

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

DUFFY ARCHIVE LIMITED,

Plaintiff,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A",

Defendants.

Case No. 22-cv-04190

Judge Charles R. Norgle

Magistrate Judge M. David Weisman

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff Duffy Archive Limited'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 as follows against the defendants identified in Schedule A attached hereto (collectively, the "Defendants") and using the fully interactive e-commerce stores¹ operating under the seller aliases identified in Schedule A to the Complaint and attached hereto (the "Seller Aliases").

This Court finds 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 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

¹ The e-commerce store URLs are listed on Schedule A attached hereto.

have sold products bearing unauthorized copies of Plaintiff's Copyrighted Works (U.S. Copyright Registration Nos. VA 1-428-937, VA 2-068-609, and VA 2-068-612) to Illinois residents.

This Court further finds that the 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 copyright infringement because (1) Plaintiff is the owner of Plaintiff's Copyrighted Works, and (2) Defendants, without authorization from Plaintiff, or any right under the law, have deliberately copied, displayed, distributed, reproduced, and/or made derivative works incorporating Plaintiff's Copyrighted Works. Furthermore, Defendants' continued and unauthorized copying of Plaintiff's Copyrighted Works 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 affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with them, be temporarily enjoined and restrained from:

- a. reproducing, distributing copies of, making derivative works of, or publicly displaying Plaintiff's Copyrighted Works in any manner without the express authorization of Plaintiff;
 - b. passing off, inducing, or enabling others to sell or pass off any product as Plaintiff's 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 Plaintiff's Copyrighted Works;
 - 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 Plaintiff's Copyrighted Works and damaging Plaintiff'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 Plaintiff's Copyrighted Works.
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 Defendants' Seller Aliases including, without limitation, any online marketplace platforms such as eBay, Inc. ("eBay"), AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc. ("Amazon"), Bonanza, Inc. ("Bonanza"), ecrater.com ("eCRATER"), Fineartamerica.com ("FineArtAmerica"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), and Etsy.com

(“Etsy”) (collectively, the “Third Party Providers”) shall, within ten (10) business 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 Defendants’ Seller Aliases and Defendants’ financial accounts, as well as providing a full accounting of Defendants’ sales and listing history related to their respective Seller Aliases; 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, Etsy, 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 Third Party Providers as defined in Paragraph 2, shall within ten (10) business days after receipt of

such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of goods which bear Plaintiff's Copyrighted Works.

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, Wish.com, and Etsy, shall, within ten (10) business 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, the e-mail addresses identified in 2 to the Declaration of Paul Varley, 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 ordered by this Court.
6. Plaintiff is authorized to issue expedited written discovery, pursuant to 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 Defendants' Seller Aliases and Defendants'

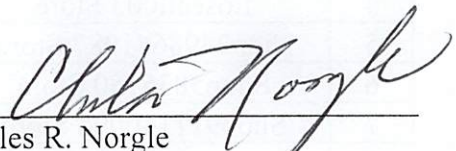
financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective e-commerce stores.

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 e-mail addresses identified in Exhibit 2 to the Declaration of Paul Varley and any e-mail addresses provided for Defendants by third parties 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. The Complaint [10] including Exhibit 1 and Schedule A [2]-[3], [10], Plaintiff's Motion for Entry of a Temporary Restraining Order, including a Temporary Injunction, a Temporary Asset Restraint, and Expedited Discovery [11] and accompanying supporting memorandum, declarations, and exhibits, including screenshot printouts showing the Defendants' infringement of Plaintiff's Copyrighted Works [12]-[13], Plaintiff's Notification of Affiliates [4], and the TRO [19] 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.
11. This Preliminary Injunction Order is entered at 10100 on September 8, 2022.



Charles R. Norgle
United States District Judge

**Duffy Archive Limited v. The Partnerships and Unincorporated Associations Identified on
Schedule "A" – Case No. 22-cv-04190**

Schedule A

No.	Seller Alias	URL
1	Art Furniture Fainting Store	https://www.aliexpress.com/store/1102025977
2	Ding digital Store	https://www.aliexpress.com/store/912180159
3	HOT HD POSTER Store	https://www.aliexpress.com/store/1100189228
4	Loseall003 Store	https://www.aliexpress.com/store/912267542
5	shop2498641987 Store	https://www.aliexpress.com/store/912371021
6	Shop5835150 Store	https://www.aliexpress.com/store/5835150
7	Shop911140096 Store	https://www.aliexpress.com/store/911140096
8	shuang11 Store	https://www.aliexpress.com/store/912339819
9	Ailsa Life Store	https://www.aliexpress.com/store/3471023
10	BeforeSunset Store	https://www.aliexpress.com/store/912061118
11	Classic Poster Store	https://www.aliexpress.com/store/912069468
12	dongsheng jewelry Jennifer Store	http://www.aliexpress.com/store/5874235
13	Dou Ni Decoration Store	https://www.aliexpress.com/store/912146190
14	HEYu jewelry Official Store	http://www.aliexpress.com/store/2179058
15	HQH Store	https://www.aliexpress.com/store/911828145
16	LLLEERrr1226 Store	https://www.aliexpress.com/store/912511534
17	OSO Store	https://www.aliexpress.com/store/912176736
18	Package satisfaction Store	https://www.aliexpress.com/store/912180539
19	Q~Q Store	https://www.aliexpress.com/store/911522177
20	qiyue007 Store	https://www.aliexpress.com/store/912135026
21	Queenie Ting Store	https://www.aliexpress.com/store/2836020
22	RandySticker Posters Art Store	https://www.aliexpress.com/store/823169
23	Shop4996529 Store	https://www.aliexpress.com/store/4996529
24	Shop5636288 Store	https://www.aliexpress.com/store/5636288
25	Shop912626624 Store	https://www.aliexpress.com/store/912626624
26	Smil 21650045 Store	https://www.aliexpress.com/store/910992008
27	TokTik Store	https://www.aliexpress.com/store/912069117
28	YIMUBA Store	https://www.aliexpress.com/store/5614280
29	YZFQ Official Store	https://www.aliexpress.com/store/1231022
30	zhide yongyou Store	https://www.aliexpress.com/store/912502445
31	LNYSOFY CN	https://www.amazon.com/sp?_encoding=UTF8&asin=&isAmazonFulfilled=&isCBA=&marketplaceID=ATVPDKI

		KX0DER&orderId=&protocol=current&seller=A3HU086EGVKDB2&sshPath=
32	Szhong Art	https://www.amazon.com/sp?_encoding=UTF8&asin=&isAmazonFulfilled=&isCBA=&marketplaceID=ATVPDKIKX0DER&orderId=&protocol=current&seller=ACKA8FN8M0X59&sshPath=
33	yongdingquzhihuishengwangdian	https://www.amazon.com/sp?ie=UTF8&seller=A3B4HWE TZL8MTL
34	Music4many	https://www.bonanza.com/booths/music4many
35	barryw5265	https://www.ebay.com/usr/barryw5265
36	daviguichar0	https://www.ebay.com/usr/daviguichar0
37	gdogg82	https://www.ebay.com/usr/gdogg82
38	iposters	https://www.ebay.com/usr/iposters
39	ledgerqualityprints	https://www.ebay.com/usr/ledgerqualityprints
40	lucasll_39	https://www.ebay.com/usr/lucasll_39
41	DISMISSED	DISMISSED
42	nowglobal	https://www.ebay.com/usr/nowglobal
43	retro-store-gifts	https://www.ebay.com/usr/retro-store-gifts
44	staysafepatches	https://www.ebay.com/usr/staysafepatches
45	DISMISSED	DISMISSED
46	t-shirtworlduk	https://www.ebay.com/usr/t-shirtworlduk
47	toutipass	https://www.ebay.com/usr/toutipass
48	postershop	https://postershop.ecrater.com/
49	trexhd777	http://trexhd777.ecrater.com
50	AlbumPrintsByLuke	https://www.etsy.com/shop/AlbumPrintsByLuke
51	DISMISSED	DISMISSED
52	ArtfuldodgerRW	https://www.etsy.com/uk/shop/ArtfuldodgerRW
53	DISMISSED	DISMISSED
54	AtelierDiGala	https://www.etsy.com/uk/shop/AtelierDiGala
55	ButtonBoxUKCO	https://www.etsy.com/uk/shop/ButtonBoxUKCO
56	DISMISSED	DISMISSED
57	DISMISSED	DISMISSED
58	Fizzlegig	https://www.etsy.com/uk/shop/Fizzlegig
59	givemearesindesigns	https://www.etsy.com/uk/shop/givemearesindesigns
60	GoodMusicOnTshirts	https://www.etsy.com/uk/shop/GoodMusicOnTshirts
61	MugMessagesUK	https://www.etsy.com/uk/shop/MugMessagesUK
62	NewInkDigital	https://www.etsy.com/uk/shop/NewInkDigital
63	DISMISSED	DISMISSED
64	RoboticEwe	https://www.etsy.com/uk/shop/RoboticEwe
65	Silhouettpapers	https://www.etsy.com/shop/Silhouettpapers
66	Warrenolgzrzhqfowrm	https://www.etsy.com/shop/Warrenolgzrzhqfowrm
67	Abilio Fernandez	https://fineartamerica.com/profiles/abilio-fernandez/shop
68	Khiem Nguyen Duc	https://fineartamerica.com/profiles/khiem-nguyenduc/shop

69	doredmi	https://www.doredmi.com/
70	Lilycustom	https://lilycustom.com
71	My Retro Plate	https://myretroplate.com
72	Sketchbay	https://www.sketchbay.co/
73	zoneclothes	https://www.zoneclothes.com/
74	Ali Petersen	https://wish.com/merchant/5e85d29e847128003dec88ee
75	Amanda Kasun	https://wish.com/merchant/5e8ee0c8c065a221b965ac75
76	CosimaRalph	https://wish.com/merchant/5fe1e29c0897e98805a01c08
77	David Sloat	https://www.wish.com/merchant/5e70679a7e532156ddbdf7f7
78	Diane Laws43	https://wish.com/merchant/5eafe30be3e3ac9b9bf28dbd
79	Easybuy's Shop	https://wish.com/merchant/58c7590abb77706cfe396fc1
80	Gregory Taggart	https://wish.com/merchant/5e857b83826ea4003f0d6c4f
81	guayrn	https://www.wish.com/merchant/5e8eb99fff68545809a6fc3a
82	Hao hao garments	https://wish.com/merchant/5dea0de7ef8a3706c6c43aa1
83	hongshimeihuang	https://www.wish.com/merchant/5f62b879a224a3b8358db6ba
84	Huomehe	https://www.wish.com/merchant/5dd0f0774cc6673f804175f8
85	inductothermy	https://www.wish.com/merchant/5fdb490acb71e8b7f7d01adc
86	Jason E. Tieman	https://wish.com/merchant/5e97e5c5ea18a54652ccc622
87	Kara Rybczyk	https://wish.com/merchant/5ea032fd29e78619615ae3f4
88	Lg Petif	https://wish.com/merchant/5f5e9ca7a2deae47cea22edf
89	Lijungoodsstore	https://wish.com/merchant/5ab61cd59bda4e29f08cd5a5
90	mixartstore	https://www.wish.com/merchant/613f28612a3b94a9daa66c34
91	Richard Liu	https://www.wish.com/merchant/5e9294ec6dc9793e31160e17
92	Shana Simmons	https://wish.com/merchant/5e8edf5624067d7a94df450a
93	tur323783	https://wish.com/merchant/5e7c1ba229e78601c13569c7
94	waiawaimi	https://wish.com/merchant/5a1f64c6471c145633db1b2a
95	weiqiumei226	https://www.wish.com/merchant/5f377bc6eb9a1ade592a2f0c
96	xiaoming fashion	https://www.wish.com/merchant/5409904fc5c24660b1516c16
97	yaoyanfang8888	https://wish.com/merchant/5f55aa3dcf3694897cc17520
98	youqiang fashion	www.wish.com/merchant/541d315e4ad3ab65449b3224
99	zhanghuiyu666	https://www.wish.com/merchant/5f66dd687cc0a01548d40d73
100	zhuwanghao	https://www.wish.com/merchant/5f62cad0408ef62157441203