

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

GRUMPY CAT LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE A HERETO,

Defendants.

Case No.: 21-cv-5847

Judge Jorge L. Alonso

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on GRUMPY CAT LIMITED's Motion for a Preliminary Injunction, and this Court having considered the evidence before it hereby GRANTS in part as follows Plaintiff's Motion for Entry of a Preliminary Injunction against the Defendants identified in Schedule A attached hereto (collectively, the "Defendants").

THIS COURT HEREBY FINDS, in the absence of adversarial presentation, 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 are reaching out to do business with Illinois residents by operating one or more commercial, interactive Internet Stores through which Illinois residents can purchase products bearing infringing and/or counterfeit versions of Plaintiff's GRUMPY CAT Trademarks and Copyrights (the "GRUMPY CAT Products").

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 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 made a *prima facie* showing of trademark infringement because (1) the GRUMPY CAT Trademarks are distinctive marks and registered with the U.S. Patent and Trademark Office on the Principal Register as U.S. Trademark Registration Nos. 4,907,212, 5,516,378, 4,820,434, 4,417,549, 4,672,289, 5,073,528, 4,527,097, 4,930,286 and 4,907,213 for the GRUMPY CAT Trademarks and Plaintiff’s registered copyrights VA 1-911-607, VA 1-882-406, VA 1-963-544, VA 1-996-074, VA 2-023-702, VA 2-111-353, VA 2-134-675, VA 1-886-880, VA 1-966-135, VA 1-941-449, VA 2-008-316, VA 1-962-679, TX 8-617-793, VA 1-939-990, VA 1-899-887, VA 1-901-628, VA 1-859-983, VA 1-849-042, VA 1-849-044 and VA 1-849-043 for the GRUMPY CAT Copyrights, (2) Defendants are not licensed or authorized to use GRUMPY CAT Trademarks and Copyrights, and (3) Defendants’ use of the GRUMPY CAT Trademarks and Copyrights are causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with GRUMPY CAT LIMITED. Furthermore, Defendants’ continued and unauthorized use of the GRUMPY CAT Trademarks and Copyrights 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.

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 enjoined and restrained from:
 - a. using Plaintiff's GRUMPY CAT Trademarks and Copyrights or any confusingly similar 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 GRUMPY CAT Product or is not authorized by Plaintiff to be sold in connection with Plaintiff's GRUMPY CAT Trademarks and Copyrights;
 - b. passing off, inducing, or enabling others to sell or pass off any product as a genuine GRUMPY CAT Product or other product produced by Plaintiff, that is not Plaintiff's or is not produced under the authorization, control or supervision of Plaintiff and approved by Plaintiff for sale under Plaintiff's GRUMPY CAT Trademarks and Copyrights;
 - 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; and

- d. shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, or returning products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear Plaintiff's GRUMPY CAT Trademarks and Copyrights or any confusingly similar reproductions, counterfeit copies or colorable imitations thereof.
2. The domain name registries for the Defendant Domain Names, including, but not limited to, Context Logic, Inc. ("Wish"), VeriSign, Inc., Neustar, Inc., Afilias Limited, CentralNic, Nominet, and the Public Interest Registry, within five (5) business days of receipt of this Order or prior to expiration of this Order, whichever date shall occur first, shall disable the Defendant Domain Names and make them inactive and untransferable until further ordered by this Court.
3. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as iOffer, Wish, social media platforms, Facebook, YouTube, LinkedIn, Twitter, Internet search engines such as Google, Bing and Yahoo, web hosts for the Defendant Domain Names, and domain name registrars, shall within five (5) business days of receipt of this Order disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the GRUMPY CAT Trademarks and Copyrights.
4. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
5. Wish shall, within five (5) business days of receipt of this Order, for any Defendant or any of Defendants' Online Marketplace Accounts or websites:

- a. Locate all accounts and funds connected to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any Wish 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 may provide notice of these proceedings to Defendants, including notice of any future hearings and service of process pursuant to Fed.R.Civ.P. 4(f)(3), 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 e-mail addresses identified in Schedule A hereto; and any e-mail addresses provided for Defendants by third parties accompanied by a link to the website where the above-identified documents are located. 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.
7. Plaintiff's Schedule A to the Amended Complaint and the TRO is unsealed.
8. Any Defendant or other person that is subject to this Order may appear and move to dissolve or modify the Order as permitted by an in compliance with the Federal Rules of Civil Procedure and the Northern District of Illinois Local Rules.

9. The bond posted by plaintiff shall remain with the Court until a final disposition of this case or until the Preliminary Injunction is terminated.

Dated: January 11, 2022

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a smaller 'A' and a period.

The Honorable Jorge L. Alonso
U.S. District Judge

SCHEDULE A

No.	Defendant Name / Alias
1	2017 online store
2	21tailshop
3	Aabbitt
4	Aadolph
5	Aaltrui
6	Aantaya
7	Abaccwf
8	Abaldio
9	Abarran
10	ABN
11	Abraamr
12	Abuschn
13	Acerise
14	Acitron
15	Acokfay
16	Acuetom
17	adadsar
18	adafg
19	Adasqni
20	adassff
21	Adolfo Williams
22	Aevapov
23	Afaltom
24	Aficvzy
25	Afijmzs
26	aftegeg
27	Afyvfcn
28	Agaukxb
29	Aglissa
30	Ahandic
31	Ahemeqj
32	Ahokero
33	Ahuckst
34	Ainfoqi
35	Ainzxte
36	ajiwq
37	Akanode
38	Akeqtmk
39	Amahauy

40	Amcismv
41	Aminiba
42	Anestvi
43	Aoilski
44	Aotioux
45	Apeayex
46	Apemdzp
47	Apetrof
48	Aporeda
49	Aprlceu
50	Aproper
51	Archiba
52	Arielan
53	Arpnxdw
54	Arufnqh
55	asrdt4
56	Atixmyu
57	Awaskof
58	Awgqnc
59	Aworkbo
60	axiting258
61	Aytyuhh
62	Azolenw
63	Azosmyo
64	baodong8825
65	baoxin fashion
66	Barbara5
67	Bath heater
68	bdsfbfb
69	BDSGHW
70	Ben Donahue
71	bfdggh
72	bfujtryuy
73	bgdfgg
74	bgdgwf
75	bhuyt
76	bilihi
77	biufuy6tiy
78	bnsdgsegh
79	Broderi
80	bsgesgew

81	bsrhtjhf
82	bvdgfdgjhy
83	bvhtghd
84	cbvvgds
85	chenbohuan2418
86	Chenhuaiping123
87	chenmingzhen1989
88	chenzhengyu123
89	CONBIRD SUR
90	cvbdfhs
91	cvgjnh
92	cxvnhj
93	Dale July
94	dgdffghf
95	dongmeizhaodddmmmzzz
96	dqwsdcf
97	dsbhdsh
98	duqing_DU
99	Edwardasg
100	eras
101	ertfj
102	fanchens
103	fanjjdd
104	1978
105	85635986
106	12omew
107	15825660678@163.com
108	2ccm
109	2ccm06
110	5VVPPC
111	690947769@qq.com
112	9CCM
113	A pair of shoe
114	ABBOZAO
115	Ahaerve Braoshoe
116	AIKHAM
117	akjgsuardsuafp
118	Alexander Smith
119	alibopka
120	Allen Hunt
121	Anemogamic

122	ANLYCHEU
123	Aquafortis
124	Athena Fashion
125	Babycoolclothing
126	baifumeimei
127	bainanduo
128	baiyunyouyou
129	baizihuaafashion
130	Ballari
131	Bamaul
132	Bao Ma shop
133	baseqigui
134	bbspace2017
135	Beautiful Stickers Store
136	Beauty Diary Cosmetics
137	beautyday2015
138	beautygirl1
139	beidong Co.Ltd
140	Being Fashion
141	BFMDT
142	BGDHJY;lebrs'tr
143	bianjin fashion
144	bikebi
145	BLesley
146	Blklwe
147	Blueseafee
148	BlueWaterK
149	BlueWhaleStore
150	bonda
151	Brenda Gallup
152	bryan1
153	caichenxin389568
154	
155	caipingwei Store
156	caiqianchaoliu
157	caojuan
158	caomengcong6137
159	Captain piggy house
160	CB
161	cctv11
162	cgdfvnh

163	Chad ORourke
164	chan_18
165	
166	chaxiaoyan0344963589
167	
168	chehai fashion
169	chenbo3152
170	cheng&ju&you
171	chengchaodian
172	chengjidm supper-market
173	chenguanghui Store
174	chenjingjuan321
175	Chenlili789
176	Chenlin Star
177	chenmeixia9698
178	chenshenghu
179	chenxiuying1121
180	chenyaqin1234
181	cherril
182	Chinarain
183	chishini
184	ChongQing Hot Pot
185	chuDAY
186	
187	chunnuanhuakai686
188	chutongyun22588
189	Circle Style
190	Clarence Gilbert
191	Classic trend shop
192	Clothing 3D store
193	Color Art Shop
194	cos&cline
195	crd15636708326
196	createbetter
197	
198	cscessi
199	Curtiszavbah
200	Dabchick
201	daily necessities-dong
202	Daily trade
203	daizijun159357

204	Danna Conrad
205	Daylight Shop
206	ddltd
207	deazdd
208	DecStore1
209	Dengchunxia66058
210	denglilistore
211	Denice1
212	dfgeahget
213	dfgfdhggf5455
214	dfsgh65nb9
215	dieyifenshi
216	dingmao
217	Diy phone cases factory
218	DIYcase Inc.
219	DlyCreativeFly
220	Drakeyy7
221	dreamfutu
222	DreamsCome
223	duanjian12345
224	duaotion
225	Duck Egg Superman
226	duhuimin88866
227	dujuanfeg
228	East H&Q Brand
229	echuang_ltd
230	Edsbro
231	egayit
232	Egg drop soup
233	EGYHJHY
234	Ekistics
235	ELnarana
236	Emkarby
237	EmmetR
238	Entrance
239	Erich Robichaux
240	erwe
241	exness
242	fandandan
243	fanfen meng
244	fangjianglingshop

245	
246	fangyijun123
247	fanlin fashion
248	fanzhiwei fashion
249	fashion ion
250	Fashion Wearing