

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

VOLKSWAGEN GROUP OF AMERICA,
INC.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-02952

Judge Gary Feinerman

Magistrate Judge M. David Weisman


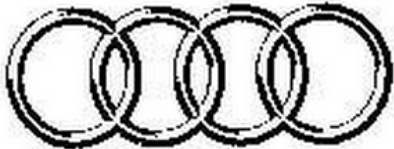

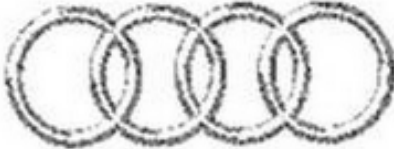
PRELIMINARY INJUNCTION ORDER



THIS CAUSE being before the Court on Plaintiff Volkswagen Group of America, Inc.’s (“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 on Schedule A attached hereto (collectively, the “Defendants”).

THIS COURT HEREBY 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

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

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

Registration No.	Mark
4,995,364	AUDI
5,093,264	AUDI
1,283,271	QUATTRO
3,241,273	QUATTRO
3,702,707	QUATTRO
4,284,786	
2,083,439	
3,007,305	
3,201,037	
3,848,240	

4,405,143	
5,457,305	

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 Audi 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 the Audi Trademarks, and (3) Defendants’ use of the Audi Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Counterfeit Products with Plaintiff. Furthermore, Defendants’ continued and unauthorized use of the Audi Trademarks irreparably harms Plaintiff through diminished goodwill and brand confidence, damage to Plaintiff’s reputations, 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 the Audi 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 Audi product or not authorized by Plaintiff to be sold in connection with the Audi Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Audi 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 the Audi 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 the Audi Trademarks and damaging Audi'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 Audi Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.

2. 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, 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 affiliates, officers, 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 and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces; and
 - c. any financial accounts owned or controlled by Defendants, including their affiliates, officers, 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"), Amazon Pay,

Wish.com, Walmart, DHgate, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

3. Upon Plaintiff's request, those with notice of the injunction, including the Third Party Providers as defined in Paragraph 2, 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 Audi Trademarks.
4. 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.
5. Any Third Party Providers, including PayPal, eBay, Alipay, Alibaba, Ant Financial, Amazon Pay, Walmart, DHgate, and Wish.com, shall, within seven (7) calendar days of receipt of this Order:
 - a. locate all accounts and funds connected to Defendants' Seller Aliases and Online Marketplaces, 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.
6. 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 affiliates, officers, 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 and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces.

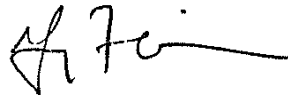
Plaintiff is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within three (3) business days of being served via e-mail.

7. 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 and by sending an e-mail to the 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 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 3 to the Declaration of Dana A. Cizmadia [19], and the TRO [25] 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 Northern District of Illinois Local Rules.
10. 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: July 21, 2022

A handwritten signature in black ink, appearing to read "G. Feinerman", written over a horizontal line.

Gary Feinerman
United States District Judge

**Volkswagen Group of America, Inc. v. The Partnerships and Unincorporated Associations
Identified on Schedule "A" - Case No. 22-cv-02952**

Schedule A

Defendant Online Marketplaces

No	URL	Name / Seller Alias
1	xczmy.en.alibaba.com	Guangzhou Xunchezhe Trade Co., Ltd
2	gzyika.en.alibaba.com	Guangzhou Yika Auto Supplies Factory
3	hopeone.en.alibaba.com	Shishi Hopeone Metal Products Co., Ltd
4	aliexpress.com/store/911764208	13640897722 Store
5	aliexpress.com/store/911254373	9999 Car Parts Store
6	aliexpress.com/store/4882075	AK Autoparts Store
7	aliexpress.com/store/912269594	Aufkleber Store
8	aliexpress.com/store/1124172	AUTOMOTOR Store
9	aliexpress.com/store/3364021	Betterhumz 2nd Store
10	aliexpress.com/store/912189710	Boyfriend Decoration Store
11	aliexpress.com/store/911332033	BSTGS HuiZ Store
12	aliexpress.com/store/912176661	Car Friends Accessories Center Store
13	aliexpress.com/store/911386110	Car Parts CY A Store
14	aliexpress.com/store/2391044	Car racing sky Store
15	aliexpress.com/store/912193229	Car Standing Accessories Club Store
16	aliexpress.com/store/911754052	carsA+ Store
17	aliexpress.com/store/912616425	DAOBU Store
18	aliexpress.com/store/1874422	DIYUCAR Accessories Store
19	aliexpress.com/store/3662030	Evernewgrade Store
20	aliexpress.com/store/911259401	It's My Car Parts Store
21	aliexpress.com/store/911557040	Marveling Store
22	aliexpress.com/store/911940551	Mo can Store
23	aliexpress.com/store/912658436	MO86 SHIDWJ Store
24	aliexpress.com/store/911814363	NX-Car Modification Store
25	aliexpress.com/store/911934916	NYP168 Store
26	aliexpress.com/store/912682839	ppkk Store
27	aliexpress.com/store/911756982	RY2021 Store
28	aliexpress.com/store/912069315	Shop 20210601 Store
29	aliexpress.com/store/2310005	Shop2310005 Store
30	aliexpress.com/store/2955151	Shop2955151 Store
31	aliexpress.com/store/5409056	Shop5409056 Store
32	aliexpress.com/store/5881867	Shop5881867 Store
33	aliexpress.com/store/912418289	Small beautiful car Store

34	aliexpress.com/store/912456844	tepin Store
35	aliexpress.com/store/5367174	Tourcoo car fere Store
36	aliexpress.com/store/912174563	Ultrasuede Store
37	aliexpress.com/store/911348077	VIPcarman Store
38	aliexpress.com/store/5063315	BEIF Store
39	amazon.com/sp?seller=A3606U654AB7EQ	8sanlione
40	amazon.com/sp?seller=A39L1DDOX64M6W	A39L1DDOX64M6W
41	amazon.com/sp?seller=A7NX8DEDCD0L2	A7NX8DEDCD0L2
42	amazon.com/sp?seller=A3ICXF94R0ZBJL	AGE-Direct
43	amazon.com/sp?seller=A7XP42WK6IWZW	amzano
44	amazon.com/sp?seller=A3R13CMQ62H1I6	anhuiximingshangmaoyouxiangongsi
45	amazon.com/sp?seller=A3A1ZNOS547Z6A	Auto JINA Sport
46	amazon.com/sp?seller=A1K2SSIFU7N02E	Aviation Zhang
47	amazon.com/sp?seller=A2PLDKP55HWKWG	azmy
48	amazon.com/sp?seller=A3OLR5MGNZJ1PR	BENLIN
49	amazon.com/sp?seller=A2E8177KY31L5Z	Best Dream Car
50	amazon.com/sp?seller=A11PDTNMF9KZOP	BOXPOLI
51	amazon.com/sp?seller=A2WKCCR9GPXWUP	Buiud Us
52	amazon.com/sp?seller=A3K4YK0LV0NJM1	Car modification parts
53	amazon.com/sp?seller=A2OSUVQG8QU2H1	Car Modifier
54	amazon.com/sp?seller=AW77JKFGTM481	chenboshi
55	amazon.com/sp?seller=ADHUT6MZMM39P	chengduyanxiaqidianzishangwuyouxia ngongsi
56	amazon.com/sp?seller=A2T2HESXVSBZWW	ChengDuYuShuYingShangMaoYouXian GongSi
57	amazon.com/sp?seller=A1UX2JW9FRMOVC	Choudandan
58	amazon.com/sp?seller=A3MVZ8S11D8K3M	dingsongyang-Home
59	amazon.com/sp?seller=A1PJJS2P5M0CJF	DLIEUSA
60	amazon.com/sp?seller=A17SMZZ66NA9OP	EVVAR
61	amazon.com/sp?seller=A3JFUMBDQABCUG	GAOXIAOYU
62	amazon.com/sp?seller=A131J6HGDBQ9XR	Guang Zhou Wei Yi Shang Mao
63	amazon.com/sp?seller=A2ABMJFXVU7YBD	Guo Se Tian Xiang
64	amazon.com/sp?seller=A2YO1PMZV82T0Z	Halri
65	amazon.com/sp?seller=A11TNWHX2BG5OA	Hbinan Lcc
66	amazon.com/sp?seller=A3JSLIT94S0GI3	Hmmn LLc
67	amazon.com/sp?seller=A39ZFKT6JGLQWV	IDIYA
68	amazon.com/sp?seller=A34NSE8MYP041O	IUIUIUIU
69	amazon.com/sp?seller=AXLC153F1EH6E	JINJIANGQU LAN FU YING FENG RI YONG PIN SHANG HANG
70	amazon.com/sp?seller=A2WXCJGECSW3TM	KCHDL
71	amazon.com/sp?seller=A3Q59JV152YF6K	LansekoAuto

72	amazon.com/sp?seller=ATPT3UILB5C1O	LeoShop US
73	amazon.com/sp?seller=A18WQBFS58XYZG	liulinxianlianzhifuzhuangdian
74	amazon.com/sp?seller=A10MH499VBLX5J	LKAHG
75	amazon.com/sp?seller=A3J0V1X52ZK2HP	Lovingcars
76	amazon.com/sp?seller=A2DYBX1KS90NGQ	luojiang
77	amazon.com/sp?seller=A3DYFL3L8B1Q5J	luo-jin-tao
78	amazon.com/sp?seller=A1BIK2CKHHSW6S	MABEIBEI
79	amazon.com/sp?seller=AY8G6THWJ16C9	MENG XUHUI
80	amazon.com/sp?seller=AQJAKQGL9NW2T	niniziyashop
81	amazon.com/sp?seller=AWHH5X60NHMI	nixixi
82	amazon.com/sp?seller=A36MZNJ34JQZFN	NSZDCC
83	amazon.com/sp?seller=AC6F9ZLQKUOGB	ORAY GROW
84	amazon.com/sp?seller=AGGBM0MALY3F4	Origin-Joy
85	amazon.com/sp?seller=A2D8O9DULJOU57	ouweizhidai
86	amazon.com/sp?seller=A31YPP15BLJIMF	pihjnxin
87	amazon.com/sp?seller=A3VWEWX1NYRDO N	Puonie Lcc
88	amazon.com/sp?seller=A1I48A001PBG92	qianbao
89	amazon.com/sp?seller=A2OSOFBOBR9G6A	qifantrade
90	amazon.com/sp?seller=A3O92JZ93VHM45	qinhuangdaoguodazhuangkejiyouxiang ongsi
91	amazon.com/sp?seller=A3Y3PD89KHIWR	ROTOO
92	amazon.com/sp?seller=A20L7XIFSIR3EZ	Saimui
93	amazon.com/sp?seller=A3IXSMSZ1GXZEY	Senauto
94	amazon.com/sp?seller=A2MPC4WHI094VD	ShiJiaZhuangDaiBianShangMaoYouXian GongSi
95	amazon.com/sp?seller=ATCIA9O09XBMC	SHUANGX
96	amazon.com/sp?seller=AZX7V8WPNJ7F	Slojia
97	amazon.com/sp?seller=A2J748RXN2P6JC	taihuxiancaoyishangmao
98	amazon.com/sp?seller=A2DTDBMYSWNHT U	tianshee
99	amazon.com/sp?seller=A17E5NUD8GRMUB	UUOOP
100	amazon.com/sp?seller=A3LNO686GTJFC3	WANGDANGSA
101	amazon.com/sp?seller=A2EEQM4D5RTW1D	Wnocus Lcc
102	amazon.com/sp?seller=A323YOYE7XE3MY	Wying Store
103	amazon.com/sp?seller=A3NTJN9FGZG4V5	XDH
104	amazon.com/sp?seller=A35P7D8NZMRNAT	xinjinxingshangmao
105	amazon.com/sp?seller=A22WSOYUNNZLTP	Xinwei Shop
106	amazon.com/sp?seller=ADG35AMSDERP9	XLYXLD
107	amazon.com/sp?seller=AG8DOQLHI86DL	YITU SX
108	amazon.com/sp?seller=A2F61EZ1M2JMFB	Yongsheng Shop
109	amazon.com/sp?seller=A3TS9AGDGW1LPM	YOUTOOCAR1

110	amazon.com/sp?seller=A2H9SZTBUMIY7R	YQLJ
111	amazon.com/sp?seller=ANAAS0AGGAT8F	zhoukoushichengnuoshangmaoyouxia ngongsi
112	dhgate.com/store/20399962	ling_ling_store
113	wish.com/merchant/5fe430a4a5c6ae06528 b4e1f	gongxifacai999
114	wish.com/merchant/5e9a78abef1dcea959e b3d33	jeuaartunq
115	wish.com/merchant/5a9686b0ccf0c86da0ef 57e6	zhengjieyi