

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

ENTERTAINMENT ONE UK LTD.,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-03258

Judge John J. Tharp, Jr.

Magistrate Judge Jeffrey T. Gilbert

PRELIMINARY INJUNCTION ORDER

Plaintiff Entertainment One UK Ltd. (“E-ONE”) filed a Motion for Entry of a Preliminary Injunction against the against the fully interactive, e-commerce stores operating under the seller aliases 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 E-ONE’s Motion in part as follows.

This Court finds E-ONE has provided notice to Defendants in accordance with the Temporary Restraining Order entered July 1, 2022, ECF No. 21 (“TRO”), and Federal Rule of Civil Procedure 65(a)(1).

This Court also finds, in the absence of adversarial presentation, that E-ONE has provided a basis to conclude that Defendants have sold products bearing unauthorized copies of E-ONE’s federally registered copyrights (the “PEPPA PIG Copyrights”) and/or using infringing and counterfeit versions of E-ONE’s federally registered trademarks (the “PEPPA PIG Trademarks”).

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

Specifically, E-ONE has proved a *prima facie* case of trademark infringement because (1) the PEPPA PIG 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 PEPPA PIG Trademarks, and (3) Defendants' use of the PEPPA PIG Trademarks is causing a likelihood of confusion as to the origin or sponsorship of Defendants' products with E-ONE. E-ONE has also proved a *prima facie* case of copyright infringement because it has demonstrated that (1) E-ONE is the owner of valid and enforceable PEPPA PIG Copyrights, and (2) Defendants, without any authorization from E-ONE, or any right under the law, have deliberately copied, displayed, distributed, reproduced, and/or made derivative works incorporating the PEPPA PIG Copyrights. Furthermore, Defendants' continued and unauthorized use of the PEPPA PIG Trademarks and Copyrights irreparably harms E-ONE through diminished goodwill and brand confidence, damage to E-ONE's reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, E-ONE 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. using the PEPPA PIG Trademarks or any reproductions, counterfeit copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine E-ONE product or not authorized by E-ONE to be sold in connection with the PEPPA PIG Trademarks;
 - b. reproducing, distributing copies of, making derivative works of, or publicly displaying the PEPPA PIG Copyrights in any manner without the express authorization of E-ONE;
 - c. passing off, inducing, or enabling others to sell or pass off any product as a genuine E-ONE product or any other product produced by E-ONE, that is not E-ONE's or not produced under the authorization, control, or supervision of E-ONE and approved by E-ONE for sale under the PEPPA PIG Trademarks or Copyrights;
 - d. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of E-ONE, or are sponsored by, approved by, or otherwise connected with E-ONE; 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 E-ONE, nor authorized by E-ONE to be sold or offered for sale, and which bear any of E-ONE's trademarks or copyrights, including the PEPPA PIG Trademarks, or any reproductions,

counterfeit copies, or colorable imitations thereof and/or which bear the PEPPA PIG Copyrights.

2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
3. Upon E-ONE'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, Inc., AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc., ContextLogic Inc. d/b/a Wish.com ("Wish.com"), and Dhgate (collectively, the "Third Party Providers"), shall, within seven (7) calendar days after receipt of such notice, provide to E-ONE 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”), Alipay, Wish.com, Alibaba, Ant Financial Services Group (“Ant Financial”), Amazon Pay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

4. Upon E-ONE’s request, those with notice of this Order, including the Third Party Providers as defined in Paragraph 3, 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 PEPPA PIG Trademarks and/or which bear the PEPPA PIG Copyrights.
5. Any Third Party Providers, including PayPal, Alipay, Alibaba, Ant Financial, 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’ seller aliases, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, 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.
6. E-ONE 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 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 “Dingzhou Jiabeile Clothing Ltd. and all other Defendants identified in the Operative 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.

7. Plaintiff’s Schedule A to the Complaint (ECF No. 2), Exhibit 3 to the Declaration of Niall Trainor (ECF No. 16), and the TRO (ECF No. 21) are unsealed.
8. 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.
9. The \$86,000.00 bond posted by E-ONE shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:

A handwritten signature in black ink, appearing to read "John J. Tharp, Jr.", written over a horizontal line.

John J. Tharp, Jr.
United States District Judge

Date: July 27, 2022

Schedule A

Defendant Online Marketplaces		
No	URL	Name / Seller Alias
1	jiabeile.en.alibaba.com	Dingzhou Jiabeile Clothing Ltd.
2	good-fortune.en.alibaba.com	Fujian All Pass Bag& Luggage Co., Ltd.
3	fule888.en.alibaba.com	Guangzhou Fule Import&Export Co., Ltd.
4	yiwumingyu.en.alibaba.com	Yiwu Mingyu Garment Co., Ltd.
5	angelhalloween.en.alibaba.com	Yiwu Rose Arts & Crafts Co., Ltd.-Example 1
6	aliexpress.com/store/5432265	Brilliant Decorative Favors Store
7	aliexpress.com/store/3870087	Cosmetology Healthy Store
8	aliexpress.com/store/911885388	CuteChildhoodtoy Store
9	aliexpress.com/store/1100173212	Hasbro Kids Store
10	aliexpress.com/store/912157053	Hypi Toy Store 12 Store
11	aliexpress.com/store/438883	Little Dreams Children Store
12	aliexpress.com/store/5383248	NATO Store
13	aliexpress.com/store/1100044080	Pokemoon Party Store
14	aliexpress.com/store/1100225822	Shop1100225822 Store
15	aliexpress.com/store/911607588	Shop911607588 Store
16	aliexpress.com/store/4661042	SimpleSharing Store
17	aliexpress.com/store/3111023	Smiling girl's car shop Store
18	aliexpress.com/store/912050009	Toy kids Store
19	aliexpress.com/store/1101887191	Trend Sticker Shop Store
20	aliexpress.com/store/912495782	TUNAON Surpe Store
21	aliexpress.com/store/1101835666	Wait day Store
22	aliexpress.com/store/912463520	Your sweets Store
23	amazon.com/sp?seller=A1IZWHFGWW08G0	A1IZWHFGWW08G0
24	amazon.com/sp?seller=A2FZ6QBFYAQIXT	A2FZ6QBFYAQIXT
25	amazon.com/sp?seller=A3N4XGMF72YPMF	A3N4XGMF72YPMF
26	amazon.com/sp?seller=A35Y81HJPQ68B2	Apt byte
27	amazon.com/sp?seller=A3QRAOXC9LJIJ3	BaiYoulia
28	amazon.com/sp?seller=A2W67GG5USSL5V	BEXIBENLA
29	amazon.com/sp?seller=A1IX2EK04PJXJW	ChengDuQiangChaoLiShangMaoYouXianGongSi
30	amazon.com/sp?seller=AWR1HAL6ED80I	chengfashangmao1
31	amazon.com/sp?seller=A12F14YOP4SUAL	chengjunmingzy

32	amazon.com/sp?seller=A1CJP5510TACWM	CHONGZIXUAN-US
33	amazon.com/sp?seller=A3QOUB8I6J9AFS	Demi-007
34	amazon.com/sp?seller=A2REJUNNQSSLOA	Door.Buster
35	amazon.com/sp?seller=A9ZUPDRS2478E	DYXM-TRC STORE
36	amazon.com/sp?seller=A2H8KKRBK5HK81	Gao Dong -US
37	amazon.com/sp?seller=A1XUGK6CGIM5Y	GzyzMy Lcc
38	amazon.com/sp?seller=A2644RDPW4B2O	HAIBrave-US
39	amazon.com/sp?seller=A3EIGHC5QYURK6	haikoujinyudundunshangmaoyouxiangongsi
40	amazon.com/sp?seller=AURGMNJ88MPUZ	HAOHAN-US
41	amazon.com/sp?seller=A2HGSMFJ5U31A4	HEFEINANGBENGSHANGMAOYOUXIANGONGSI
42	amazon.com/sp?seller=A3KWH5G0YH7O6P	huangshanshihuangshanqusixiongdianzishangwuzhongxi
43	amazon.com/sp?seller=A10XATMPF3WKNV	huichaolll
44	amazon.com/sp?seller=ARCZMIRLAZPGU	Jiaotian
45	amazon.com/sp?seller=A1M3ZSDWOR9UB6	JingJingXin
46	amazon.com/sp?seller=A3TD620ER5L1ZX	KAIHUIFU
47	amazon.com/sp?seller=A2KICEZNT8MOC5	KEEPGARDEN
48	amazon.com/sp?seller=A3NEITCQ5FPY6L	liangshuaidexiaodian
49	amazon.com/sp?seller=A23RX9I8B3H9K	liensDDD
50	amazon.com/sp?seller=A26DRBH03SAA6Y	Linduo Company
51	amazon.com/sp?seller=A3H2JTGLPZC8CF	liudongmeidebeimeidianpu
52	amazon.com/sp?seller=A3U3ALGF7JZG2P	lnbk
53	amazon.com/sp?seller=A2BTY1YTR6CHMG	Luo He Wei Juan Shang Mao You Xian Gong Si
54	amazon.com/sp?seller=AP7X4GZRZZ81J	McalisterN0.1
55	amazon.com/sp?seller=A4SJD3MSBEFB1	Mingxia Mall
56	amazon.com/sp?seller=A1EH1OSXKXPVGI	My Prime Gifts
57	amazon.com/sp?seller=A1BGDQHBORKCYA	New Start life

58	amazon.com/sp?seller=A1SRU4GGA6ZYJO	Nice-haiting
59	amazon.com/sp?seller=A1XHZVGAGZUOJP	Pet my home
60	amazon.com/sp?seller=A3F81GX9V5XHZB	QWFHB-AMZ
61	amazon.com/sp?seller=A2RX9V0DH5BDMJ	rontenghui
62	amazon.com/sp?seller=A1FCEKFN6NY22L	ruanqindedian
63	amazon.com/sp?seller=AYQ6B24UW57YJ	Selena Cottage
64	amazon.com/sp?seller=AUA3JGEZXWR41	Sherry-US
65	amazon.com/sp?seller=A16JG16WH31JGD	SHOUOU
66	amazon.com/sp?seller=A3PZD4QDNWAU8D	suyoudebeimeidianpu
67	amazon.com/sp?seller=A13WS3JM2JF7F5	The Best US
68	amazon.com/sp?seller=A28T49ETH87M9A	TianTongWeiJunShangMao
69	amazon.com/sp?seller=A2ZV2MF4HQM RU7	Tongda
70	amazon.com/sp?seller=A3LVCUO9JS6MC3	Tubei
71	amazon.com/sp?seller=A1WPN9IMDS6WNT	weihaoxuedian
72	amazon.com/sp?seller=A250UPPMZ5HG0I	wowoshinibaba
73	amazon.com/sp?seller=A36ILYO7JVEEHF	WoyuShangMao
74	amazon.com/sp?seller=A3112DRXAG291Q	WUYINGSFGHJKF
75	amazon.com/sp?seller=A1XQ8LGD9AGLXK	wwrrpp666
76	amazon.com/sp?seller=A1G7NFVXB3E03S	xiaedianzishangwu
77	amazon.com/sp?seller=A1GWVKCE0NXPL4	xianningxinbudianzishangwuyouxiangongsi
78	amazon.com/sp?seller=A1F12ZOUCC7GW	XIUer
79	amazon.com/sp?seller=APOFQVEE3X32S	yangshijundebeimeidianpu
80	amazon.com/sp?seller=A1DQJMJBD3XEPD	Your satisfaction is my greatest reward
81	amazon.com/sp?seller=A2W4R824PU6B5W	ZELIJISHANGMAO
82	amazon.com/sp?seller=A2ZITJ4QDU2VM	zhaoyandian

83	amazon.com/sp?seller=AC8ENR2B565B Z	ZheQi
84	amazon.com/sp?seller=A2SSSR80S4VM VV	zouyusudebeimeidianpu
85	dhgate.com/store/21772837	baoyan stickers Store
86	ebay.com/usr/hangjin	hangjin