

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 21-CV-60699-RAR

**APPLE CORPS LIMITED and SUBAFILMS
LIMITED,**

Plaintiffs,

vs.

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

Defendants.

ORDER GRANTING MOTION FOR PRELIMINARY INJUNCTION

THIS CAUSE comes before the Court on Plaintiffs’ Apple Corps Limited and Subafilms Limited (collectively “Plaintiffs”) Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets [ECF No. 6] (“Motion”) filed on April 1, 2021. Plaintiffs allege Defendants the Individuals, Partnerships, and Unincorporated Associations identified on Schedule “A” hereto (collectively “Defendants”), infringe on Plaintiffs’ trademarks and promote and sell counterfeits of Plaintiffs’ branded goods through the operation of fully interactive, commercial Internet websites operating under their domain names and/or Internet based e-commerce stores via Internet marketplace websites operating under their seller identification names identified on Schedule “A” (the “Subject Domain Names and Seller IDs”).¹ Among other requests, Plaintiffs ask the Court to enjoin Defendants from producing or selling goods that infringe their trademarks and restrain funds in payment accounts associated with Defendants.

¹ For ease of reference, to identify individual Defendants, the Court uses the assigned Defendant Numbers appearing in the left most column of the table contained in Schedule “A.”

On April 13, 2021, the Court entered an Order [ECF No. 11] (“Temporary Restraining Order”) granting Plaintiffs’ *Ex Parte* Motion for a Temporary Restraining Order. On April 23, 2021, Plaintiffs filed their *Ex Parte* Motion to Extend Temporary Restraining Order dated April 13, 2021 and to Continue Hearing Scheduled for April 27, 2021 in Connection with Plaintiffs’ Motion for Preliminary Injunction [ECF No. 13], to avoid prejudicing Defendants’ right to appear and respond in a timely fashion, because Plaintiffs’ counsel had not received confirmation from all of the applicable financial institutions that Defendants’ accounts had been restrained. On April 26, 2021, this Court entered a Sealed Order granting Plaintiffs’ Motion to Extend Temporary Restraining Order and Continue Preliminary Injunction Hearing [ECF No. 14], continuing the hearing on Plaintiffs’ Motion for Preliminary Injunction until May 10, 2021. Defendants were served with relevant case documents on April 29, 2021. *See* Certificates of Service [ECF Nos. 21, 22]. Defendants have not formally responded to the Motion, nor made any filings in this case; nor have Defendants appeared in this matter either individually or through counsel. Further, a hearing was held on May 10, 2021 regarding the Motion [ECF No. 6] (“Hearing”).² The Court has carefully considered the Motion and pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED that Plaintiffs’ Motion for Entry of Preliminary Injunction [ECF No. 6] is **GRANTED** as set forth herein.

² Prior to the hearing, Plaintiffs notified the Court that they had received e-mail inquiries from Defendants 59Supreme (Defendant Number 3), Clong20 (Defendant Number 14), Huishuang Store (Defendant Number 24), QiuZongShen (Defendant Number 53), suzhouyindingjidianyouxiangongsi (Defendant Number 63), and Tatuu (Defendant Number 64) in connection with the asset restraint authorized by the Temporary Restraining Order issued in this matter [ECF No. 11]. The correspondence received from these Defendants contained no merit-based objection to the entry of the Preliminary Injunction. Plaintiffs’ counsel replied to the e-mails and informed Defendants 3, 14, 24, 53, 63 and 64 of the upcoming hearing on May 10, 2021, and the requirement for submitting a formal response or objection as detailed in the Temporary Restraining Order.

INTRODUCTION

Plaintiffs raise four claims for relief: (1) trademark counterfeiting and infringement under § 32 of the Lanham Act, 15 U.S.C. § 1051 *et seq.* (*see* 15 U.S.C. § 1114); (2) false designation of origin under § 43(a) of the Lanham Act (*see* 15 U.S.C. § 1125(a)); (3) unfair competition under Florida common law; and (4) trademark infringement under Florida common law. *See* Amended Complaint [ECF No. 16] ¶¶ 50-74. Plaintiffs allege Defendants are promoting, advertising, distributing, offering for sale and selling counterfeit and infringing versions of Plaintiffs’ branded products within the Southern District of Florida through the websites and e-commerce stores operating under the Subject Domain Names and Seller IDs identified on Schedule “A.” *See generally id.*

Plaintiffs allege Defendants’ unlawful activities have caused and will continue to cause irreparable injury because Defendants have (1) deprived Plaintiffs of their rights to determine the manner in which their trademarks are presented to the public through merchandising; (2) defrauded the public into thinking Defendants’ goods are authorized goods by Plaintiffs; (3) deceived the public as to Plaintiffs’ association with Defendants’ goods and the websites and e-commerce stores marketing and selling the goods; and (4) wrongfully traded and capitalized on Plaintiffs’ respective reputations and goodwill as well as the commercial value of Plaintiffs’ trademarks. *See generally id.* In the Motion, Plaintiffs move for the issuance of a preliminary injunction against Defendants for violations of the Lanham Act. *See* Mot. 13–18.

BACKGROUND³

Plaintiff, Apple Corps Limited, is the owner of the following trademarks which are valid

³ The factual background is taken from Plaintiffs’ Amended Complaint [ECF No. 16], Plaintiffs’ Motion [ECF No. 6], and supporting evidentiary submissions. Plaintiffs have also filed declarations and exhibits in support of their Motion [ECF Nos. 6-1 through 6-7].

and registered on the Principal Register of the United States Patent and Trademark Office (the “BEATLES Marks”):

Trademark	Registration Number	Registration Date	Class(es) / Good(s)
THE BEATLES	1,752,120	February 16, 1993	<p>IC 016 – Posters, pictures, photographic prints, picture postcards, calendars.</p> <p>IC 025 - Headwear, sweatshirts, t-shirts, shirts.</p>
BEATLES	4,373,956	July 30, 2013	<p>IC 009 - Musical sound and video recordings; motion picture films featuring music, musicians, caricatures, cartoons, animation, documentaries, biographies, interviews of individuals in the music and movie industry, fan interviews, movie and music reviews, drama and fiction; video game software; decorative refrigerator magnets; computer keyboard accessories, namely, mouse pads; phonograph records featuring music, gramophone records featuring music; audio compact discs featuring music; downloadable audio and video recordings featuring music; prerecorded digital versatile compact discs, featuring music, films of musicians, caricatures, cartoons or animation; musical juke boxes; gramophone players; boxes and cases specially adapted for holding gramophone records.</p> <p>IC 016 - Bookends, including bookends made from resin; mounted and unmounted photographs; stationery; posters; books on the subject of the entertainment industry, and biographies; song books; postcards; greeting cards; calendars; prints, namely, photograph prints and pictorial prints; note pads, note books; pens; printed sheet music; printed paper publications in the nature of activity books, and coloring books on the subject matter of musicians, animation, caricatures, cartoons, fiction and motion picture films; books, comic</p>

			<p>books on the subject of music, musicians, caricatures, animation, cartoons, fiction and motion picture films; comic books; children's activity books; art prints and framed art prints; framed and unframed pictorial prints, cartoon prints, lithographic prints, color prints, paper gift wrap; pen and pencil cases; pencil cases.</p> <p>IC 018 - Luggage, clutch bags, rucksacks, backpacks, umbrellas; bags, namely, handbags, shoulder bags, all-purpose sports bags, carry-on flight bags, suitcases, school bags, satchels, gym bags, tote bags, textile shopping bags.</p> <p>IC 020 - Money boxes not of metal; cushions; pillows; ornaments, statuettes, figurines, trinket boxes and lamps bases made from plastic, resin; key rings, key fobs and key chains, not of metal.</p> <p>IC 021 – Beverage glassware; statuettes and figurines of ceramic; plates; drinking vessels, namely, glasses, mugs, jugs, and tankards not of precious metal; bottles, namely, sport bottles sold empty, and vacuum bottles; insulated bottles, namely, thermal insulated bottles and flasks for beverages; cookie jars; coasters other than of paper or of table linen; serving trays not of precious metal; drinking glasses; bottle openers; lunch boxes; shaped cookie cutters; small domestic containers, namely, piggy banks not of metal, salt and pepper shakers, salt and pepper pots not of precious metal; tea cups and saucers; coasters not of paper and other than table linen, namely, coasters made of ceramic tiles for beverages.</p> <p>IC 024 - Household linen; bed linen; bed</p>
--	--	--	--

			<p>sheets, pillowcases, towels.</p> <p>IC 025 - Footwear and headgear, namely, hats and caps; clothing, namely, shirts, polo shirts, t-shirts, sweatshirts; jackets, coats; scarves; neck-ties; socks; long-sleeved shirts and long sleeved t-shirts; fleece tops; thermal tops; jerseys; tank tops; swim wear; slippers; cloth babies' bibs.</p>
--	--	--	---

See Declaration of Paul Cole (“Cole Decl.”) [ECF No. 6-1] ¶¶ 4-5. The BEATLES Marks are used in connection with the manufacture and distribution of quality goods in the categories identified above. See *id* ¶¶ 4-5.

Plaintiff, Subafilms Limited, is the owner of the following trademark which is valid and registered on the Principal Register of the United States Patent and Trademark Office (the “YELLOW SUBMARINE Mark”):

Trademark	Registration Number	Registration Date	Class(es) / Good(s)
YELLOW SUBMARINE	3,328,170	November 6, 2007	IC 009 - Musical sound and video recordings; gramophone records featuring music; audio compact discs featuring music; pre-recorded digital versatile discs featuring music; video discs featuring music, musicians, caricatures, cartoons or animation; motion picture films featuring music, musicians, caricatures, cartoons or animation; computer game software; video game software; interactive entertainment software for generating games, puzzles, images, musical entertainment, visual entertainment or movie

Trademark	Registration Number	Registration Date	Class(es) / Good(s)
			<p>clips; sunglasses; eyeglass cases; magnets; fridge magnets; mouse pads being accessories for keyboards; telephone apparatus, namely, covers for mobile telephones; straps for mobile telephones; and downloadable sound and video records featuring music, musicians, caricatures, cartoons, animation, movie clips, album art or music memorabilia images provided over broadcast, communications, satellite and computer networks.</p> <p>IC 025 - Shirts; polo shirts; t-shirts; long-sleeved shirts and long-sleeved t-shirts; sweatshirts; jackets; pullovers; vests; scarves; neck-ties; hats; caps; sock; thermal tops; jerseys; sweaters; tank tops; pajamas; clothing for toddlers, infants and babies namely, one piece garments for infants and toddlers, sleep suits, t-shirts and long-sleeved t-shirts.</p>

See Cole Decl. ¶¶ 10-11. The YELLOW SUBMARINE Mark is used in connection with the manufacture and distribution of quality goods in the category identified above. See *id.* ¶¶ 10-11.

Defendants, by operating commercial Internet websites operating under their domain names or Internet based e-commerce stores operating via Internet marketplace platforms under their seller identification names identified on Schedule “A” (the “Subject Domain Names and Seller IDs”), have advertised, promoted, offered for sale, or sold goods bearing what Plaintiffs have determined to be counterfeits, infringements, reproductions, and/or colorable imitations of the BEATLES Marks and/or the YELLOW SUBMARINE Mark (collectively “Plaintiffs’

Marks”). *See* Cole Decl. ¶¶ 16-20; Declaration of T. Raquel Wiborg-Rodriguez (“Wiborg-Rodriguez Decl.”) [ECF No. 6-2] ¶ 2; Declaration of Kathleen Burns (“Burns Decl.”) [ECF No. 6-3] ¶ 4; Burns Decl. Comp. Exs. 1 through 3 [ECF Nos. 6-4 through 6-7].

Although each Defendant may not copy and infringe each of Plaintiffs’ Marks for each category of goods protected, Plaintiffs have submitted sufficient evidence showing each Defendant has infringed, at least, one or more of Plaintiffs’ Marks. *See* Cole Decl. ¶¶ 16-23; Burns Decl. Comp. Exs. 1 through 3. Defendants are not now, nor have they ever been, authorized or licensed to use, reproduce, or make counterfeits, reproductions, and/or colorable imitations of Plaintiffs’ Marks. *See* Cole Decl. ¶¶ 16, 18-20, 23.

Plaintiffs’ counsel retained Invisible Inc (“Invisible”), a licensed private investigative firm, to investigate the promotion and sale of counterfeit and infringing versions of Plaintiffs’ branded products by Defendants and to obtain the available payment account data for receipt of funds paid to Defendants for the sale of counterfeit versions of Plaintiffs’ branded products. *See* Cole Decl. ¶ 17; Burns Decl. ¶ 3; Wiborg-Rodriguez Decl. ¶ 2. Invisible accessed the Internet websites⁴ and Internet based e-commerce stores operating under the Subject Domain Names and Seller IDs and placed orders from each Defendant for the purchase of various products, all bearing and/or using counterfeits of, at least, one of Plaintiffs’ trademarks at issue in this action, and requested each product to be shipped to Invisible’s address in the Southern District of Florida. *See* Burns Decl. ¶ 4 and Comp. Exs. 1 through 3 thereto. Each order was processed entirely online, and following the submission of the orders, Invisible received information for

⁴ Upon accessing the Internet website operating under Defendant Number 2’s Subject Domain Name, utrustshop.com, Invisible selected a product bearing Plaintiffs’ trademarks and upon selecting the “Buy Product Here” function, Invisible was then automatically redirected to the Internet website operating under Defendant Number 2’s Subject Domain Name, leesilk.com, to finalize the purchase. *See* Burns Decl. ¶ 4, n.1.

finalizing payment⁵ for the various products ordered via PayPal, Inc. (“PayPal”) to Defendants’ respective PayPal accounts, via Amazon Payments, Inc.,⁶ and/or via Defendants’ respective payee,⁷ which are identified on Schedule “A” hereto.⁸ *See id.* At the conclusion of the process, the detailed web page captures⁹ and images of the various Plaintiffs’ branded products ordered via Defendants’ Subject Domain Names and Seller IDs were sent to Plaintiffs’ representative for inspection. *See* Cole Decl. ¶ 18; Wiborg-Rodriguez Decl. ¶ 2. Plaintiffs’ representative reviewed and visually inspected the detailed web page captures reflecting Plaintiffs’ branded products Invisible ordered from Defendants through the Internet websites and Internet based e-commerce stores operating under their respective Subject Domain Names and Sellers IDs, and determined the products were not genuine versions of Plaintiffs’ goods. *See* Cole Decl. ¶¶ 18-20.

⁵ Invisible was instructed not to transmit the funds to finalize the sale for the orders from most of the Defendants so as to avoid adding additional funds to Defendants’ coffers. *See* Wiborg-Rodriguez Decl. ¶ 2, n.1; Burns Decl. ¶ 4, n.2.

⁶ Defendant Numbers 3-79 operate via the non-party Internet platform Amazon.com. Amazon allows Defendants to conduct their commercial transactions privately via Amazon’s payment processing and retention service, Amazon Payments, Inc. As such, Defendants’ payment information is not publicly disclosed, but Amazon Payments, Inc. has the ability to identify and restrain the payment accounts associated with Defendant Numbers 3-79. *See* Wiborg-Rodriguez Decl. ¶ 6; Burns Decl. ¶ 4, n.3.

⁷ The payee for the orders placed from Defendant Numbers 80-117’s Wish.com Seller IDs identifies “PayPal *Wish,” which is the aggregate PayPal account for purchases made via Wish.com. *See* Burns Decl. ¶ 4 n.4; Wiborg-Rodriguez Decl. ¶ 7. The Wish.com platform itself is not the ultimate merchant, but it can tie a particular Seller ID to a reported transaction and identify the merchant’s funds held within the aggregate account. *See* Wiborg-Rodriguez Decl. ¶ 7.

⁸ Defendant Numbers 1-2 also provided contact e-mail addresses in connection with their Subject Domain Names, which are included on Schedule “A” hereto. *See* Burns Decl. ¶ 4 n.5.

⁹ The web pages captured and downloaded by Plaintiffs’ counsel’s office, Stephen M. Gaffigan, P.A., identifying the Seller Identification Number, Store Name and/or Store Number for certain Defendants are included in Comp. Ex. “2,” to the Burns Decl.

LEGAL STANDARD

Plaintiffs have filed claims under the Lanham Act and Florida common law. *See generally* Am. Compl. The Lanham Act provides the Court “shall have power to grant injunctions, according to the principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark registered in the Patent and Trademark Office or to prevent a violation under subsection (a), (c), or (d) of § 1125 of this title.” 15 U.S.C. § 1116(a). Injunctive relief is also available for a violation of 15 U.S.C. § 1114(1)(a). *See id.* § 1116(d)(1)(A).

To obtain a preliminary injunction, a party must demonstrate “(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that the entry of the relief would serve the public interest.” *Schiavo ex. rel Schindler v. Schiavo*, 403 F.3d 1223, 1225–26 (11th Cir. 2005); *see also Levi Strauss & Co. v. Sunrise Int’l. Trading Inc.*, 51 F. 3d 982, 985 (11th Cir. 1995).

ANALYSIS

The declarations Plaintiffs submitted in support of their Motion support the following conclusions of law:

A. Plaintiffs have a strong probability of proving at trial that consumers are likely to be confused by Defendants’ advertisement, promotion, sales, offer for sale, and/or distribution of goods bearing and/or using counterfeits, reproductions, or colorable imitations of Plaintiffs’ Marks, and that the products Defendants are selling and promoting for sale are copies of Plaintiffs’ products that bear copies of Plaintiffs’ Marks.

B. Because of the infringement of Plaintiffs’ Marks, Plaintiffs are likely to suffer immediate and irreparable injury if a preliminary injunction is not granted. The following

specific facts, as set forth in Plaintiffs' Amended Complaint, Motion for Preliminary Injunction, and accompanying declarations on file, demonstrate that immediate and irreparable loss, damage, and injury will result to Plaintiffs and to consumers because it is more likely true than not:

1. Defendants own or control commercial Internet websites or e-commerce stores operating under their Subject Domain Names and Seller IDs which advertise, promote, offer for sale, and sell products bearing counterfeit and infringing trademarks in violation of Plaintiffs' rights; and

2. There is good cause to believe that more counterfeit and infringing products bearing Plaintiffs' trademarks will appear in the marketplace; that consumers are likely to be misled, confused, and disappointed by the quality of these products; and that Plaintiffs may suffer loss of sales for their genuine products.

C. The balance of potential harm to Defendants in restraining their trade in counterfeit and infringing branded goods if a preliminary injunction is issued is far outweighed by the potential harm to Plaintiffs, their respective reputations, and their goodwill as manufacturers and distributors of quality products, if such relief is not issued.

D. The public interest favors issuance of the preliminary injunction to protect Plaintiffs' trademark interests and protect the public from being defrauded by the palming off of counterfeit goods as Plaintiffs' genuine goods.

E. Under 15 U.S.C. § 1117(a), Plaintiffs may be entitled to recover, as an equitable remedy, the illegal profits gained through Defendants' distribution and sales of goods bearing and/or using counterfeits and infringements of Plaintiffs' Marks. *See Reebok Int'l, Ltd. v. Marnatech Enters., Inc.*, 970 F.2d 552, 559 (9th Cir. 1992) (quoting *Fuller Brush Products Co. v. Fuller Brush Co.*, 299 F.2d 772, 777 (7th Cir. 1962) ("An accounting of profits under §

1117(a) is not synonymous with an award of monetary damages: “[a]n accounting for profits . . . is an equitable remedy subject to the principles of equity.”)).

F. Requesting equitable relief “invokes the district court’s inherent equitable powers to order preliminary relief, including an asset freeze, in order to assure the availability of permanent relief.” *Levi Strauss & Co.*, 51 F.3d at 987 (citing *FTC v. United States Oil and Gas Corp.*, 748 F.2d 1431, 1433-34 (11th Cir. 1984)).

G. In light of the inherently deceptive nature of the counterfeiting business, and the likelihood that Defendants have violated federal trademark laws, Plaintiffs have good reason to believe Defendants will hide or transfer their ill-gotten assets beyond the jurisdiction of this Court unless those assets are restrained.

CONCLUSION

For the foregoing reasons, it is hereby

ORDERED AND ADJUDGED that Plaintiffs’ Motion for Entry of Preliminary Injunction [ECF No. 6] is **GRANTED**. A preliminary injunction is entered as follows:

(1) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order are hereby restrained and enjoined until further Order of the Court:

- a. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing Plaintiffs’ Marks, or any confusingly similar trademarks, other than those actually manufactured or distributed by the Plaintiffs; and
- b. From secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products, not manufactured or distributed by Plaintiffs, bearing and/or using Plaintiffs’ Marks, or any confusingly similar trademarks;

or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing and/or using Plaintiffs' Marks, or any confusingly similar trademarks; or (iii) any assets or other financial accounts subject to this Order, including inventory assets, in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, any Defendant, including, but not limited to, any assets held by or on behalf of any Defendant.

(2) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order of this Court, the use of Plaintiffs' Marks or any confusingly similar trademarks, on or in connection with all Internet websites and Internet based e-commerce stores owned and operated, or controlled by them, including the Internet websites and Internet based e-commerce stores operating under the Subject Domain Names and Seller IDs.

(3) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order of this Court, the use of Plaintiffs' Marks, or any confusingly similar trademarks within domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), from any advertising links to other websites, from search engines' databases or cache memory, and any other form of use of such terms that are visible to a computer user or serves to direct computer searches to Internet websites and Internet based e-commerce stores registered, owned, or operated by any Defendant, including the Internet

websites and Internet based e-commerce stores operating under the Subject Domain Names and Seller IDs.

(4) Each Defendant shall not transfer ownership of the Internet websites and Internet based e-commerce stores operating under the Subject Domain Names and Seller IDs during the pendency of this action, or until further order of the Court.

(5) Each Defendant shall continue to preserve copies of all computer files relating to the use of any of the Internet websites and Internet based e-commerce stores operating under their Subject Domain Names and Seller IDs and shall take all steps necessary to retrieve computer files relating to the use of the Internet websites and Internet based e-commerce stores operating under their Subject Domain Names and Seller IDs that may have been deleted before the entry of this Order.

(6) Upon Plaintiffs' request, the privacy protection service for any of the Subject Domain Names for which the registrant uses such privacy protection service to conceal the registrant's identity and contact information is ordered to disclose, to the extent not already done, to Plaintiffs the true identities and contact information of those registrants.

(7) Upon receipt of notice of this Order, Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, Amazon Payments, Inc. ("Amazon"), PayPal, Inc. ("PayPal"), ContextLogic, Inc., which operates the Wish.com website ("ContextLogic"), and their related companies and affiliates shall immediately, to the extent not already done, (i) identify all financial accounts and/or sub-accounts associated with the Internet websites and Internet based e-commerce stores operating under the Subject Domain Names and Seller IDs, store numbers, merchant identification numbers, and/or the e-mail addresses identified on Schedule "A" hereto, as well as any other accounts of the same customer(s); (ii) identify all other accounts which

transfer funds into the same financial institution account(s) or any of the other financial accounts subject to this Order; (iii) restrain the transfer of all funds, as opposed to ongoing account activity, held or received for their benefit or to be transferred into their respective financial accounts, and any other financial accounts tied thereto; and (iv) immediately divert those restrained funds to a holding account for the trust of the Court.

(8) Upon Plaintiffs' request, any Internet marketplace website operators and/or administrators who are provided with notice of this Order, including but not limited to Amazon.com, Inc., shall immediately, to the extent not already done, cease fulfillment of and sequester Defendants' inventory assets corresponding to the ASINs identified on Schedule "A" hereto presently in its inventory, possession, custody, or control, and impound such goods in trust for the Court during the pendency of this action.

(9) Upon receipt of notice of this Order, Defendants and all financial institutions, payment processors, bank, escrow services, money transmitters, or marketplace platforms receiving notice of this Order, including but not limited to, Amazon, PayPal, ContextLogic, and their related companies and affiliates, shall further, within five business days of receiving notice of this Order, to the extent not already done, provide Plaintiffs' counsel with all data that details (i) an accounting of the total funds restrained and identify the financial account(s) and sub-account(s) which the restrained funds are related to, and (ii) the account transactions related to all funds transmitted into the financial account(s) and sub-account(s) which have been restrained. No funds restrained by this Order shall be transferred or surrendered by any financial institution, payment processor, bank, escrow service, money transmitter, or marketplace website, including but not limited to, Amazon, PayPal, ContextLogic, and their related companies and affiliates for any purpose (other than pursuant to a chargeback made pursuant to their security interest in the funds) without the express authorization of this Court.

(10) Any Defendant or financial institution account holder subject to this Order may petition the Court to modify the asset restraint set out in this Order.

(11) This Order shall apply to the Subject Domain Names and Seller IDs, associated websites and e-commerce stores, and any other domain names, seller identification names, websites, e-commerce stores, or financial accounts which are being used by Defendants for the purpose of counterfeiting Plaintiffs' Marks at issue in this action and/or unfairly competing with the Plaintiffs.

(12) Under 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), Plaintiffs shall maintain their previously posted bond in the amount of \$10,000.00, as payment of damages to which Defendants may be entitled for a wrongful injunction or restraint, during the pendency of this action, or until further Order of the Court. In the Court's discretion, the bond may be subject to increase should an application be made in the interest of justice.

(13) Additionally, for the purpose of providing additional notice of this proceeding, and all other pleadings, orders, and documents filed herein, the owners, operators and/or administrators of the Internet marketplace websites and/or financial institutions, payment processors, banks, escrow services, money transmitters, and marketplace platforms, including but not limited to Amazon, PayPal, ContextLogic, and their related companies and affiliates shall, to the extent not already done, at Plaintiffs' request, provide Plaintiffs' counsel with any e-mail address known to be associated with the Defendants' respective Subject Domain Names and Seller IDs.

(14) This Preliminary Injunction shall remain in effect during the pendency of this action, or until further date as set by the Court or stipulated by the parties.

DONE AND ORDERED in Fort Lauderdale, Florida, this 13th day of May, 2021.

A handwritten signature in black ink, appearing to read 'Rodolfo A. Ruiz II', written over a horizontal line.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

SCHEDULE A:
DEFENDANTS BY NUMBER, SELLER ID, SUBJECT DOMAIN NAME,
ASSOCIATED FINANCIAL ACCOUNTS, ASIN AND E-MAIL ADDRESS

Def. No.	Defendant / Subject Domain Name / Seller ID	Financial Account Information	Amazon Item ASIN / Additional E-Mail Address
1	alchemytee.com	hoangthi196@tdsvmail.com	admin@alchemytee.com
2	ustrustshop.com a.k.a. leesilk.com	anclotheshongkong@gmail.com	boxboxshirt2018@gmail.com admin@leesilk.com
3	59Supreme	A1QU2X241S7FL3	B08FY2DYQC
4	85BUS	A31G9ZEPNJWGAL	B08W5FGWL2
5	92Supre	A2YVRDBPO6G1VY	B08FY2DYQC
6	AI-XUEYANG	A261ZQSELH5POG	B08QZ9TTJS
7	Alva Nahum	A17E15YK6B3D36	B08QMQN7KL
8	AmeMado	A1ILI8OV7H9YBG	B08T9JLH3R
9	beauty bridal	A25PIPJNTIJ4KR	B08QCGTYSX
10	Beauty-ever	A6RGA28JZO6A1	B08QCTCTBJ
11	Bouillise	A25YSPCM15DBR9	B08VNTR1TJ
12	chenwanl01	A14YI1T3GTVPS2	B08SR3K1WV
13	chenwl00	A3K9SWQD7NC09X	B08TBG9HTN
14	Clong20	A33FML9O7N9754	B08T5QRDS9
15	cwanling114	ADJN1PZ12JQQ6	B08S3VHC1G
16	dongwanshiyakefanzhuangshiyouxia ngongsi253	AQZ619MCW2RXC	B08QD8ZSLV
17	DSKFLG	A2Z3N5DL4CLOLL	B08GP9TQBM
18	Edward F Hall	A3UUAHL6ZHP8W7	B08SJ2CGMM
19	EollxC	A30NZ6Z5MM9JU5	B08NDG8MTL
20	FuXuanMi	A3LTSL9SME0OT9	B08PQCGD8V
21	Guangzhou Kaibingqing Petroleum Co., Ltd.	A1CNZ3AE7XVHM1	B08TVF5B2P
22	henandianzhijianyiyaokejyxiango ngsi	A1BXNNUS0X3OMF	B08T9YJQDW
23	Hongzen	A3IY99KQPLL0UJ	B08SQKL9B2
24	Huishuang Store	AOVVEHPGW4JB	B08JY59H3T

25	Ice-ceram	A1WYMRC9YMKS1G	B08SW3MJCW
26	iLovepearl	A2FKUL9HVCKVET	B08S7K8186
27	inseer	A3FKVO4LQPNNOP	B08NSWSVL5
28	Jaclyn R Jordan	A6V2TGDKE4B2R	B08PVFKTSG
29	Jiajian socks	ANCNSYVJ5TWIL	B08VN9MWK9
30	JiNanQuQuYouXianGongSi	A2LPDD66HNVKS9	B08T9VCX3T
31	JinChengShiChengQuChengXinXiongDiCheHang-	A3E000SGHYCVAW	B08RBXD2SG
32	JONATHAN LEVVY	A3L690O6YKJYXU	B08N4282W4
33	Jumping-Bean	A2G3C55E0KILKP	B085VWNQRB B085VLRFB
34	keding888	A2XO1NELMNGIQ7	B08P7G3JRM
35	KWCake	A2EU07U7NP6PNN	B08MZVP5F1
36	Laichuang	A2BWKT93CSTKPO	B08SW52ZXG
37	Lgfder	A1PVORM3FVZ0F5	B08VD1Z2RR B08VCVKWDX
38	Longer Ashley	AH97QFKPRCKPB	B08M3X4ZY8
39	Lovely cat2	A3OX2T5NK78QW3	B08TBWLXKZ B08THMT9GR
40	Lovely cat6	A21OWB518S5J76	B08TBWLXKZ
41	LtLnMDUrpl	A3DLCVWC2A932P	B08CVDXK9C
42	luanluanluan	AVL5YN4BJQBRO	B08TW83C5P
43	LuoHeShiYanChengQuMengMeiBaiHuoXiaoShouDianer	AGALB5MZEENHF	B08RBSQZPJ
44	Matthew A Recio	A3BI0TD73BO8EO	B08S3FLK65
45	MTRGFB-OPPR	A3AIWO59Q5ZHB5	B08S2RLZXR B08S3K5NSN
46	Music-D0008	A359TCW105906S	B08RS65HPJ B08RS58619
47	Nathaniel S Crews	A2OE89O7F4P13G	B08NPDNKG6
48	olikujyhtr	A3VIQENWS1JUD9	B08SHRBWN2
49	OnTheRoll	A7UA2JZ33719W	B08S7H3373
50	OuerJiaqin	A1BFIAPGQWL1T0	B08MZNM2RP
51	Pari.santi146	A3GDAX6G9DWBNF	B07YDJV5CK

52	peappushwrr	AGA4TQ3A7HJ6W	B08LQP2YT1
53	QiuZongShen	A8PPLOZEY0XRA	B08SWL7RN4
54	R-CK&R-LL	ADL14KP4EXRFO	B08RCLL48C
55	Rvisible	A231EEHI5I3PBL	B08SMDLC9Y
56	shanghaishiyuanhuanbaogongchengy ouxiangongsi	A1FUPK73U9KWPE	B086YBT62L
57	shanhuachua	ARFLUEPTQV2XG	B08VDBCPLG
58	shanxinchinchenxinkejiyouxiangongsi	AORQTHMOK6O7E	B08V5MYZNV
59	ShenZhenAnQuSongGangJieDaoYan KaiNongMaoShang	A3HYJRMMQZWWAC	B08RCN1NCG
60	Shuheng department store	A3KIB91H9HOZ5K	B08W3L9RGK
61	SMPYXG	A30GHKANFEKGYT	B08SC51G3T
62	Stacy A Easton	A3MRQWT1BWVZTH	B08S354ST9
63	suzhouyindingjidianyouxiangongsi	A1R8S1OLNPWHVH	B08LVHSY3Q
64	Tatuu	A1V8B36K2P7S0T	B07LG5T7M9
65	ThinkAboutYou	A1IO4MRPRFPZQV	B08SMD3T7L
66	TOMOROW	AZI3H5K13PZ66	B08RYY8BFL
67	Wang Kaijian	A2LXUJ2NCO0TXR	B08RYYF5PV
68	Wen11 Yi	A2GHWEIFO29SYED	B08SG9LYD8
69	XGSMPO	A20B03AWLR2K34	B08P76PYK4
70	xiangchengshimeitaishangmaoyouxi angongsi	A3PC6G1J6KFB0V	B08SHQNJHW B08SJ12JP9
71	XinLuoQuLieMingLvHeJinMenChua ngPeiJianZhongXin	A3URKXOUPXXBCO	B08VWN3CT6
72	yangyuman1996	A14AEVOWBL3UW8	B08FR6YXVX
73	YaoYang Trading	AAXK3O4V0P8JY	B08RBLCRS3
74	YIHAOZHANG	A2ZL6PG07WPECF	B08R37BQJL B08R38BSPR
75	yinhanmanlan	A3JKHRZYQ2RVN4	B08V4X5R1R
76	zaixianxiao	A1RAIHWX6R6CLA	B08VJ8644L
77	ZHOK8	A1NB515TCZ7NT6	B08SJR9TWG
78	ZhongYiKaiWei	A2UC3JTU0WMHLQ	B08S7CP384

79	Zouchengshiqinghuanbaihuopifashan ghang	A1ZIVCDX5WGWIM	B08NJWQLLB
80	alejoshop	5f7b8ad37a4ff2be937356b7	
81	becrngyun	5e9a8b222aad6ecce9e47ac0	
82	Chengdongmei999	5f3b7265126e5f73d7fe7061	
83	chengshenglong1127	60151388a49b3a274f98a13d	
84	Chien PKL	5fd787074706204175206c68	
85	dingxiaohui9890	5f8a514101b60da6c7c22041	
86	hedahua66058	5f8fc3232c463d11f11b1ec5	
87	huihuilor	5e7446537f52690e99d93a63	
88	ilovewehome	5e69a272ca34e21e4435242a	
89	jdjndnd	5e77404829e78673c056a098	
90	jeameng	5e9d3a72292aaa0050b90088	
91	jewu247	5e8eb16524067d5325df459c	
92	John Howard	5e8aab5aa7b0a92c031862c5	
93	Lauki123	5f786092a08853a6943f6221	
94	liangweijie88	5e7981a63a27aa21dac1e30c	
95	lihao461x	5ffd31d43f7d143da866114b	
96	Liudingqiong666	5e78864b53f8c694f71bb14c	
97	liuzhonghong9285	6014e0e5485ca441dc3c7e3f	
98	Luna azul11	5f79b15eec54dacddafb7b5	
99	maidandan	5e69eb9c1511dc69226d5116	
100	Manche progran Sakeler	5e67559d48763f58dbd59515	
101	mtaxc	5e6b410b3a00e719c3b89413	
102	Nguyen Minh Tien	5ff2b69fdf598b0c5d0d24c1	
103	Nguyen Trong Dat	5ff5cae54647ccdaf2c7d0d	
104	qwergrmbt	5e6a0012188644799cc77ae4	
105	shabee3452	5e9d3e45a67777b5e0eca7df	
106	Sunjinhao2631	5ff3e862ded4df0b6723e5ee	

107	tanhuali513741	5e72fae7dc0ec3461851e27a	
108	Thank KTM	5fe027e08523a59153a1e445	
109	Thi TPL	5fdb7a35cb71e8d4c0d038ca	
110	Vunguyen	5fc07398f166371d489488ea	
111	wangyaru9003	5f0ffb1ea5e4cc772c4b4876	
112	wupengxer	5e9be21a25c3d40cd85726ad	
113	wyz0625	5f72cca56534537bdf32f6e0	
114	xiquuyan21	5f8a9c129e241b06f3d2d7cb	
115	YIJIN034	5d81c95d6b6e29401df356df	
116	zhrngxeang	5e9aa25d65df69004c420f58	
117	zhuchaoqun1990	5f1008200d1ae47a8b6d86b0	