

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

SHANGHAI XINQI ELECTRONIC
TECHNOLOGY CO. LTD.,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS, and
UNINCORPORATED ASSOCIATES
IDENTIFIED ON SCHEDULE “A,”

Defendants.

Case No.: 1:24-cv-11538

Judge Lindsay C. Jenkins

PRELIMINARY INJUNCTION ORDER

Plaintiff Shanghai Xinqi Electronic Technology Co. Ltd. (“Plaintiff”) filed a Motion for Entry of a Preliminary Injunction (the “Motion”) against the against the fully interactive, e-commerce stores operating under the seller aliases identified in Schedule A to the Verified Complaint and attached hereto (collectively, “Defendants”) and the online marketplace accounts identified in Schedule A (the “Online Marketplaces”). After reviewing the Motion and the accompanying record, this Court GRANTS Plaintiff’s Motion in its entirety as follows:

This Court finds Plaintiff has provided notice to Defendants in accordance with the Temporary Restraining Order entered on December 6, 2024, [18] (“TRO”), and Federal Rule of Civil Procedure 65(a)(1).

This Court also finds, in the absence of adversarial presentation, that it has personal jurisdiction over Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Specifically, Plaintiff has provided a basis to

conclude that 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 products bearing unauthorized copies of Plaintiff's federally registered copyrighted works, Registration No. VA0002415912 (the "Plaintiff's Copyrighted Works") to residents of Illinois. In this case, Plaintiff has presented screenshot evidence that each Defendant e-commerce store is targeting business at Illinois residents by operating one or more commercial, interactive Internet stores through which Illinois residents can and do purchase products bearing unauthorized copies of Plaintiff's Copyrighted Works. *See* Exhibit 2 to the Verified Complaint [4-4]-[4-7], which includes screenshot evidence confirming that each Defendant Internet store does stand ready, willing, and able to ship its infringing goods to customers in Illinois bearing unauthorized copies of Plaintiff's Copyrighted Works.

Registration No.	Title	Registration Date	Date of Publication
VA0002415912	<i>Image of Manual 1205 – Mason Jar Sealer</i>	Sep. 28, 2024	Dec. 12, 2022

This Court also finds that the injunctive relief previously granted in the TRO should remain in place through the pendency of this litigation against Defendants and that issuing this Preliminary Injunction against Defendants 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 TRO establishes that Plaintiff has demonstrated a likelihood of success on the merits; that no remedy at law exists; and that Plaintiffs will suffer irreparable harm if the injunction is not granted.

Specifically, Plaintiff has proven a *prima facie* case of copyright infringement because Plaintiff has demonstrated that (1) Plaintiff is the owner of the valid and enforceable Plaintiff's

Copyrighted Works, and (2) Defendants, without authorized from Plaintiff, or any right under the law, have deliberately copied, displayed, distributed, reproduced, and/or made derivative works incorporating Plaintiff's Copyrighted Works on the Seller Aliases and the corresponding Unauthorized Products. Furthermore, Defendants continued and unauthorized copying of Plaintiff's Copyrighted Works irreparably harm 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 the 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 preliminarily 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 a genuine Plaintiff 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; and

- d. 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 the Plaintiff's Copyrighted Works.
2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.
3. Upon Plaintiff's request, Defendants and any third party with actual notice of this Order who is providing services for any of Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as Amazon.com, Inc. ("Amazon") shall, within seven (7) calendar days after receipt of such notice, provide to Plaintiff expedited discovery, limited to copies of documents and records in such person's or entity's possession or control sufficient to determine:
 - a. the identities and locations of Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active 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, including Defendants' sales and listing history related to their respective Online Marketplaces; and

- c. any financial accounts owned or controlled by Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active 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, Amazon, PayPal, Inc. (“PayPal”), and Payoneer Global, Inc. (“Payoneer”) (collectively, “Third-Party Providers,”) or other merchant account providers, payment providers, third party processors, and credit card associations (*e.g.*, MasterCard and VISA).
4. Upon Plaintiff’s request, those with notice of this Order, including the Third-Party Providers as defined in Paragraph 3, including Amazon, PayPal, and Payoneer, 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 which bear Plaintiff’s Copyrighted Works.
5. Any Third-Party Providers, including Amazon, PayPal, and Payoneer, 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 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 order by this Court.
6. Plaintiff 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 officers, agents, servants, employees, 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 financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Seller Aliases.
7. Plaintiff is authorized to issue the expedited discovery requests authorized in Paragraph 6 via e-mail. Defendants shall respond to any such discovery requests within three (3) business days of being served via e-mail.
8. Plaintiff may provide notice of the proceedings in this case to Defendants, including service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically mailing the Pleadings, this Order, and other relevant documents by sending an e-mail to any e-mail addresses provided for Defendants by third parties. The Clerk of the Court is directed to issue a single original summons in the name of "The Individuals and all other Defendants identified on the Complaint" that shall apply to all Defendants. The combination of providing notice via 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.

9. The unredacted copy of the Verified Complaint [4], Schedule A to Verified Complaint [4-1], Exhibit 1 to the Verified Complaint [4-2], Exhibit 2 to the Verified Complaint [4-3]-[4-7], and the Temporary Restraining Order [18] are unsealed.
10. 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 the Northern District of Illinois Local Rules.
11. The \$10,000.00 bond posted by Plaintiff shall remain with the Court until a final disposition of this case or until this Preliminary Injunction is terminated.

SO ORDERED:



Lindsay C. Jenkins
United States District Judge

Dated: January 7, 2025
Enter: 24-cv-11538

**Shanghai Xinqi Electronic Technology Co. Ltd. v. The Individuals, Corporations, Limited Liability Companies, Partnerships,
and Unincorporated Associations Identified on the Attached Schedule A – Case No. 24-cv-11538**

Schedule A

Def. #	Merchant Alias	Merchant ID	Product Link
1	Brigii	A2LGTR4N8A7MH1	https://www.amazon.com/dp/B0CKVTPC1D
2	Putar	A1ZHLIL8K7CXP4	https://www.amazon.com/dp/B0CPW1T2XF https://www.amazon.com/dp/B0CWMT5ZPZ https://www.amazon.com/dp/B0CWN54KMT
3	EverPeace NADirect (FitnissFTW)	A11SSXKSJJG0GI	https://www.amazon.com/dp/B0CNKGQXPL
4	HAVVNA store	AB0MAJXRORU9Y	https://www.amazon.com/dp/B0CWN624TM https://www.amazon.com/dp/B0CP3BD1T6?th=1 https://www.amazon.com/dp/B0CY2FPYJD https://www.amazon.com/dp/B0CY2JTV12?th=1 https://www.amazon.com/dp/B0CY25GSVC https://www.amazon.com/dp/B0CP3BD1T6 https://www.amazon.com/dp/B0CWN62B73?psc=1 https://www.amazon.com/dp/B0CWN62KLT?psc=1
5	COCOBELA	ALT7TUSSU7U	https://www.amazon.com/dp/B0CPPTFLP1
6	Meyoung Brand store	A2WL1GJH57XVCW	https://www.amazon.com/dp/B0CSFCDQNJ https://www.amazon.com/dp/B0CSF8ZYND
7	yuetaostore (anyrock)	A2FOSMXX4A2ZIC	https://www.amazon.com/dp/B0CTKCFCFB
8	INTENTIONALLY OMITTED	INTENTIONALLY OMITTED	INTENTIONALLY OMITTED
9	Fapugh	A1II0WFRQ9D95O	https://www.amazon.com/dp/B0CRQZSBF3