

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED IN
SCHEDULE "A" HERETO,

Defendants.

Case No.: 1:24-cv-12600

Honorable Sara L. Ellis

Magistrate Keri L. Holleb Hotaling

TEMPORARY RESTRAINING ORDER

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("PLAINTIFF") filed a Motion for Entry of a Temporary Restraining Order and Other Relief (the "Motion") against the fully interactive, e-commerce stores¹ operating under the seller aliases identified in Schedule A to the First Amended Complaint and attached hereto (collectively, "Defendants") and using at least 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 part as follows:

The Court 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 consumers in the State of Illinois. Specifically, PLAINTIFF has

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

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 to the State of Illinois, and have sold knockoff products through the unauthorized use and display of PLAINTIFF's federally registered copyrights (the "Plaintiff's Copyrights") to residents of the State of Illinois. *See* Docket No. 16-1, Ex. 1 to the Complaint, which includes the one (1) federally registered copyright, VA0002369378 associated with the Plaintiff's Copyrights and attached hereto.

In this case, PLAINTIFF has presented screenshot evidence that each Defendant's e-commerce store on eBay.com is reaching out to do business with Illinois residents by operating one or more commercial, interactive internet stores that display, without authorization, the Plaintiff's Copyrights through which Illinois residents can and do purchase knockoff Plaintiff's, Rotita Brand products. *See* Docket No. 18-8, Exhibit 7 to the Declaration of Katherine M. Kuhn in support of Temporary Restraining Order, which includes screenshot evidence and internet links confirming that each Defendant's Internet store displays the Plaintiff's Copyrights without authorization in offering knockoff Plaintiff's products and that they stand ready, willing, and able to ship its knockoff goods to customers in Illinois.

The Court also finds that issuing this Order without notice pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure is appropriate because PLAINTIFF has presented specific facts in the Declaration of Katherine M. Kuhn in support of the Motion and accompanying evidence clearly showing that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition. Specifically, in the absence of an *ex parte* Order, Defendants could and likely would move any assets from accounts in financial institutions under this Court's jurisdiction to offshore accounts. Accordingly, this Court orders as follows:

1. Defendants, their officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be temporarily enjoined and restrained from:

- a. using or displaying the Plaintiff's Copyrights, in any medium, whether it be print, digital or otherwise, in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine Plaintiff's product or is not authorized by PLAINTIFF to be sold in connection with the Plaintiff's Copyrights;
- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Plaintiff's product or any other product produced by PLAINTIFF through the use or display of the Plaintiff's Copyrights;
- 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. 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 through the use or display of the Plaintiff's Copyrights; and

2. Defendants shall not transfer or dispose of any money or other of Defendants' assets in any of Defendants' financial accounts.

3. PLAINTIFF is authorized to issue expedited written discovery to Defendants,

pursuant to Federal Rules of Civil Procedure 33, 34, 36, and 45 related to:

- 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, Temu.com, PayPal Inc. ("PayPal"), Alipay, ContextLogic Inc. d/b/a Wish.com ("Wish.com"), Alibaba Group Holding Ltd. ("Alibaba"), Ant Financial Services Group ("Ant Financial"), Amazon Pay, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).
4. 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' Online Marketplaces, including, without limitation, any online marketplace platforms such as eBay Inc., temu.com, AliExpress, Alibaba, Amazon.com Inc., Wish.com, and Dhgate (collectively the "Third Party Providers"), 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, PayPal, Alipay, Wish.com, Alibaba, Ant Financial, Amazon Pay, or other merchant account providers, payment providers, third party processors, credit card associations (e.g., MasterCard and VISA).

5. Upon PLAINTIFF's request, those with notice of this Order, including the Third-Party Providers as defined in Paragraph 4, 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 counterfeit and infringing goods using the Plaintiff's Copyrights.

6. Any Third-Party Providers, including PayPal, Temu Alipay, Alibaba, Ant Financial, Wish.com, 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 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.

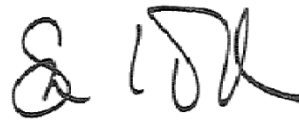
7. PLAINTIFF may provide notice of the proceedings in this case to Defendants, including notice of the preliminary injunction hearing, service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Complaint, this Order, and other relevant documents on a website and by sending an e-mail with a link to said website 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, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, AND UNINCORPORATED ASSOCIATIONS IDENTIFIED IN SCHEDULE A HERETO" 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. PLAINTIFF must provide notice to Defendants of any motion for preliminary injunction as required by Rule 65(a)(1).

9. Within seven (7) court days of entry of this Order, PLAINTIFF shall deposit with the Court \$26,000.00, either cash, cashier's check, or surety bond, as security, which amount has, in the absence of adversarial testing, been deemed adequate for the payment of such damages as any person may be entitled to recover as a result of a wrongful restraint hereunder.

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. Any third party impacted by this Order may move for appropriate relief.

This Temporary Restraining Order without notice is entered at 11:30 A.M. on this 17th day of January 2025 and shall remain in effect for fourteen (14) calendar days.



Sara L. Ellis
United States District Judge

**Rotita-1 .[Group registration of published photographs.750 photographs.
2022-01-01 to 2022-07-31]**

Actions

- **Registration Number / Date**

VA0002369378 / 2022-08-18

- **Type of Work**

Visual Material

- **Title**

Rotita-1 .[Group registration of published photographs.750 photographs. 2022-01-01 to 2022-07-31]

- **Application Title**

- Rotita-1

- **Date of Creation**

2022

- **Copyright Claimant**

- HONGKONG LEYUZHEN TECHNOLOGY CO.,LIMITED. Address: FLAT/RM A,9/F SILVERCORP INTERNATIONAL TOWER,707-713 NATHAN ROAD, MONGKOK ,KOWLOON, HONGKONG., HONG KONG.

- **Authorship on Application**

- HONGKONG LEYUZHEN TECHNOLOGY CO.,LIMITED, Domicile: Hong Kong. employer for hire; Authorship: photographs.

- **Description**

- 750 photographs :
- Electronic file (eService)

- **Copyright Note**

C.O. correspondence.

Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.

Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.

- **Nation of First Publication**

United States

- **Publication Date Range**

- 2022-01-01 to
- 2022-07-31

- **Names**

- [HONGKONG LEYUZHEN TECHNOLOGY CO.,LIMITED](#)

Defendant No.	Seller's Name	Link to Seller's Website
1	AIC Apparel	https://www.ebay.com/str/aicapparel?_trksid=p4429486.m3561.1161211
2	bestbusy	https://www.ebay.com/sch/i.html?item=166953898578&rt=nc&_trksid=p4429486.m3561.1161211&ssn=bestbusy
3	cookieimage5ci	https://www.ebay.com/sch/i.html?item=365061302335&rt=nc&_trksid=p4429486.m3561.1161211&ssn=cookieimage5ci
4	downlightdirect	https://www.ebay.com/sch/i.html?item=315219245881&rt=nc&_trksid=p4429486.m3561.1161211&ssn=downlightdirect
5	Dromiyafashion	https://www.ebay.com/str/dromiyafashion
6	earlykool8rk	https://www.ebay.com/str/earlykool8rk?_trksid=p4429486.m3561.1161211
7	earnjc17rk	https://www.ebay.com/str/earnjc17rk?_trksid=p4429486.m3561.1161211
8	esterwind30rk	https://www.ebay.com/sch/i.html?item=166913206602&rt=nc&_trksid=p4429486.m3561.1161211&ssn=esterwind30rk
9	edjwendd	https://www.ebay.com/str/edjwendd?_trksid=p4429486.m3561.1161211
10	ezjwemczeal	https://www.ebay.com/sch/i.html?item=405040292656&rt=nc&_trksid=p4429486.m3561.1161211&ssn=ezjwemczeal
11	FahionShop	https://www.ebay.com/str/fahionshop?_trksid=p4429486.m3561.1161211
12	fikinterkite	https://www.ebay.com/sch/i.html?item=315831415193&rt=nc&_trksid=p4429486.m3561.1161211&ssn=fikinterkite
13	Find charming	https://www.ebay.com/str/findcharming?_trksid=p4429486.m3561.1161211
14	frdroadd	https://www.ebay.com/str/frdroadd
15	frirising	https://www.ebay.com/str/frirising?_trksid=p4429486.m3561.1161211
16	hcnonet2nn	https://www.ebay.com/str/hcnonet2nn?_trksid=p4429486.m3561.1161211
17	ininttkx	https://www.ebay.com/str/ininttkx?_trksid=p4429486.m3561.1161211
18	ireczoulkx	https://www.ebay.com/sch/i.html?item=365169671526&rt=nc&_trksid=p4429486.m3561.1161211&ssn=ireczoukx
19	isastaykx	https://www.ebay.com/str/isastaykx?_trksid=p4429486.m3561.1161211
20	Kcon Apparel	https://www.ebay.com/str/kconapparel?_trksid=p4429486.m3561.1161211
21	safenoon	https://www.ebay.com/str/safenoon?_trksid=p4429486.m3561.1161211
22	samess07rk	https://www.ebay.com/str/samess07rk?_trksid=p4429486.m3561.1161211
23	sunshingshoppe	https://www.ebay.com/str/sunshingshoppe?_trksid=p4429486.m3561.1161211
24	tuoyou8-64 shop	https://www.ebay.com/str/tuoyou864shop?_trksid=p4429486.m3561.1161211
25	Unique-J·C-jewelry	https://www.ebay.com/str/uniquejcjewelry?_trksid=p4429486.m3561.1161211

Defendant No.	Seller's Name	Link to Seller's Website
26	Wholesale*Clothing*Shop aka angelcity shop	https://www.ebay.com/sch/i.html?item=156359686591&rt=nc&_trksid=p4429486.m3561.1161211&_ssn=angelcity_shop