

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

CASE NO. 26-cv-23683- KMW

PUTIAN BAIYITE TRADING CO., LTD.

Plaintiff,

v.

**THE PARTNERSHIPS AND
UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE A.**

Defendant.

_____ /

PLAINTIFF’S MOTION TO FILE UNDER SEAL

Plaintiff Putian Baiyite Trading Co., Ltd. (“Plaintiff”) by and through its undersigned counsel and pursuant to S.D. Fla. L.R. 5.4(b), respectfully moves for an order allowing Plaintiff to file under seal the following documents: (1) Schedule A attached to Plaintiff’s ex parte Motion For Entry of A Temporary Restraining Order, including an Order Restraining Transfer of Assets and Expedited Discovery (hereinafter referred to as “Motion for TRO”), which lists the fully interactive e-commerce stores operating under the seller aliases (the “Seller Aliases”) and the e-commerce stores URLs; (2) Exhibit A to the Motion for TRO, which includes a true and correct copy of the trademarks-in-suit; (3) Exhibit B to the Motion for TRO, which displays Walmart webpages of the Infringing Products; (4) proposed Summons.

Good cause exists for this Court to grant the requested relief as the underlying action

involves an allegation of trademark infringement, and therefore, sealing of the requested materials is necessary to prevent Defendants from learning of these proceedings prior to the execution of a temporary restraining order. If Defendants were to learn of these proceedings prematurely, especially with respect to Defendants' Seller Aliases, the likely result would be the destruction of relevant documentary evidence and the hiding or transferring of assets to foreign jurisdictions, which would frustrate the purpose of the underlying action and would substantially interfere with the Court's power to grant relief. *See Dell Inc. v. BelgiumDomains, LLC*, Case No. 07-22674, 2007 U.S. Dist. LEXIS 98676, at *19 (S.D. Fla. Nov. 21, 2007) (granting motion to seal where the defendants, who operate their counterfeiting business electronically, "will likely destroy evidence or move it out of the jurisdiction" if provided with advance notice of the plaintiff's filings). As Defendants engage in unlawful trademark infringement activities, Plaintiff has no reason to believe Defendants will make their assets available for an equitable accounting or will adhere to the authority of this Court.

Furthermore, Defendants were/are engaging in the promotion, advertisement, distribution, offering for sale, and sale of goods using Plaintiff's trademarks (see Exhibit A to Motion for TRO) within this district without authorization via various Internet-based e-commerce stores. Defendants' infringing activities have caused irreparable harm to Plaintiff, including loss of exclusive control over his intellectual property rights, loss of future business opportunities, and loss of sales. Accordingly, Plaintiff is seeking *ex parte* relief in this action.

Plaintiff respectfully requests that Schedule A, Exhibit A, and Exhibit B, attached to Plaintiff's Motion for TRO, the Summons remain under seal until the Court has the opportunity to rule on Plaintiff's request for temporary *ex parte* relief. Should the Court grant Plaintiff's

request for temporary *ex parte* relief, Plaintiff further requests that the Court's Order be sealed until the relief ordered has been effectuated. At that time, Plaintiff will move to unseal the requested materials, will serve all pleadings and orders upon Defendants, and will enter Defendants' names into the Court's CM/ECF system.

DATED: July 15, 2026

Respectfully submitted,

/s/ Ni Xue

Ni Xue, Esq.

Florida Bar Number: 1026130

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*Attorney for Plaintiff Putian Baiyite
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LOCAL RULE 7.1(a)(3) CERTIFICATION

Pursuant to Local Rule 7.1(a)(3), undersigned counsel certifies that Plaintiff has been unable to confer with Defendant regarding the relief requested herein because Defendant has not yet been served and no counsel has appeared on Defendant's behalf in this action.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Motion was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on July 15, 2026.

/s/ Ni Xue