

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

DECKERS OUTDOOR CORPORATION,

Plaintiff,

v.

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

Defendants.

Case No. 22-cv-03897

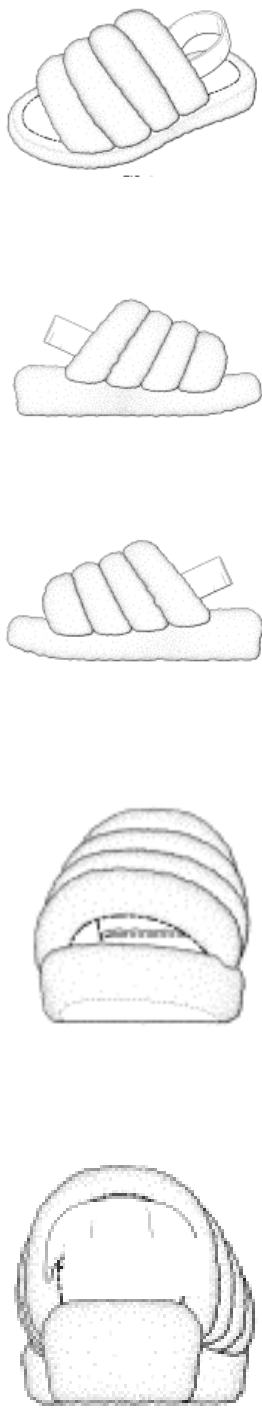
Judge Matthew F. Kennelly

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff Deckers Outdoor Corporation (“Deckers” or “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 in Schedule A attached hereto (collectively, the “Seller Aliases”).

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 have sold the same product that infringes directly and/or indirectly Plaintiff’s United States design patent shown in the below chart (the “UGG Design”).

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

Patent Number	Claim	Issue Date
D866,941		November 19, 2019

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 Deckers’ previously granted Motion for Entry of a Temporary Restraining Order establishes that Deckers has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Deckers will suffer irreparable harm if the injunction is not granted. Specifically, Deckers has proved a *prima facie* case of design infringement because (1) Deckers is the lawful assignee of all right, title and interest in and to the UGG 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 UGG Design, and (3) an ordinary observer would be deceived into thinking the Infringing Product was the same as the UGG Design. Furthermore, Defendants’ continued and unauthorized use of the UGG Design irreparably harms Deckers through loss of customers’ goodwill, reputational harm, and Deckers’ ability to exploit the UGG Design. Monetary damages fail to address such damage and, therefore, Deckers 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. offering for sale, selling and importing any products not authorized by Deckers and that include any reproduction, copy or colorable imitation of the design claimed in the UGG Design;

- b. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the UGG 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. Upon Deckers' 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"), Etsy, Inc. ("Etsy"), and DHgate, (collectively, the "Third Party Providers") shall, within seven (7) calendar days after receipt of such notice, provide to Deckers 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 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 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, Etsy, DHgate, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
3. Upon Deckers’ 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 infringing goods using the UGG Design.
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, eBay, Alibaba, Ant Financial, Wish.com, Walmart, Etsy, 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; 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. Deckers 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 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.

Deckers 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.

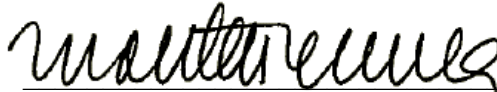
7. Deckers may provide notice of these proceedings to Defendants, including service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions by electronically publishing a link to the Complaint, this Order and other relevant documents on a website and by sending an e-mail to Defendants 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 [2] to the Complaint, Exhibit 1 to the Complaint [3], Exhibit 2 to the Declaration of Lisa Bereda [17], and the TRO [22] 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 Deckers shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

IT IS SO ORDERED.

DATED: August 25, 2022



Matthew F. Kennelly
United States District Judge

**Deckers Outdoor Corporation v. The Partnerships and Unincorporated Associations Identified
on Schedule "A" - Case No. 22-cv-03897**

Schedule A

Defendant Online Marketplaces

No	URL	Name / Seller Alias
1	jhfs.en.alibaba.com	Dongguan Jinghong Foreign Trade Clothing Co., Ltd.
2	cn1541498842orua.en.alibaba.com	Quanzhou Divitanci Trading Co., Ltd.
3	jiubianshi.en.alibaba.com	Quanzhou Ninepence Trading Co., Ltd.
4	jeechu.en.alibaba.com	Yiwu Jeechu Trading Co., Ltd.
5	yuanyangzq.en.alibaba.com	Zaoqiang County Daying Town Yuanyang Fur Business Department
6	yanlifur.en.alibaba.com	Zaoqiang County Yanli Fur Co., Ltd.
7	aliexpress.com/store/1100828316	A Grade Apparel Store
8	aliexpress.com/store/4413168	A Grade Bags Store
9	aliexpress.com/store/2822060	A GRADE CLOTHES Store
10	aliexpress.com/store/911810354	A-zhen Store
11	aliexpress.com/store/2345302	baby children shop Store
12	aliexpress.com/store/1988500	Bicyclefans Store
13	aliexpress.com/store/5081258	BODYTECCJewelry Store
14	aliexpress.com/store/1102068034	charlienew Store
15	aliexpress.com/store/1100184229	EasyFung Store
16	aliexpress.com/store/1101208459	Good luck baby kids Store
17	aliexpress.com/store/1101882552	HaiLu Store
18	aliexpress.com/store/912179276	HeNanDaLa Store
19	aliexpress.com/store/911751368	hicharlie Store
20	aliexpress.com/store/1101399954	JARYCORN JARYCORN Store
21	aliexpress.com/store/5835213	JARYCORN Store
22	aliexpress.com/store/1101011782	JKP Official Store
23	aliexpress.com/store/912242039	Koala Girl Store
24	aliexpress.com/store/1101874476	LKA Official Store
25	aliexpress.com/store/912511883	Mu Xuling Store
26	aliexpress.com/store/1100220066	NNY-SHOP Store
27	aliexpress.com/store/911668245	OALIZON Factory Store
28	aliexpress.com/store/912562397	Pour the world_001 Store
29	aliexpress.com/store/1101207343	Pregnant baby shop Store
30	aliexpress.com/store/1102133224	shoes 888 Store
31	aliexpress.com/store/5196001	Shop5196001 Store
32	aliexpress.com/store/1101583570	Shop911195212 Store

33	aliexpress.com/store/911817410	Slipper House Store
34	aliexpress.com/store/912374549	stratuxx kaze Store
35	aliexpress.com/store/912536338	XIA LI GLIRUIS Store
36	aliexpress.com/store/1101821530	yang1112 Store
37	amazon.com/sp?seller=A179USLM3NNTFO	Dongguan Dongke Auto Accessories Co., Ltd
38	amazon.com/sp?seller=A1LPNQNO0S7QJX	FLYSONG
39	amazon.com/sp?seller=A3RZD7QLLMHBNU	HongYuanDianZiShangWu
40	amazon.com/sp?seller=A1GYA0FRIG1RKE	JOJO BALL
41	amazon.com/sp?seller=A2G7EIFZ0P6N8G	LINGWUSHIWENJINGBAIHUOSHANGHAN G
42	amazon.com/sp?seller=A165JRJECFTCAP	LJH-SHOP
43	amazon.com/sp?seller=AW8Q3SFOZ2YXV	Love MAX
44	amazon.com/sp?seller=A14JHZ6QFD6A4X	RuiBeiFeng
45	amazon.com/sp?seller=A1MAPQLP6UWTVB	WYHMGZ
46	amazon.com/sp?seller=A1IKMRWQO80DI5	YJ's US seller
47	amazon.com/sp?seller=A3CDHA1ZIQHADT	YueTa
48	amazon.com/sp?seller=A23KHYP768JJWN	zengduqu qingyi baihuodian
49	amazon.com/sp?seller=AK508PQA7Z0LZ	Zolice Direct
50	dhgate.com/store/21039224	350s factory seller Store
51	dhgate.com/store/21528925	airmax_ Store
52	dhgate.com/store/21366539	amazonny Store
53	dhgate.com/store/21732133	anfunikeon2 Store
54	dhgate.com/store/21689971	baogua Store
55	dhgate.com/store/20994730	beautiful212 Store
56	dhgate.com/store/21626184	beego Store
57	dhgate.com/store/21186135	chejun Store
58	dhgate.com/store/21699063	christmas_season Store
59	dhgate.com/store/20149991	czq151211 Store
60	dhgate.com/store/21627348	d588888 Store
61	dhgate.com/store/21162820	decentbag Store
62	dhgate.com/store/21671458	dh_runnersneaker Store
63	dhgate.com/store/21214855	dofairy Store
64	dhgate.com/store/21733629	excellentbag99 Store
65	dhgate.com/store/21800721	faju Store
66	dhgate.com/store/21800733	feje Store
67	dhgate.com/store/21183288	flyugg Store
68	dhgate.com/store/21110101	fzwlyx Store
69	dhgate.com/store/20931393	gaodee Store
70	dhgate.com/store/20157510	geneva1 Store
71	dhgate.com/store/21670400	guaban Store

72	dhgate.com/store/21670396	guaji Store
73	dhgate.com/store/21669395	guapi55 Store
74	dhgate.com/store/21665892	hangkongxin Store
75	dhgate.com/store/21669012	hangua55 Store
76	dhgate.com/store/21771204	hao2022 Store
77	dhgate.com/store/21714302	heyseaman Store
78	dhgate.com/store/21756304	honestsellerweng Store
79	dhgate.com/store/21183560	iuggs Store
80	dhgate.com/store/21703310	juanfu Store
81	dhgate.com/store/21186134	junhuo Store
82	dhgate.com/store/21215016	kawalixuan Store
83	dhgate.com/store/21674429	kuishe Store
84	dhgate.com/store/21669018	laogua55 Store
85	dhgate.com/store/20667903	lucysupermarket8888 Store
86	dhgate.com/store/21535662	luxurybrandlogo1 Store
87	dhgate.com/store/21785127	lzm005 Store
88	dhgate.com/store/21161347	miyue99 Store
89	dhgate.com/store/21782612	myfashionshop Store
90	dhgate.com/store/21040718	nice 350 stores Store
91	dhgate.com/store/21296670	psycytradingInc Store
92	dhgate.com/store/21665904	qingxin55 Store
93	dhgate.com/store/21718880	qlkbsxec869 Store
94	dhgate.com/store/21672111	roomdhgatu Store
95	dhgate.com/store/21103393	rossee Store
96	dhgate.com/store/20974920	Running Shoes Store Store
97	dhgate.com/store/21065215	Sandals Slippe Store
98	dhgate.com/store/21201093	sblufeng Store
99	dhgate.com/store/21668509	shenggua55 Store
100	dhgate.com/store/21667433	shixin55 Store
101	dhgate.com/store/21161345	suiyue99 Store
102	dhgate.com/store/21756309	superbuyersweng Store
103	dhgate.com/store/20157482	ulanbatorr Store
104	dhgate.com/store/20732699	vander Store
105	dhgate.com/store/21190692	xiaohui66601 Store
106	dhgate.com/store/21133076	xiaoyuan99 Store
107	dhgate.com/store/21665939	xinshou55 Store
108	dhgate.com/store/21180034	yeahgo Store
109	dhgate.com/store/21669015	yugua55 Store
110	dhgate.com/store/21674437	zhedao Store
111	dhgate.com/store/21428994	zxy678 Store