

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

DYSON TECHNOLOGY LIMITED,

Plaintiff,

v.

THE PARTNERSHIPS AND  
UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE "A",

Defendants.

Case No. 22-cv-02579

**Judge Sara L. Ellis**

**Magistrate Judge M. David Weisman**

**PRELIMINARY INJUNCTION ORDER AS TO CERTAIN DEFENDANTS**

Plaintiff Dyson Technology Limited (“Dyson”) filed a Motion for Entry of a Preliminary Injunction against Defendant Nos. 1-9, 58-99 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 “Online Marketplaces”). After reviewing the Motion and the accompanying record, this Court GRANTS Dyson’s Motion as follows.

This Court finds Dyson has provided notice to Defendants in accordance with the Temporary Restraining Order entered June 6, 2022, [23] (“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, Dyson 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 the same product that infringes

directly and/or indirectly Dyson's United States design patent (the "Dyson Design") to residents of Illinois. In this case, Dyson 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 infringing versions of the Dyson Design. *See* Docket No.[17], which includes screenshot evidence confirming that each Defendant e-commerce store does stand ready, willing and able to ship its infringing goods to customers in Illinois bearing infringing versions of the Dyson Design.

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

Specifically, Dyson has proved a *prima facie* case of design patent infringement because (1) Dyson is the lawful assignee of all right, title and interest in and to the Dyson Design, (2) Defendants make, use, offer for sale, sell, and/or import into the United States for subsequent sale or use products that infringe directly and/or indirectly the ornamental design claimed in the Dyson Design, and (3) an ordinary observer would be deceived into thinking the Infringing Product was the same as the Dyson Design. Furthermore, Defendants' continued and unauthorized use of the Dyson Design irreparably harms Dyson through loss of customers' goodwill, reputational harm, and Dyson's ability to exploit the Dyson Design. Monetary

damages fail to address such damage and, therefore, Dyson 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. offering for sale, selling and importing any products not authorized by Dyson and that include any reproduction, copy or colorable imitation of the design claimed in the Dyson Design;
  - b. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the Dyson Design; and
  - c. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in Subparagraphs (a) and (b).
2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
3. Dyson is authorized to issue expedited written discovery, pursuant to Federal Rules of Civil Procedure 33, 34 and 36, related to:
  - a. the identities and locations of Defendants, their agents, servants, employees, 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.

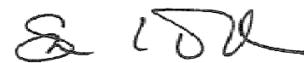
Dyson is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within three (3) business days of being served via e-mail.

4. Upon Dyson'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' Online Marketplaces, including, without limitation, any online marketplace platforms such as eBay, AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc., ContextLogic Inc. d/b/a Wish.com ("Wish.com"), Walmart, and DHgate (collectively, the "Third Party Providers"), shall, within seven (7) calendar days after receipt of such notice, provide to Dyson 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 Online Marketplaces and Defendants' financial accounts, including Defendants' sales and listing history related to their respective Online Marketplaces; 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, PayPal, Inc. (“PayPal”), eBay, Alipay, Wish.com, Alibaba, Ant Financial Services Group (“Ant Financial”), Amazon Pay, Walmart, DHgate, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
- 5. Upon Dyson’s request, those with notice of this Order, 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 infringing goods using the Dyson Design.
- 6. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, Wish.com, Walmart, DHgate, and Amazon Pay, 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 Giles Samuel Lane, 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.

7. Dyson 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 Giles Samuel Lane 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 “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 1 to the Complaint [3], Exhibit 2 to the Declaration of Giles Samuel Lane [17], and the TRO [23] 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 the Northern District of Illinois Local Rules. Any third party impacted by this Order may move for appropriate relief.
10. The ten thousand dollar (\$10,000.00) bond posted by Dyson shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:



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Sara L. Ellis  
United States District Judge

Dated: July 1, 2022

**DYSON TECHNOLOGY LIMITED, v. The Partnerships and Unincorporated Associations  
Identified on Schedule "A" - Case No. 22-cv-02579**

**Schedule A**

<b>Defendant Online Marketplaces</b>		
<b>No</b>	<b>URL</b>	<b>Name / Seller Alias</b>
1	aliexpress.com/store/1100087113	Global Seal Store
2	aliexpress.com/store/1100241052	Shop1100241052 Store
3	aliexpress.com/store/911332171	Shop911332171 Store
4	aliexpress.com/store/911795959	healthy life 360 Store
5	aliexpress.com/store/911937018	Pengpeng Appliances Store
6	aliexpress.com/store/912178225	Preferred appliances Store
7	aliexpress.com/store/912271446	Little Talior Store
8	aliexpress.com/store/912494511	365 day healthy life Store
9	aliexpress.com/store/912592081	Kerong SE Store
10	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
11	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
12	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
13	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
14	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
15	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
16	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
17	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
18	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
19	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
20	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
21	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
22	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
23	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
24	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
25	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
26	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
27	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
28	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
29	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
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31	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
32	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]

33	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
34	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
35	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
36	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
37	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
38	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
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40	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
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43	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
44	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
45	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
46	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
47	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
48	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
49	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
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53	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
54	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
55	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
56	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
57	PREVIOUSLY INCLUDED [31]	PREVIOUSLY INCLUDED [31]
58	beauty-health.aliexpress.com/store/912466092	Beauty Health Neo Store
59	dhgate.com/store/21626570	Manxiao007
60	dhgate.com/store/21751641	Daye07
61	ebay.com/usr/365bestdealmall	365bestdealmall
62	ebay.com/usr/dailybuyme	dailybuyme
63	ebay.com/usr/dealshopmall123	dealshopmall123
64	ebay.com/usr/granfcoe	granfcoe
65	ebay.com/usr/libingdianzishangwu	libingdianzishangwu
66	ebay.com/usr/qianqian04	qianqian04
67	ebay.com/usr/seyy_service	seyy_service
68	ebay.com/usr/shengy945380	shengy945380
69	ebay.com/usr/shopno.7	shopno.7
70	ebay.com/usr/sunshinegolden	sunshinegolden
71	ebay.com/usr/wq269-72	wq269-72
72	ebay.com/usr/xtratop-light	xtratop-light

73	ebay.com/usr/y-chris	y-chris
74	walmart.com/seller/101112157	Vobor
75	walmart.com/seller/101114968	Hengyangpuxingdianzishang wuyouxiangongsi
76	walmart.com/seller/101115190	Shenzhenshiyangbom ingyuanmaoyiyouxiangongsi
77	walmart.com/seller/101117596	ShenZhenShiQingMuGuoK eJiYouXianGongSi
78	walmart.com/seller/101117612	yuehongyang
79	walmart.com/seller/101119893	Fly Sunton
80	walmart.com/seller/101120094	zhenghzouliukoushangmaoyouxiangongsi
81	walmart.com/seller/101121267	Zhengzhoubiansongs hangmaoyouxiangongsi
82	walmart.com/seller/101122185	yisuiling
83	walmart.com/seller/101122588	Shenzhenshiyiruichuanghu imaoyiyouxiangongsi
84	walmart.com/seller/101125052	Ksent
85	walmart.com/seller/101125987	Jahyshow
86	walmart.com/seller/101126933	Nafxzy
87	walmart.com/seller/101130583	xiaochuniang
88	walmart.com/seller/101131213	shenzhenkuoyandianziyouxiangongsi
89	walmart.com/seller/101131395	Vadunsuz
90	walmart.com/seller/101131869	QTONG
91	walmart.com/seller/101131882	transmi
92	walmart.com/seller/101132400	ZCMY
93	walmart.com/seller/101133240	OSLEI
94	walmart.com/seller/101135441	shen zhen shi gu yun shan ke ji you xian gong si
95	wish.com/merchant/59315519fc0f2466df6acac2	Fashionjewelry2017
96	wish.com/merchant/5b28a59edaac456984c0cb39	goodtimefashionstore
97	wish.com/merchant/5b2db078064ff61a868ef209	biguilaiintelligent
98	wish.com/merchant/612fc20eb39b48846d80adfb	stay real
99	wish.com/merchant/61934e69b82f1b20882b15b1	GESS-Beauty