3DY4CCN9FWZW
26	amazon.com/sp?seller=A3VXCAY3G4ZS 0P	GUANGZHOUZHEXUNSHANGMAOYOUXIANGO NGSI
27	amazon.com/sp?seller=A3ZRZUY3P8FE N	tangkunzhang
28	amazon.com/sp?seller=AIUJD95SIQ202	panjunru
29	amazon.com/sp?seller=AKHCTCLHECAK B	AKHCTCLHECAKB
30	amazon.com/sp?seller=AMGYLGH8ZI1G 4	Kevnanr Biask
31	amazon.com/sp?seller=AUX67G9KN031 5	wpdedian

Defendant Domain Names		
No	URL	Name / Seller Alias
32	lsufootballuniform.com	lsufootballuniform.com
33	lsutigersfootballjerseys.com	lsutigersfootballjerseys.com
34	lsuproshop.com	lsuproshop.com
35	lsujersey.net	lsujersey.net
36	lsutigersjerseys.com	lsutigersjerseys.com
37	lsutigersjersey.com	lsutigersjersey.com
38	thenicejersey.com	thenicejersey.com
39	ohmyteams.com	ohmyteams.com
40	shopjapp.com	shopjapp.com
41	supernflshop.com	supernflshop.com
42	collbaseballstore.com	collbaseballstore.com