

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

LUXOTTICA GROUP S.p.A., OAKLEY,
INC., and COSTA DEL MAR, INC.,

Plaintiffs,

v.

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

Defendants.

Case No. 22-cv-02949

Judge Elaine E. Bucklo

Magistrate Judge Jeffrey T. Gilbert



PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiffs Luxottica Group S.p.A.’s, Oakley, Inc.’s, and Costa Del Mar, Inc.’s (collectively, “Plaintiffs”) Motion for Entry of a Preliminary Injunction, and this Court having heard the evidence before it hereby GRANTS Plaintiffs’ Motion for Entry of a Preliminary Injunction as follows against the fully interactive, e-commerce stores¹ operating under the seller aliases identified on Schedule A attached hereto (collectively, the “Defendants”).

This Court further 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, on information and belief, have sold products using infringing and counterfeit versions of the



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




Plaintiffs' federally registered trademarks ("Plaintiffs' Trademarks") to Illinois residents. A list of the Plaintiffs' Trademarks is included in the below chart.




Registration Number	Trademark	Goods and Services
1,080,886	RAY-BAN	For: Ophthalmic products and accessories-namely, sunglasses; eyeglasses; spectacles; lenses and frames for sunglasses, eyeglasses, and spectacles in class 9.
2,718,485	RAY-BAN	For: Goods made of leather and imitation leather, namely, wallets, card cases for business cards, calling cards, name cards and credit cards in class 18. For: Clothing for men and women, namely, polo shirts; headgear, namely, berets and caps in class 25.
595,513	WAYFARER	For: Sun glasses in class 9.
1,537,974	CLUBMASTER	For: Sunglasses in class 9.
650,499		For: Sun glasses, shooting glasses, and ophthalmic lenses in class 9.
1,093,658		For: Ophthalmic products and accessories-namely, sunglasses; eyeglasses; spectacles; lenses and frames for sunglasses, eyeglasses, spectacles; and cases and other protective covers for sunglasses, eyeglasses, and spectacles in class 9.




1,726,955		For: Bags; namely, tote, duffle and all purpose sports bags in class 18. For: Cloths for cleaning ophthalmic products in class 21. For: Clothing and headgear; namely, hats in class 25.
1,320,460		For: Sunglasses and carrying cases therefor in class 9.
3,522,603		For: Sunglasses, eyeglasses, lenses for eyeglasses, eyeglasses frames, and cases for eyeglasses in class 9.
1,696,835	PERSOL	For: Spectacles, spectacle frames, spectacle cases, sunglasses, spectacle glasses, eye shades in class 009.
913,166		For: Spectacles, spectacle frames, spectacle glasses, eye shades in classes 001, 009, and 010.
1,521,599	OAKLEY	For: Sunglasses and accessories for sunglasses, namely, replacement lenses, ear stems and nose pieces in class 9.
1,522,692	OAKLEY	For: Clothing, namely, shirts and hats in class 25.

1,552,583	OAKLEY	For: Goggles in class 9.
2,293,046	OAKLEY	For: Clothing, headwear and footwear and footwear, namely, sport shirts, jerseys, shirts, jackets, vests, sweatshirts, pullovers, coats, ski pants, headwear, caps, shoes, athletic footwear, all purpose sports footwear and socks in class 25.
3,153,943	OAKLEY	For: Prescription eyewear, namely, sunglasses and spectacles; eyewear containing electronics devices, namely, protective eyewear, eyeglasses, sunglasses and spectacles; electronics, namely portable digital electronic devices for recording, organizing, and reviewing text, data and audio files; computer software for use in recording, organizing, and reviewing text, data and audio files on portable digital electronic devices; transmitters, receivers, speakers and parts thereof for use with cellular, wireless computer and telephone communication systems; communication devices for use on eyewear, namely earpieces, transmitters, receivers, speakers and parts thereof for use with cellular, wireless computer and telephone communication

		systems; wearable audio visual display, namely, protective eyewear, eyeglasses, sunglasses and spectacles containing an audio visual display; wireless telecommunications modules in class 9.
3,771,517	OAKLEY	For: Retail store services and on-line retail store services featuring eyewear, replacement lenses, eyewear nosepiece kits, clothing, headwear, footwear, watches, decals, electronics devices, posters, athletic bags, handbags, backpacks and luggage in class 35.
1,980,039		For: Protective and/or anti-glare eyewear, namely sunglasses, goggles, spectacles and their parts and accessories, namely replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear and their parts and accessories in class 9.
1,356,297		For: Goggles, sunglasses, and protective pads for elbows, feet and knees in class 9. For: Clothing - namely t-shirts; gloves; racing pants; hats; sweatshirts; sport shirts, jackets, jeans, jerseys and ski pants, jackets, hats, gloves and socks in class 25.

1,519,596		For: Sunglasses and accessories for sunglasses, namely, replacement lenses, ear stems and nose pieces in class 9.
3,496,633		For: Clothing, namely, t-shirts, beach-wear, blouses, sports shirts, jerseys, swimwear, swimtrunks, shorts, underwear, shirts, pants, racing pants, ski and snowboard pants and jackets, jeans, vests, jackets, wetsuits, sweaters, pullovers, coats, sweatpants, headwear, namely, hats, caps, visors and footwear, namely, wetsuit booties, shoes, sandals, athletic footwear, all purpose sports footwear, thongs and boots in class 25.
3,331,124		For: Protective eyewear, namely spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories; and protective clothing, namely, racing pants in class 9. For: Clothing, namely, t-shirts, beach-wear, blouses, sports shirts, jerseys, swimwear, swimtrunks, shorts, underwear, shirts, pants, ski and snowboard pants and jackets, jeans,

		vests, jackets, wetsuits, sweaters, pullovers, coats, sweatpants, headwear, namely, hats, caps, visors and footwear, namely wetsuit booties, shoes, sandals, athletic footwear, all purpose sports footwear, thongs and boots in class 25.
3,151,994		For: Protective eyewear, namely spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
3,771,516		For: Retail store services and on-line retail store services featuring eyewear, replacement lenses, eyewear nosepiece kits, clothing, headwear, footwear, watches, decals, electronics devices, posters, athletic bags, handbags, backpacks and luggage in class 35.
2,300,245		For: Clothing, namely, T-shirts, beachwear, blouses, sports shirts, jerseys, shorts, shirts, pants, racing pants, ski pants, vests, jackets, sweaters, pullovers, coats, sweatpants, sweatshirts, headwear, namely, hats, caps, and footwear, namely, shoes, athletic footwear, all purpose sports footwear in class 25.

1,927,106		For: Printed material, namely decals and stickers in class 16.
1,984,501		For: Protective and/or anti-glare eyewear, namely sunglasses, goggles, spectacles and their parts and accessories, namely replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear and their parts and accessories in class 9. For: Clothing and headwear, namely T-shirts, sweatshirts, jackets, hats, and caps in class 25.
5,109,790		For: Gloves in class 25.
4,407,750	CROSSLINK	For: Eyewear, namely, sunglasses, sports goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specially adapted for eyewear and their parts and accessories in class 9.
3,733,882	IRIDIUM	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.

4,827,569	JAWBREAKER	For: Eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for eyewear and their parts and accessories in class 9.
4,407,749	RADARLOCK	For: Eyewear, namely, sunglasses, sports goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specially adapted for eyewear and their parts and accessories in class 9.
3,489,952	OIL RIG	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
4,194,197	FROGSKINS	For: Eyewear, namely sunglasses and accessories for sunglasses, namely, replacement lenses, ear stems and nose pieces in class 9.
4,847,461	FLAK	For: Eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for

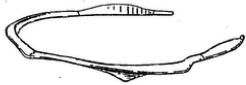
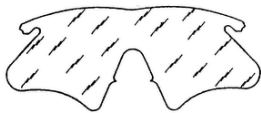
		eyewear and their parts and accessories in class 9.
3,379,110	RADAR	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
5,026,399	LATCH	For: Eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for eyewear and their parts and accessories in class 9.
4,822,664	SI TOMBSTONE	For: Protective and anti-glare eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for protective and anti-glare eyewear in class 9.
3,245,494	GASCAN	For: Protective eyewear, namely spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely replacement lenses, frames,

		earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
4,956,691	TRIGGERMAN	For: Eyewear, namely, sunglasses in class 9.
3,680,975	FIVES SQUARED	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
2,900,432	VALVE	For: Protective eyewear, namely spectacles, prescription eyewear, namely, spectacles and sunglasses, anti-glare glasses and sunglasses and parts thereof, namely replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses in class 9.
3,941,018	PATH	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.


5,026,407	JUPITER SQUARED	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
4,136,113	BATWOLF	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, ear stems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
1,701,476	M FRAME	For: Protective eyewear; namely, goggles, anti-glare glasses; sunglasses and their parts; namely, lenses, replacement lenses, frames, earstems and nose pieces; cases specially adapted for sunglasses and their parts in class 9.
2,054,810	STRAIGHT JACKET	For: Protective and/or anti-glare eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories including replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear and their parts and accessories in class 9.





3,379,109	FLAK JACKET	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
4,618,566	TINCAN	For: Eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for eyewear and their parts and accessories in class 9.
2,106,614	SQUARE WIRE	For: Protective and/or antiglare eyewear, namely, sunglasses, goggles, spectacles and their parts and accessories, namely, replacement lenses, earstems, frames, nose pieces, and foam strips; cases specially adapted for protective and/or antiglare eyewear and their parts and accessories in class 9.
1,952,697	JACKET	For: Protective and/or anti-glare eyewear, namely sunglasses, goggles, spectacles and their parts and accessories, namely replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear in class 9.



3,468,824	HIJINX	For: Protective eyewear, namely, spectacles, prescription eyewear, anti glare glasses and sunglasses and their parts and accessories, namely, replacement lenses, frames, earstems, and nose pieces; cases specially adapted for spectacles and sunglasses and their parts and accessories in class 9.
2,087,464	O FRAME	For: Protective eyewear, namely, goggles and replacement parts for goggles in class 9.
2,087,466	E FRAME	For: Protective eyewear, namely, goggles and replacement parts for goggles in class 9.
3,126,622	CROWBAR	For: Sporting goods, namely goggles and replacement parts for goggles for skiing, snowboarding and motocross in class 9.
1,778,325	HYBRID	For: Protective eyewear; namely, spectacles, goggles, antiglare glasses and sunglasses, and their parts and accessories; namely, replacement lenses, frames, earstems and nose pieces; cases specially adapted to hold spectacles and sunglasses and their parts and accessories in class 9.

2,250,767	ROMEO	For: Protective and/or anti-glare eyewear, namely, sunglasses, and spectacles in class 9.
5,636,292	HOLBROOK	For: Eyewear, namely, sunglasses, goggles for sports, spectacles and their parts and accessories, namely, replacement lenses, ear stems, frames, nose pieces and foam strips; cases specifically adapted for eyewear and their parts and accessories in class 9.
2,393,107		For: Protective eyewear, namely, spectacles, anti-glare glasses and sunglasses and parts thereof, namely frames and earstems in class 9.
2,403,609		For: Protective eyewear, namely, spectacles, anti-glare glasses, and sunglasses and parts thereof, namely, frames and earstems in class 9.
2,388,070	JULIET	For: protective and/or anti-glare eyewear, namely, sunglasses, spectacles, and their parts and accessories, namely, replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear and their parts and accessories in class 9.
2,155,819	X-METAL	For: protective and/or anti-glare eyewear, namely sunglasses, spectacles, goggles and their parts and accessories, namely replacement lenses, earstems, frames, nose

		pieces and foam strips; glasses specially adapted for protective and/or anti-glare eyewear, and their parts and accessories in class 9.
4,813,708	PRIZM	For: Protective and/or anti-glare eyewear, namely, sunglasses, spectacles and their parts and accessories, namely, replacement lenses, earstems, frames, nose pieces and foam strips; cases specially adapted for protective and/or anti-glare eyewear, their parts and their accessories, namely, replacement lenses, earstems, frames, nose pieces and foam strips in class 9.
3,857,379	COSTA	For: sunglasses and sunglass frames in class 009.
5,653,368	COSTA	For: eyeglasses and related accessories, namely, eyeglass lenses, eyeglass cases in class 009.
4,163,647	COSTA	For: On-line retail store services featuring sunglasses and related accessories, namely, sunglass lenses, retention cords, and clothing, namely shirts and hats in class 035.



3,773,612	COSTAS	For: sunglasses and sunglass frames in class 009.
1,723,449	COSTA DEL MAR	For: sunglasses in class 009.
3,002,972	COSTA DEL MAR	For: clothing, namely, hats, shirts in class 025.
5,729,388	DEL MAR	For: eyewear, namely, sunglasses, sunglass frames, and sunglass lenses in class 009.
5,944,853		<p>For: eyewear cleaning solution in class 003.</p> <p>For: eyeglass lanyards; waterproof dry cases for cell phones in class 009.</p> <p>For: stickers, decals, bumper stickers, decorative decals for vehicle windows in class 016.</p> <p>For: bottle openers; drinking glasses, namely, tumblers, insulated containers for beverages, heat-insulated containers for beverages, containers for hot beverages, containers for cold beverages, coffee and tea</p>




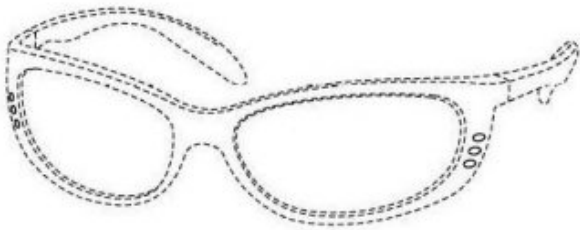
		<p>mugs; microfiber cloths for cleaning in class 021.</p> <p>For: lanyards for holding keys in class 022.</p> <p>For: neck gaiters; knit face masks; bandanas in class 025.</p>
4,520,088		For: clothing, namely, shirts and hats in class 025.
5,646,820		For: eyeglasses and related accessories, namely, eyeglass lenses, eyeglass cases in class 009.
3,273,228		For: sunglasses, sunglass frames, sunglass lenses in class 009.
5,465,884		For: backpacks, beach bags, tote bags, duffle bags in class 018.


5,653,366		For: eyeglasses and related accessories, namely, eyeglass lenses, eyeglass cases in class 009.
3,273,229		For: sunglasses, sunglass frames, sunglass lenses in class 009.
3,420,371	C-MATES	For: combination sunglasses and reading glasses in class 009.
4,599,722	C-WALL	For: sunglass lenses; sunglass lens coatings sold as an integral component of sunglasses in class 009.
3,711,018	COSTA 580	For: sunglasses and sunglass frames, sunglass lenses in class 009.
4,891,374	580	For: sunglass lenses in class 009.

4,771,385	BEYOND POLARIZED	For: sunglasses, sunglass lenses in class 009.
4,767,077	BORN ON THE WATER	For: sunglasses, sunglass frames, sunglass lenses in class 009.
3,274,581	SEE WHAT'S OUT THERE	For: sunglasses, sunglass frames, sunglass lenses in class 009.
5,446,112	KICK PLASTIC	For: clothing made from recycled materials, namely, t-shirts in class 025. For: providing a website featuring information about recycling in class 040. For: providing a website featuring information about environmental conservation in class 042.
4,768,671	HIGHLINE	For: eyewear, namely, sunglasses, sunglass frames, and sunglass lenses in class 009.
3,274,582	FATHOM	For: sunglasses, sunglass frames, sunglass lenses in class 009.

2,899,507	LIGHTWAVE	For: optical and sunglass lenses in class 009.
3,153,673	SILENCER	For: sunglasses in class 009.
3,729,798	ZANE	For: sunglasses and sunglass frames in class 009.
4,342,211	BLACKFIN	For: sunglasses, sunglass frames, and sunglass lenses in class 009.
3,270,766	HAMMERHEAD	For: sunglasses, sunglass frames, sunglass lenses in class 009.
3,270,765	HARPOON	For: sunglasses, sunglass frames, sunglass lenses in class 009.
3,067,284	HARDTOP	For: sunglasses and frames in class 009.

2,312,428	RHYNO-TUFF	For: sunglasses in class 009.
2,306,527	ANTI-OCULAR INTRUSION SYSTEM	For: sunglasses in class 009.
3,837,688	N	For: sunglasses and related accessories, namely, sunglasses cases, retention cords, replacement parts, and temple-bar release devices; sports goggles for snow sports and motorsports in class 009.
3,837,682		For: sunglasses and related accessories, namely, sunglasses cases, retention cords, replacement parts, and temple-bar release devices; sports goggles for snow sports and motorsports in class 009.
3,581,846	NATIVE	For: eyewear, namely, sports goggles for snow sports and motorsports in class 009.
5,956,148		For: sunglasses and related accessories, namely, sunglass lenses, sunglass cases and sunglass retention cords; sports goggles for snow sports in class 009. For: online retail store services, featuring sunglasses and related

		accessories, namely, sunglass lenses, frames, nose pads, temple boots, and cases in class 035.
5,875,336		For: hats and shirts in class 025.
5,201,379		For: goggles for ski sports; ski goggles; snow goggles in class 009.
4,114,951		For: sports eyewear and sunglasses in class 009.
3,431,239		For: eyewear, namely, sports eyewear and sunglasses in class 009.

3,245,770		For: sports eyewear and sunglasses in class 009.
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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 Plaintiffs’ previously granted Motion for Entry of a Temporary Restraining Order establishes that Plaintiffs have demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Plaintiffs will suffer irreparable harm if the injunction is not granted. Specifically, Plaintiffs have proved a *prima facie* case of trademark infringement because (1) Plaintiffs’ 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 Plaintiffs’ Trademarks, and (3) Defendants’ use of Plaintiffs’ Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with Plaintiffs. Furthermore, Defendants’ continued and unauthorized use of Plaintiffs’ Trademarks irreparably harms Plaintiffs through diminished goodwill and brand confidence, damage to Plaintiffs’ reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, Plaintiffs have 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 Plaintiffs' 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 a genuine Plaintiffs' Product or not authorized by Plaintiffs to be sold in connection with Plaintiffs' Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Plaintiffs' Product or any other product produced by Plaintiffs, that is not Plaintiffs' or not produced under the authorization, control or supervision of Plaintiffs and approved by Plaintiffs for sale under Plaintiffs' Trademarks;
 - c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Plaintiffs, or are sponsored by, approved by, or otherwise connected with Plaintiffs;
 - d. further infringing Plaintiffs' Trademarks and damaging Plaintiffs' 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 Plaintiffs, nor authorized by Plaintiffs to be sold or offered for sale, and which bear any of Plaintiffs' trademarks, including the Plaintiffs' 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 Plaintiffs' choosing:
 - a. unlock and change the registrar of record for the Domain Names to a registrar of Plaintiffs' 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 Plaintiffs' selection so that the Domain Names can be redirected or disabled until further ordered by this Court.
4. Upon Plaintiffs' 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 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"), Walmart Inc. ("Walmart"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), Etsy, Inc. ("Etsy") and DHgate (collectively, the "Third Party Providers") shall, within seven (7) calendar days after receipt of such notice, provide to Plaintiffs 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, attorneys, confederates, 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, Walmart, DHgate, Etsy, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
5. Upon Plaintiffs' 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 Plaintiffs' 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, Wish.com, Walmart, DHgate, Etsy and Amazon Pay, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants, the Seller Aliases, Online Marketplaces, and Domain Names, 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.
8. Plaintiffs are 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, 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.


Plaintiffs are 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. Plaintiffs 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 Plaintiffs' 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 3 and 4 to the Declaration of Jason Groppe [17], [18], and the TRO [24] 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 Northern District of Illinois Local Rules.

12. The \$10,000 bond posted by Plaintiffs shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

IT IS SO ORDERED.

Dated: July 13, 2022

A handwritten signature in black ink, appearing to read "Elaine E. Bucklo", is written over a horizontal line.

Elaine E. Bucklo
United States District Judge

Luxottica Group S.p.A., Oakley, Inc., and Costa Del Mar, Inc. v. The Partnerships and Unincorporated Associations Identified on Schedule "A" - Case No. 22-cv-2949

Schedule A

Defendant Online Marketplaces

No	URL	Name / Seller Alias
1	aliexpress.com/store/1918603	Kitchenware Enterprise Store
2	aliexpress.com/store/232800	LK Industry Store
3	aliexpress.com/store/912466787	protect the eyes Store
4	aliexpress.com/store/912179839	R-B Store
5	aliexpress.com/store/912516567	RB-GG-TF-OV Store
6	aliexpress.com/store/910815035	Shop910815035 Store
7	aliexpress.com/store/912362314	Yelleoptical Store
8	DISMISSED	DISMISSED
9	oaklstore.com	oaklstore.com
10	outfitonsaleor.com	outfitonsaleor.com
11	saleesunglasses.com	saleesunglasses.com
12	wish.com/merchant/59b1399ceea5c55ead72a6b2	hanjidan

Defendant Domain Names

No	URL	Name / Seller Alias
1	adjnaraingroup.com	adjnaraingroup.com
2	brandedsunglassesfactory.biz	brandedsunglassesfactory.biz