

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 1:25-cv-22143-BECERRA

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

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

Defendants.

**PLAINTIFF'S EX-PARTE MOTION FOR TEMPORARY RESTRAINING ORDER,
INCLUDING A TEMPORARY ASSET RESTRAINT AND EXPEDITED DISCOVERY**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff"), pursuant to 17 U.S.C. § 502, Fed. R. Civ. P. 65, and The All Writs Act, 28 U.S.C § 1651(a), respectfully moves on an *ex parte* basis for entry of a temporary restraining order against the Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations (the "Defendants") identified on Schedule "A" to the Complaint [Dkt. No. 1-1], which enjoins the manufacture, importation, distribution, offering for sale, and sale of competing products in connection with and through the unauthorized use and display of the Plaintiff's federally registered, copyright-protected photographs. Plaintiff further seeks entry of a temporary asset restraint and expedited discovery.

Plaintiff's Motion is made based on the pleadings on file in this action, this Motion, the Declaration of William R. Brees (the "Brees Decl."), the Declaration of Anisah Beaston (the "Beaston Decl."), and the Declaration of Liangjie Li (the "Li Decl.>").

I. INTRODUCTION

Plaintiff brings this action against the Defendants for federal copyright infringement (Count I) and violation of Florida Deceptive and Unfair Trade Practices Act (Count II). [Dkt. No. 1] As the Complaint alleges, Defendants promote, advertise, market, distribute, offer for sale, and sell competing products in connection with and through the use and display of Plaintiff’s federally registered copyrights (“Infringing Photographs”), on their online storefronts (the “Online Stores”) identified on Schedule “A” which are maintained on the Amazon sales platform (the “Online Platform”).

Plaintiff is the owner of all rights, title and interest in and to the copyright registrations issued by the United States Copyright Office for specific images related to its Rotita brand product line (the “Rotita Brand”) used in connection with the promotion and sale of women’s apparel, which bear the following federal registration numbers VA0002369378, VA0002379881,

VA0002379888, VA0002379895, VA0002379897, VA0002379907, VA0002379911,
VA0002379930, VA0002380492, VA0002381840, VA0002381842, VA0002384827,
VA0002384829, VA0002386556, VA0002413181, VA0002413183, VA0002413187,

VA0002413190, VA0002413196, and VA0002413197

 (the “Rotita Copyrights”). Plaintiff

founded its Rotita Brand in 2009, which is dedicated to women’s fashion apparel. *See* Li Decl ¶¶ 4, 22. Between the years of 2021 and 2023, Plaintiff designed, caused to subsist in material form, and first published the Rotita Copyrights on its website, located at the company’s designated website, employing the Rotita Brand in its URL. [*See* Dkt. No. 1-2]. Over the years Plaintiff has worked hard to establish success and recognition for high-quality women’s apparel.

Each Defendant created an Online Store that appears to sell genuine products but instead sells unauthorized and unlicensed competing products to unknowing consumers who mistakenly

believe them to be Plaintiff's products because they are advertised using the Infringing Photographs. The Online Stores share unique identifiers, such as design elements and similarities of the competing products sold in conjunction with and through the use of the Infringing Photographs offered for sale, establishing a logical relationship between them and suggesting that each Defendant's online intellectual property infringement operation arises from the same transaction, occurrence, or series of transactions or occurrences, as the other Defendants.

Each Defendant is reaching out to do business with Florida residents by operating one or more commercial, interactive Online Stores through which Florida residents can purchase products being sold in connection with the Infringing Photographs. By directly targeting their unlawful business activities toward consumers in Florida, causes harm to Plaintiff's business within this Judicial District, and has caused and will continue to cause irreparable injury to Plaintiff. As such, this Court has personal jurisdiction over each Defendant because each Defendant targets Florida residents and has offered to sell, has sold, and on information and belief, continues to sell competing products in conjunction with and through the use of the Infringing Photographs to consumers within the United States, including customers within the State of Florida.

Should the Court not find this enough to grant jurisdiction over each Defendant, the Defendants are, based on the best information available, foreign entities, even if masquerading as domestic entities. The Plaintiff is an international entity and the Defendants are international entities. Therefore, Defendants are not reasonably subject to a state court in this action, and the exercise of jurisdiction comports with notions of fair play and substantial justice because the Defendants target the United States and could reasonably predict that the same would subject them to jurisdiction in the United States. Therefore, each Defendant is subject to jurisdiction under Fed. R. Civ. Pro. 4(k).

Each Defendant's ongoing unlawful activities should be restrained. Plaintiff respectfully requests that this Court issue an *ex parte* Temporary Restraining Order (1) temporarily restraining each Defendant's continued manufacture, importation, distribution, offering for sale, and sale of competing products in conjunction with and through the use of the Infringing Photographs; (2) temporarily restraining each Defendant's assets to preserve Plaintiff's right to an equitable accounting; and (3) authorizing expedited discovery allowing Plaintiff to inspect and copy each Defendant's records relating to each Defendant's infringement and each Defendant's financial accounts.

Plaintiff's well-pleaded factual allegations, which must be accepted as true, and evidence submitted through declarations, establish that issuing a temporary restraining order against Defendants is necessary and proper. Plaintiff can demonstrate a strong likelihood of success on the merits. Plaintiff is the owner of its valid federally registered copyrights and the distributor of genuine Rotita brand products ("Rotita Products"), and each Defendant's use of the Infringing Photographs to sell competing products deceives members of the public who seek to purchase genuine Rotita Products. The issuance of a Temporary Restraining Order is also in the public interest because it will prevent confusion among the public and prevent unknowing consumers from being deceived into purchasing products of unknown quality from an unknown source, based on the use of the Infringing Photographs.

Courts regularly grant these requests due to the critical need to establish an economic disincentive for offshore counterfeiting activities. *See, e.g., The North Face Apparel Corp., et al. v. The Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations Identified on Schedule A*, No.: 0:22-cv-60193, ECF No. 11 (S.D. Fla. Jan. 27, 2022) (granting orders requested here in similar case); *Louis Vuitton Malletier v. The Individuals,*

Business Entities, and Unincorporated Associations identified on Schedule A, No. 0:22-cv-60192, ECF No. 9 (S.D. Fla. Jan. 28, 2022) (same). Furthermore, under Federal Rule of Civil Procedure 65(d)(2)(C), this Court has the power to bind any third parties, such as financial institutions, who are in active concert with Defendants or who aid Defendants and are given actual notice of the order. Additionally, a prejudgment asset freeze is also proper since Plaintiff seeks an equitable remedy in the accounting of Defendants' profits pursuant to 17 U.S.C. § 504.

II. APPLICABLE LEGAL STANDARDS

A. This Court May Exercise Personal Jurisdiction Over Each Defendant

Without the benefit of an evidentiary hearing, Plaintiff bears only the burden of making a *prima facie* case for personal jurisdiction; the company's asserted facts should be accepted as true, and any factual determinations should be resolved in its favor. *See Cable/Home Commun. Corp. v. Network Prods.*, 902 F.2d 829, 855 (11th Cir. 1990) (citing *Morris v. SSE, Inc.*, 843 F.2d 489, 492 (11th Cir. 1988); *Delong Equip. Co. v. Washington Mills Abrasive Co.*, 840 F.2d 843, 845 (11th Cir. 1988); *see also Nissim Corp. v. Clearplay, Inc.*, 351 F. Supp. 2d 1343, 1345 (S.D. Fla. 2004).

More specifically, the Southern District of Florida regularly exercises personal jurisdiction over websites using registered trademarks and/or copyrights without authorization in connection with the offering for sale and selling of knockoff and counterfeit merchandise to Florida residents over the internet. *See, e.g., Cheng Yizhou v. Individuals, P'ships, and Unincorporated Associated Identified on Schedule "A"*, 2022 U.S. Dist. LEXIS 222468; *Betty's Best, Inc. v. Individuals*, 2023 U.S. Dist. LEXIS 207706, *23 (S.D. Fla. Nov. 17, 2023); *Crazy Forts Inc. v. Individuals, Bus. Entities, & Unincorporated Ass'ns Identified on Schedule "A"*, 2023 U.S. Dist. LEXIS 72956; *Dohler S.A. v. Gift Guru*, 2017 U.S. Dist. LEXIS 170280 *13 (S.D. Fla. October 16, 2017) (stating the allegations support a finding that Defendants committed the tortious act of trademark

infringement and caused injury to Plaintiff in Florida); *Max'Is Creations v. Individuals*, 2021 U.S. Dist. LEXIS 180656, *3 (S.D. Fla. September 21, 2021); *Louis Vuitton Malletier, S.A. v. Mosseri*, 736 F.3d 1339, 1354 (11th Cir. 2013) (stating “because in this case the alleged infringement clearly also occurred in Florida by virtue of the website's accessibility in Florida.”) (quoting *Licciardello v. Lovelady*, 544 F.3d 1280, 1283 (11th Cir. 2008); *Blue Spring Partners, LLC v. Individuals, Corps., Ltd. Liab. Co., P'ships, & Unincorporated Ass 'ns Identified on Schedule A*, 2025 U.S. Dist. LEXIS 42576, *7 (S.D. Fla. March 10, 2025).

Thus, the Court may properly exercise specific personal jurisdiction over each Defendant because they have specifically targeted the sale of the competing products in connection with and using the Infringing Photographs to citizens of the State of Florida. (Brees Decl. ¶ 10.) Moreover, Plaintiff has secured evidence that Defendants have sold these competing products in Florida. (*Id.*; Beaston Decl. ¶¶ 3-4, Ex. 1.) Given that the Defendants have physically shipped the competing products in conjunction with and through the use of the Infringing Photographs and have willfully used Plaintiff's copyrights without authorization for said sales, the Court can exercise specific personal jurisdiction over them.

B. Standards for Temporary Restraining Order

The requirements for issuing temporary restraining order (“TRO”) are: “(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.” *Yeti Coolers, LLC v. Individuals, Bus. Entities, & Unincorporated Ass'ns Identified on Schedule "A"*, 2024 U.S. Dist. LEXIS 240407, *4 (S.D. Fla. November 18, 2024) (citing *Schiavo ex. rel Schindler v. Schiavo*, 403 F.3d 1223, 1225-26 (11th Cir. 2005).

None of the four requirements “has a fixed quantitative value. Rather, a sliding scale is utilized, which takes into account the intensity of each in a given calculus.” *Smiley Co. SPRL v. Individuals, P’ships & Unincorporated Ass’n Identified on Schedule A*, 2023 U.S. Dist. LEXIS 178603, *6 (S.D. Fla. August 31, 2023). “No one factor, however, is controlling; this Court must consider the factors jointly, and a strong showing on one factor may compensate for a weaker showing on another.” *Zhipeng Yin v. Diaz*, 2025 U.S. Dist. LEXIS 24436, *16 (S.D. Fla. February 10, 2025) (citing *Falls*, 609 F. Supp. 3d at 1281 (citing *Fla. Med. Ass’n, Inc. v. U.S. Dep’t of Health, Educ. & Welfare*, 601 F.2d 199, 203 n.2 (5th Cir. 1979))).

Additionally, a court may only issue a temporary restraining order without notice to the adverse party or its attorney if: (1) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (2) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required. *Mainsail Parent, LLC v. Jewell*, 2024 U.S. Dist. LEXIS 187698, *5 (S.D. Fla. July 31, 2024) (citing Fed. R. Civ. P. 65(b)(1)). A sworn declaration, explaining why imminent irreparable injury will occur before Defendants can be heard on this matter, and that notice should not be required, accompanies this Motion.

III. ARGUMENT

To stop each Defendant’s sale of the competing products in connection with and using the Infringing Photographs, Plaintiff requests that this Court issue a temporary restraining order ordering expedited discovery and the freezing of Defendants’ assets. Without the relief requested, Defendants’ unlawful activities will continue unabated, and the intentional and unlawful conduct will continue to cause irreparable harm to Plaintiff’s reputation through diminished goodwill and brand confidence, damage to Plaintiff’s reputation, loss of exclusivity, and loss of future sales due to the possible diversion of customers, which are irreparable and incalculable harms. See Li Decl.,

¶¶ 23-24. Rule 65 of the Federal Rules of Civil Procedure allows the Court to issue an *ex parte* temporary restraining order where immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition. Fed. R. Civ. P. 65(b).

Each Defendant fraudulently promotes, advertises, offers to sell, and sells goods that infringe upon Plaintiff's copyright rights. Defendants are creating a false association in the minds of consumers between the Defendants and Plaintiff by deceiving consumers into believing that the competing products for sale on Defendants' Online Stores are Plaintiff's products. The entry of a temporary restraining order is appropriate because it will immediately stop the Defendants from benefiting from their wrongful use of the Rotita Copyrights and preserve the status quo until a hearing can be held.

In the absence of a temporary restraining order without notice, each Defendant can and likely will move any assets from U.S.-based bank accounts and take other steps to evade enforcement, such as redirecting traffic to other websites they control. Courts have recognized that civil actions against counterfeiters present special challenges that justify proceeding on an *ex parte* basis. *See Dell Inc. v. BelgiumDomains, LLC*, Case No. 07-22674, 2007 WL 6862341, at *2 (S.D. Fla. Nov. 21, 2007) (*ex parte* relief more compelling where Defendants' scheme "is in electronic form and subject to quick, easy, untraceable destruction by Defendants").

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

Twows, LLC v. Individuals P'ships, & Unincorporated Ass'ns Identified Schedule "A", No. 8:23-cv-00139-WFJ-MRM, 2023 U.S. Dist. LEXIS 61814, at *8-9 (M.D. Fla. Apr. 7, 2023).

Plaintiff, therefore, respectfully requests this Court to issue the requested *ex parte* temporary restraining order. This Court has original subject matter jurisdiction over the federal copyright claim under the United States Copyright Laws, 17 U.S.C. § 101 et seq., 28 U.S.C. § 1338(a)-(b), and 28 U.S.C. § 1331. This Court has jurisdiction over the unfair deceptive trade practices claim that arises under the laws of the State of Florida pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391, 1400.

A. The Court can Properly Exercise Personal Jurisdiction Over the Defendants.

As set forth above, the Court can properly exercise specific personal jurisdiction over each Defendant because they have specifically targeted their infringing activities to the State of Florida. *See, e.g., Max'Is Creations v. Individuals*, 2021 U.S. Dist. LEXIS 180656, *3. Here, each Defendant has engaged in such specific activities causing harm to Plaintiff, thereby justifying the exercise of personal jurisdiction over them. Specifically, each Defendant, by advertising and shipping products to the State of Florida, has engaged in business in Florida, subjecting each Defendant to Jurisdiction within the State of Florida under Florida Statute §48.193(1)(a)(1).

Additionally, each Defendant has tarnished the brand recognition of Plaintiff's Rotita Brand in the State of Florida and violated the Florida Deceptive and Unfair Trade Practices Act by using an online store displaying Plaintiff's Protected Images. Thus, they have committed a tort within the State of Florida, subjecting them to jurisdiction in the State of Florida under Florida Statute §48.193(1)(a)(2).

Each Defendant is a foreign company, and the Plaintiff is a foreign entity, subjecting each Defendant to jurisdiction under Fed. R. Civ. Pro. 4(k), because jurisdiction is consistent with Florida's Long Arm Statute and predictable, because each Defendant is a foreign entity targeting

the United States, and could reasonably predict being hailed into court where they committed the tortious act of violating the Florida Deceptive and Unfair Practices Act. Venue is appropriate for a foreign entity in any district of the United States, and jurisdiction is consistent with both Florida's Long-Arm Statute, and notions of fair play and substantial justice.

Plaintiff has demonstrated a *prima facie* showing that this Court has specific personal jurisdiction over the Defendants. Defendants, alleged to be residing or operating in outside the United States, and are alleged to have committed a tortious act within the state of Florida in satisfaction of Fla. Stat. §48.193(1)(b). *Licciardello v. Lovelady*, 544 F.3d 1280, 1283 (11th Cir. 2008). Additionally, jurisdiction is properly pled pursuant to Fed. R. Civ. P. 4(k)(2), the federal long arm statute, because Plaintiff's claims arise under federal U.S. Copyright Law and Defendants have not consented to jurisdiction in another state. *Viahart, LLC v. Does 1-54*, 2022 U.S. Dist. LEXIS 164459, 2022 WL 4138590, *9-10 (E.D. Tex. July 18, 2022).

Twows, LLC v. Individuals P'ships, & Unincorporated Ass'ns Identified Schedule "A", No. 8:23-cv-00139-WFJ-MRM, 2023 U.S. Dist. LEXIS 61814, at *5 (M.D. Fla. Apr. 7, 2023)

Each Defendant targets Florida residents, has offered to sell, and continues to target their competing products in conjunction with and through the use of the Infringing Photographs to Florida consumers, using Plaintiff's Rotita Copyrights without authorization. (Brees Decl. ¶ 11; Beaston Decl. ¶¶3-4, Ex. 1.) Specifically, each Defendant is reaching out to do business with Florida residents by operating one or more commercial, interactive internet-based stores through which Florida residents can purchase the Infringing Products, which employ without authorization Plaintiff's Rotita Copyrights. (*Ibid.*) Plaintiff has direct evidence of each Defendant's consummation of sales to residents of the State of Florida and Defendants' shipping of the products to Florida. (Beaston Decl. ¶¶ 3-4, Ex. 1.) Based on these circumstances, there is absolutely no question that the Court can properly exercise specific personal jurisdiction over the Defendants.

B. Plaintiff is Entitled to a Temporary Restraining Order.

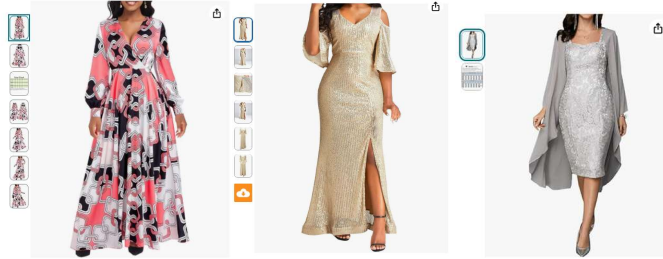
1. Plaintiff enjoys a high likelihood of success on the merits of its claims.

“To establish infringement, two elements must be proven: (1) ownership of a valid copyright, and (2) copying of constituent elements of the work that are original.” Feist *Publications, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 361 (1991). Plaintiff is likely to succeed on the merits of its copyright infringement claim.

First, Plaintiff owns the exclusive rights to the Rotita Copyrights. *See* 17 U.S.C. § 501(b) (stating legal or beneficial owner of an exclusive right under a copyright is entitled to institute an action for any infringement). Accordingly, if Plaintiff establishes a likelihood that each Defendant is infringing its Rotita Copyrights, it has a commensurate likelihood of success on its asserted claims for relief. Second, Plaintiff has shown that each Defendant has made unauthorized copies of Plaintiff’s works. Specifically, each Defendant also deceives unknowing consumers by using the Rotita Copyrights without authorization, including offering products for sale by referencing and/or embodying those copyrights on the Online Stores. Li Decl. ¶¶ 17-19.

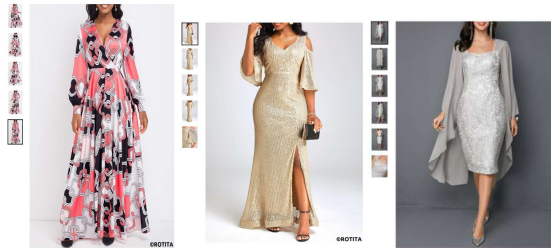
Each Defendant has directly copied a/the photograph(s) protected by the Rotita Copyrights, or each Defendant’s Infringing Photographs are strikingly similar, or at the very least substantially identical, to the pictures protected by the Rotita Copyrights and constitute unauthorized copying, reproduction, and distribution, creation of a derivative work, and/or public display of Plaintiff’s copyrights for the Rotita Products. For example, Defendants deceive unknowing consumers by using the Rotita Copyrights without authorization within the product descriptions of their Defendant Online Store to attract customers as follows:

Exemplary of Competing Products sold on Defendants' Online Stores in Conjunction with and through the use of the Infringing Photographs



compared to

Genuine Rotita Products and Exemplary Photographs from Rotita Copyrights



See *Complaint* at ¶ 50]. Defendants have obviously copied Plaintiff's Rotita Copyrights without authorization.

2. ***Plaintiff has no adequate remedy at law and would suffer irreparable harm without the Court's issuance of a temporary restraining order.***

Plaintiff will suffer irreparable harm unless this Court issues the requested relief. Each Defendant has blatantly copied Plaintiff's Rotita Copyright(s) and totally disregarded Plaintiff's right to exclude them from using them, causing irreparable harm to Plaintiff's efforts to advertise, market, offer for sale, and sell its Rotita Products. (Li Decl. ¶ 20). Every time a Defendant offers to sell and/or sells a product using Plaintiff's Rotita Copyrights, Plaintiff suffers a direct loss, which monetary damages cannot adequately compensate for because they fail to address the loss of control over Plaintiff's intellectual property. Loss of quality control over goods sold utilizing Plaintiff's Rotita Copyrights is neither calculable nor precisely compensable. "The most corrosive and irreparable harm attributable to trademark infringement is the inability of the victim to control

the nature and quality of the defendants' goods." *Ferrellgas Ptnrs., L.P. v. Barrow*, 143 Fed. Appx. 180, 190 (11th Cir. 2005).

As such, Defendants' infringing conduct deprives Plaintiff of control over its exclusive copyright rights, causing irreparable harm. *Salinger v. Colting*, 607 F.3d 68, 82 (2d Cir. 2010) (holding violation of copyright owner's "right to exclude" renders monetary remedies inadequate in a wide range of circumstances) (quoting *eBay, Inc.* at 395). These harms are notoriously difficult to quantify and are considered irreparable. *Id.* At 81 (loss of sales due to infringement is "notoriously difficult" to prove). Accordingly, monetary damages are likely to be inadequate compensation. *Badia Spices, Inc. v. Gel Spice Co.*, 2019 U.S. Dist. LEXIS 113626, *5 (S.D. Fla. July 8, 2019). Therefore, Plaintiff will continue to suffer irreparable harm unless Defendants' infringing activity is stopped.

3. *The balance of the hardships favors issuance of a temporary restraining order.*

If the Court finds that Plaintiff has demonstrated (1) a likelihood of success on the merits, (2) no adequate remedy at law, and (3) the threat of irreparable harm if preliminary relief is not granted, then it must next consider the harm that Defendants will suffer if preliminary relief is granted, balancing such harm against the irreparable harm that Plaintiff will suffer if relief is denied. *Yeti Coolers*, 2024 U.S. Dist. LEXIS 240407, *4.

When balancing the hardship of both parties, courts will generally favor the plaintiff as "a company cannot build a business on infringements and then argue that enforcing the law will cripple that business." *C.B. Fleet Co., Inc. v. Unico Holdings, Inc.*, 510 F. Supp. 2d 1078, 1083 (S.D. Fla. 2007) (quoting *CBS, Inc. v. Primetime 24 Joint Venture*, 9 F. Supp. 2d 1333, 1345 (S.D. Fla. 1998)). The balance of potential harm to the Defendants in restraining their trade in counterfeit and infringing goods if a temporary restraining order is issued is far outweighed by the potential

harm to the Plaintiff, its reputation, and its goodwill as a manufacturer and distributor of quality products if such relief is not issued. *Creeled, Inc. v. Individuals*, No. 8:22-cv-2379-MSS-TGW, 2022 U.S. Dist. LEXIS 239482, at *8-9 (M.D. Fla. Dec. 2, 2022). Accordingly, the balance of hardships tips decidedly in Plaintiff's favor. Therefore, a Temporary Restraining Order is appropriate.

4. Issuance of a temporary restraining order is in the public interest.

A Temporary Restraining Order in these circumstances is in the public interest because each Defendant is engaged in illegal activities and is directly defrauding the consuming public by palming off Defendant's competing Products as genuine Rotita Products through the publication of the Infringing Photographs. The public interest favors maintaining the integrity of the copyright laws. See *C.B. Fleet Co.* 510 F. Supp. At 1084 ("The public interest can only be served by upholding copyright protection and preventing the misappropriation of protected works."); *Salinger*, 607 F.3d at 82; see also *CBS Broad., Inc. v. EchoStar Comm'ns. Corp.*, 265 F.3d 1193, 1198 (11th Cir. 2001) (the public interest lies with protecting the rights of copyright owners); *Nailtiques Cosmetic Corp. v. Salon Sciences, Corp.*, 41 U.S.P.Q.2d 1995, 1999 (S.D. Fla. 1997) ("The interests of the public in not being victimized and misled are important considerations in determining the propriety of granting injunctive relief.").

Plaintiff has demonstrated that it is likely to succeed on the merits of its claims for relief. It has also shown that it lacks an adequate remedy at law and would suffer irreparable harm if each Defendant's continuing conduct is not immediately restrained pending a hearing. Additionally, Plaintiff has established that the balance of hardships favors issuing the requested injunction and that granting its *Ex Parte* Motion is in the public interest. Accordingly, Plaintiff respectfully requests that the Court grant the Motion and enter a temporary restraining order against Defendants.

C. Preventing the Fraudulent Transfer of Assets is Appropriate.

Plaintiff also requests an *ex parte* restraint of Defendants' assets so that Plaintiff's right to an equitable accounting of Defendants' profits from sales of competing products in connection with and through the publication of the Infringing Photographs is not impaired. Without this restraint, Defendants are likely to transfer financial assets overseas fraudulently. It appears that the Defendants in this case hold most of their assets in foreign countries, making it easy to conceal assets, which will render an accounting by Plaintiff meaningless. There is good cause to believe that if the Plaintiff gave notice to the Defendants of this application for temporary restraining order, the Defendants can easily and would quickly change the ownership or modify domain registration and e-commerce store account data and content, change payment accounts, redirect consumer traffic to other seller identification names, and transfer assets and ownership of Seller IDs thereby thwarting the Plaintiff's ability to obtain meaningful relief. *Creeled, Inc. v. Individuals*, No. 8:22-cv-2379-MSS-TGW, 2022 U.S. Dist. LEXIS 239482, at *8 (M.D. Fla. Dec. 2, 2022).

Courts have the inherent authority to issue a prejudgment asset restraint when a plaintiff's complaint seeks relief in equity. *Animale Grp. Inc. v. Sunny's Perfume Inc.*, 256 F. App'x 707, 709 (5th Cir. 2007); *Levi Strauss & Co. v. Sunrise Int'l Trading Inc.*, 51 F.3d 982, 987 (11th Cir. 1995); *Reebok Int'l Ltd. v. Marnatech Enters., Inc.*, 970 F.2d 552, 559 (9th Cir. 1992). Plaintiff has demonstrated that it will likely succeed on the merits of its claims. As such, Plaintiff will be entitled to an accounting and payment of the profits earned by Defendants through their online intellectual property infringement scheme. See 17 U.S.C. § 504. Therefore, this Court has the inherent equitable authority to grant Plaintiff's request for a prejudgment asset freeze to preserve the relief sought by Plaintiff. See *SEC v. ETS Payphones*, 408 F.3d 727, 735 (11th Cir. 2005) (finding it proper to freeze all of the defendant's assets, because it was necessary to preserve sufficient funds for the potential disgorgement in the case).

Courts have previously entered asset restraining orders due to the infringing business's illicit nature and infringers' ability to practically eliminate their evidentiary trails by conducting their business entirely over the Internet. *See e.g., Levi Strauss & Co. v. Sunrise Int'l Trading*, 51 F.3d 982 (11th Cir. 1995); *SEC v. ETS Payphones*, 408 F.3d 727, 735 (11th Cir. 2005) (finding it proper to restrain all of the defendant's assets to preserve funds for disgorgement). Furthermore, the Eleventh Circuit has previously emphasized the necessity of such an asset restraint when necessary to protect relief, holding that a "request for equitable relief invokes the district court's inherent equitable powers to order preliminary relief, including an asset freeze, to assure the availability of permanent relief." *Federal Trade Commission v. United States Oil and Gas Corp.*, 748 F.2d 1431, 1433-34 (11th Cir. 1984) (district court may exercise its full range of equitable powers, including a preliminary asset restraint, to ensure that permanent equitable relief will be possible).

Plaintiff has shown a likelihood of success on the merits, immediate and irreparable harm suffered due to each Defendant's activities, and that, unless each Defendant's assets are frozen, each Defendant will likely hide or move their ill-gotten funds to offshore bank accounts. Accordingly, a Temporary Restraining Order preventing the transfer of each Defendant's assets is proper.

D. A Minimal Bond Should Secure the Temporary Restraining Order

The posting of security upon issuance of a temporary restraining order or preliminary injunction is vested in the Court's sound discretion. *AFC Enterprises, Inc. v. THG Rest. Group, LLC*, 416 F. App'x 898 (11th Cir. 2011); *HPC US Fund 1, L.P. v. Wood*, 2014 U.S. Dist. LEXIS 188945, *5 (S.D. Fla. May 9, 2014). Because of the firm and unequivocal evidence supporting its claims for copyright infringement, Plaintiff respectfully requests that this Court require the

Plaintiff to post a bond of no more than five thousand dollars (\$5,000.00 USD), subject to an increase at the Court's discretion should an application be made in the interest of justice.

Similar bonds have been authorized in actions commenced in this judicial district to guard against the improper issuance of injunctive relief, where a high likelihood of success on the merits has been demonstrated. *See Tucker v. Blackfisk Marine, LLC*, No. 22-CV-61953, 2023 U.S. Dist. LEXIS 4423, 2023 WL 141980 (S.D. Fla. Jan. 10, 2023) (explaining that a nominal bond in the amount of \$5,000 constituted sufficient security for purposes of entering a TRO). Accordingly, Plaintiff asks that the Court require it to post a bond in an amount not to exceed five thousand dollars (\$5,000.00 USD) as security in this action and in connection with the issuance of the requested temporary injunctive relief.

E. Plaintiff is Entitled to Expedited Discovery.

The Supreme Court has held that “federal courts have the power to order at their discretion, the discovery of facts necessary to ascertain their competency to entertain the merits.” *Oppenheimer Fund, Inc. v. Sanders*, 437 U.S. 340, 351 (1978). A district court has wide latitude in determining whether to grant a party's request for discovery. *Id.* Furthermore, courts have broad power over discovery and may permit discovery to aid in identifying unknown defendants. *See* Fed. R. Civ. P. 26(b)(s).

Plaintiff requests that the Court authorize expedited discovery so that Plaintiff may subpoena the Online Platform to obtain, among other things, each Defendant's email address maintained with the online marketplace. Second, Plaintiff respectfully requests expedited discovery to discover the bank and payment system accounts each Defendant uses for their unlawful intellectual property infringement operations. The expedited discovery requested in Plaintiff's Motion is limited to include only what is essential to prevent further irreparable harm. Discovery of each Defendant's email addresses is necessary to effectuate electronic service of

process for these proceedings. Further, the discovery of each Defendant's financial accounts so that they can be frozen is necessary to ensure that their infringement will be contained. *See, e.g. Hyper ICE, Inc. v. Wuyouxiangongsi*, 2024 U.S. Dist. LEXIS 132913, *3 (S.D. Fla. June 25, 2024). Without this relief, Plaintiff's seizure and asset restraint may have limited value because Plaintiff will not know the entities upon whom to serve the order. Indeed, courts have broad power over discovery and may permit discovery to aid in identifying unknown defendants.

Plaintiff's undersigned counsel is aware that the third-party marketplaces and payment services contemplated in the proposed order have cooperated with intellectual property owners in prior cases and under similar circumstances and are accustomed to doing so as part of their business operations. These third parties can comply with these expedited discovery requests without undue burden. Accordingly, Plaintiff respectfully requests that the Court grant permission to conduct expedited discovery directed to each Defendant and the Online Platform at issue in this action.

IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court grant its Motion and issue a Temporary Restraining Order. As to Defendants, Plaintiff additionally asks the Court to set security, in the form of cash and/or a bond, in the amount of five thousand dollars (\$5,000.00 USD), for issuance of the Temporary Restraining Order.

Plaintiff also requests that the Court authorize it to conduct expedited discovery on each Defendant and the designated Online Platform, which would be primarily directed towards obtaining each Defendant's email addresses maintained with the Online Platform and obtaining financial information concerning sales of the Infringing Products, account balances related to same, and associated information.

Dated: June 3, 2025

Respectfully Submitted,

By: /s/ William R. Brees

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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 1:25-cv-22143-BECERRA

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

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

Defendants.

**DECLARATION OF ANISAH BEASTON IN SUPPORT OF
PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER**

I, Anisah Beaton, of Henderson, Nevada, declare as follows:

1. Except as otherwise expressly stated to the contrary, this declaration is based upon my personal knowledge of the following facts and, if called as a witness, I could and would competently testify to the statements made herein.

2. I make this declaration in support of Plaintiff's *Ex-Parte* Motion for Temporary Restraining Order, Including a Temporary Asset Restraint, and Expedited Discovery (the "Motion").

3. On May 5, 2025 I placed product orders on the online Amazon platform (the "Platform") with order numbers and product titles as outlined in the table below:

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-9572551-1414613	Rebehaolee Women Lace Trim Plus Size Dresses Cold Shoulder Short Sleeve Ruffle Cocktail Party Midi Dress	May 5, 2025	May 23, 2025	Yes
111-6915977-0499441	DAILSA Boho Dresses for Women,2024 Spring Summer Elegant Wrap V Neck Plus Size Dress,Romantic Flowy Slit Irregular Hem Beach Dress,Trendy Cold Shoulder Floral Print Wedding Guest Dress(C-Black,4XL)	May 5, 2025	May 12, 2025	Yes
111-4324249-6465058	Yvette JM Uni Clau Off Shoulder Dresses for Women Sexy Long Sleeve Knit Party Cocktail Bodycon Midi Dress	May 5, 2025	May 6, 2025	Yes
111-4324249-6465058	TDioocor Casual Summer Ruffle Evening Solid Dresses Sleeveless A Line Pleated Flowy Party Dresses	May 5, 2025	May 11, 2025	Yes
111-4324249-6465058	LAMISION Vrtige Women's Off The Shoulder Short Sleeve Shirred Waist A Line Ruffle Hem Casual Mini Dress	May 5, 2025	May 8, 2025	Yes
111-4324249-6465058	Maymallhill Women Church Dress Vintage Ruffle Sleeves Pencil Dress Business Bodycon Peplum Midi Dresses for Work	May 5, 2025	May 8, 2025	Yes
111-4324249-6465058	FoveNK Pencil Dress for Women Bodycon Elegant Patchwork African Print Peplum Church Dresses 2023 Party	May 5, 2025	May 8, 2025	Yes
111-9558231-7050627	USAQosmon Women's Retro Half Collar Ruffle Style Cocktail Pencil Dress	May 5, 2025	May 21, 2025	Yes
111-9352564-2177839	Xinsenjia Women's Retro Half Collar Ruffle Style Cocktail Pencil Dress	May 5, 2025	May 23, 2025	Yes

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-7891926-1877849	Tian'er Clothing Brand Houndstooth Dress for Women Fashion Stitching Long Sleeve V Neck Dress Business Casual Outfits for Woman Work	May 5, 2025	June 2, 2025	Yes
111-7485964-0837824	XINYUCF Womens Boho Floral Maxi Dress Casual Summer Flowy Short Sleeve Beach Vacation Dresses	May 5, 2025	May 20, 2025	Yes
111-7176934-6433850	TawangTe Women's Formal Dresses 2023 Elegant Women's Formal Dress Off Shoulder Gold Sequined High Slit Solid Color	May 5, 2025	May 26, 2025	Yes
111-6465072-6077810	Febecool Plus Size Dress for Women Formal Wedding Lace Stitching Ruffle Bridesmaid Strapless Party Ball Prom Gown Cocktail Dress,S-5XL	May 5, 2025	Order cancelled	No
111-6281839-5318633	Xinlees Women's Bodycon Pencil Dress with Bell Sleeves Elegant and Versatile Casual Sheath Dress	May 5, 2025	May 6, 2025	Yes
111-6190314-7421849	Girls' Club Women's Casual Loose Yellow Round Neck Hanging Dress	May 5, 2025	Order Cancelled	Yes
111-6190314-7421849	Girls' Club Women's One Shoulder Blue Leaf Print Slim Large Ruffle Hem Dresses	May 5, 2025	Order Cancelled	Yes
111-6190314-7421849	Girls' Club Women's Black and White Colorblocking Wrap Hip Floral Printed Small v Notch Round Neck Mesh Long Sleeve Long Dresses	May 5, 2025	Order Cancelled	Yes
111-6111652-7435444	Air-smart Women Sexy Halter Elegant Long Dress V Neck Ruffle Hem Slit Backless Dress Y2K Fairycore Going Out Dresses	May 5, 2025	Order Cancelled	No

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-4980621-6860217	Promlink 3 Piece Pant Suits Chiffon Mother of The Bride Dresses <i>Long</i>	May 5, 2025	Order Cancelled	Yes
111-4191704-8439414	Jingming store Summer Plus Size Maxi Dresses for Wedding Guest, Women Black Sexy Lace Cold Shoulder Short Sleeve Crewneck Long Dress, black, XX-Large	May 5, 2025	Order Cancelled	Yes, but different store name (Yuniao) *Still ships from Jingming
111-4093521-5988214	HGps8w Womens Mother of The Bride Dresses Formal 2 Piece Outfits Elegant Sequin Embroidery Lace Jacket with Pencil Dress Sets	May 5, 2025	May 20, 2025	Yes
111-3496678-4564215	Yundily Apviridy Women's Floral Print Square Neck Bech Dress Smocked Back Spaghetti Strap Flowy Maxi Dress with Pockets	May 5, 2025	May 17, 2025	Yes
111-2793828-5441822	ZERAOKE Plus Size Women's Summer Tie-Dye Pleated Sleeveless Dress Beach Tank Dress Vestidos De Verano Mujer	May 5, 2025	Expected June 3 rd	Yes
111-2205144-2785013	Guchengxianfuyunshangmaoshanghang Vintage Waisted Denim Robe Maxi Dress for Women with Lantern Sleeves and Turn-Down Collar	May 5, 2025	Order Cancelled	Yes
111-2043743-1229844	shan guang bai huo hang Women Commuter Package Hip Dress	May 5, 2025	Order Cancelled	Yes
111-2043743-1229844	shan guang bai huo hang Women Lace Splicing Slim Commuter One Step Dress	May 5, 2025	Order Cancelled	Yes
111-1269583-5672217	Weipinhui fushi Womens Midi Dresses Church Dresses Long Sleeve Bodycon Cowl Neck Pencil Dress	May 5, 2025	May 18, 2025	Yes

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-1003751-7250603	Shixiangbaihuohang Adhdyuud Women Loose Boho Dress Summer O-Neck Half Sleeve Print Party Long A-Line Maxi Dresses	May 5, 2025	May 23, 2025	Yes
111-0672886-9891419.	EOPUING (8-15 Delivery) Cotton Linen Dresses for Women 2025 Casual Sleeveless Maxi Dress with Pocket, Beach Tank Dress Oversized Sundress *Seller changed description	May 5, 2025	May 12, 2025	Yes
111-0556761-5274654	Grand Beauty Parlor Women's Plus Size Formal Midi Dress 3/4 Sleeve Print Dress	May 5, 2025	Package lost	Yes
111-0257901-7313865	GPINE Sexy Summer Bodycon Ruched Mini Dress for Women Short Sleeved Cutout Stretchy Date Night Club Party Dresses	May 5, 2025	May 8, 2025	Yes
111-0257901-7313865	Shengfan Church Dress for Women Bodycon Long Sleeve Wrap Ruched Business Work Pencil Split Sheath Midi Dresses	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	Jouica Women's Summer Casual Spaghetti Strap Sundress Dress Cold Shoulder Ruffle Sleeves Dresses with Pocket	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	BOGURST Women's Casual Summer Maxi Dresses Sleeveless Adjustable Spaghetti Strap Loose Plus Size Dresses	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	Chaos World Women's Maxi Dress V-Neck Strappy 3D Print Loose Summer Casual Dress	May 5, 2025	May 8, 2025	Yes
111-0257901-7313865	MOJICK Vintage Dress for Women Elegant Bodycon Short Sleeve Party Club Cocktail Pencil Dresses	May 5, 2025	May 6, 2025	Yes
111-0257901-7313865	Etily Beverly Women's Tank Top Midi Dress Sleeveless Summer Colorblock Pencil Bodycon Sundresses	May 5, 2025	May 11, 2025	Yes

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-0257901-7313865	ZonJie Women's Church Dresses Long Sleeve Work Business Party Dress Bodycon Vintage Wrap Ruffle Midi Pencil Dress	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	TraSuts Women's Deep V Neck Wrap Maxi Dresses Casual Ruffle Hem Split Long Dress	May 5, 2025	May 6, 2025	Yes
111-0257901-7313865	Etily Women's Cocktail Midi Dresses Wedding Guest 3/4 Sleeve Floral Lace Party Fit and Flare A-Line Swing Dress	May 5, 2025	May 8, 2025	Yes
111-0257901-7313865	Lalagen Wolddress Womens 2025 Casual Sleeveless Sundress Plus Size Loose Plain Long Summer Beach Maxi Dress with Pockets S-5X	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	DDUNDD Women's Summer Maxi Dress Long Dress Casual Boho Sleeveless Strap Smocked Tiered Long Beach Sun Dresses	May 5, 2025	May 8, 2025	Yes
111-0257901-7313865	shengfan Women's Casual Long Sleeve Work Bodycon Midi Dresses Round Neck Formal Wedding Cocktail Party Wrap Pencil Dress	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	shengfan Women's Summer Short Sleeve Maxi Dresses Casual Deep V Neck Long Dress Club Party A-Line Dress	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	IbuduSexy Church Dresses for Women 2025 Elegant Bow tie lace Button Sleeve	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	shengfan Women's Summer Short Sleeve Maxi Dresses Casual Deep V Neck Long Dress Club Party A-Line Dress	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	CuteCherry Women Evening Dress Bodycon Long Maxi Dresses Sexy Floor Length Mermaid Dress	May 5, 2025	May 7, 2025	Yes

Amazon Order Number	Product Title	Date Ordered	Date Delivered	Link Works?
111-0257901-7313865	DinyIn Women's Denim Shirt Dresses Casual Short Sleeve Distressed Jean Dress Button Down Tunic Top	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	HugeNice Women's Casual Office Pencil Dress Elegant Drape V Neck Long Sleeve Slim Business Work Sheath Dresses	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	Danswin Women's Vintage Sheath Dress Stand Collar 3/4 Sleeve Plaid Colorblock Bodycon Business Casual Pencil Dresses	May 5, 2025	May 7, 2025	Yes
111-0257901-7313865	DDUNDD Women's Summer Maxi Dress Long Dress Casual Boho Sleeveless Strap Smocked Tiered Long Beach Sun Dresses	May 5, 2025	May 8, 2025	Yes

The foregoing table represents a true and accurate summary of purchases made by me from the online marketplace storefronts maintained on the Platform (the “Online Marketplaces”) by the named Schedule “A” Defendants (the “Defendants”) in this action. Moreover, each of the foregoing purchases were made because the Online Marketplaces were displaying Plaintiff’s federally registered copyrights (the “Copyrighted Photographs”) to promote, advertise, market, distribute, offer for sale, and sell competing products matching the subject matter of the Copyrighted Photographs, including women’s clothing, merchandise, and related items, (the “Competing Products”).

4. As outlined in the table above, the Competing Products were purchased on May 5, 2025. All but one of the links offering sales of the Competing Products to Florida remain active. Thirty-nine of the Competing Products were successfully shipped to Florida and one is still in transit. One shipment was lost, and ten orders were cancelled. All Competing Products ordered by me are sold by Defendants in this action.

5. A review of Defendants' product listings as of June 3, 2025, showed that, all but one of the Infringing Products remain available for purchase on Defendants' Online Marketplaces, including the use of the display of the Copyrighted Photographs to show the offered Competing Products, and the Defendants are actively representing they are ready, willing, and able to sell the Competing Products and ship them to consumers in the State of Florida.

6. All purchases of Competing Products that resulted in completed sales transactions, includes payment being made to the selling Defendant. To the extent the Court requires physical proof that the purchased Competing Products arrived in the State of Florida, I am willing to supplement this declaration with photographic evidence demonstrating such delivery.

I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct.

Executed on June 3, 2025 in Henderson, Nevada

Respectfully Submitted,

By: /s/Anisah Beaston
Anisah Beaston

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

Case No.: 1:25-cv-22143-BECERRA

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

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

Defendants.

**DECLARATION OF LIANGJIE LI IN SUPPORT OF PLAINTIFF'S MOTION FOR
TEMPORARY RESTRAINING ORDER, INCLUDING A TEMPORARY INJUNCTION,
A TEMPORARY ASSET RESTRAINT, AND EXPEDITED DISCOVERY**

I, Liangjie Li, of Hong Kong, a special administrative region of the People's Republic of China, declare and state as follows:

1. This declaration is based upon my personal knowledge of the facts stated herein. If called as a witness, I could and would testify as to the statements made herein.
2. I make this declaration in support of Plaintiff's Motion for Temporary Restraining Order (the "Motion")
3. I am the Chief Operations Officer for Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. ("Plaintiff"). I make this declaration from my matters within my own personal knowledge unless stated otherwise.
4. Plaintiff markets and sells women's clothing and related items under the "Rotita" brand name ("Rotita").

5. Plaintiff is the owner of U.S. Copyright Numbers VA0002369378, VA0002379881,
VA0002379888, VA0002379895, VA0002379897, VA0002379907, VA0002379911,
VA0002379930, VA0002380492, VA0002381840, VA0002381842, VA0002384827,
VA0002384829, VA0002386556, VA0002413181, VA0002413183, VA0002413187,
VA0002413190, VA0002413196, and VA0002413197 that were duly and legally issued by the United States Copyright Office (the “Copyright Protected Images”), which are attached to the Complaint as Exhibit 1.
6. Plaintiff has registered a number of photographs depicting its clothing designs with the United States Copyright Office (“Plaintiff’s Copyrighted Designs”)
7. Plaintiff designs, manufactures, sells, and distributes a wide variety of products including women’s clothing and apparel (collectively, “Plaintiff’s Products”).
8. Plaintiff generates approximately \$12,000,000 in revenue, and well over \$800,000 derived from sales from the State of Florida, from sales of its products through its website, rotita.com and does not sell or offer or authorize the sale of its merchandise on any other online platform, such as Amazon, eBay®, Aliexpress, Alibaba, Walmart, or TikTok, and several other online and offline stores.
9. The women’s clothing and apparel sold in conjunction with the Copyright Protected Images have been highly commercially successful.
10. Plaintiff incorporates a variety of copyright-protected original works of authorship in its products.
11. Plaintiff has not granted any licenses of rights to Defendants under the Copyright Protected Images. None of the Defendants are authorized retailers of genuine versions of Plaintiff’s Products.

12. Plaintiff is the lawful assignee of all right, title, and interest in the Copyright Protected Images.
13. Plaintiff uses its Copyrighted Designs and Copyright Protected Images extensively in connection with the marketing of Plaintiff's Products. Plaintiff has expended significant sums in advertising, promoting, and marketing Plaintiff's Products featuring Plaintiff's Copyrighted Designs and Copyright Protected Images.
14. Plaintiff's Products embody the same designs depicted in the photographs contained in the Copyrighted Protected Images. Plaintiff uses its Copyrighted Designs extensively in connection with the marketing of its Products.
15. Plaintiff uses its Copyrighted Designs extensively in connection with the marketing of its Products for planned collection releases throughout each year. The women's clothing and apparel displayed in the photographs claimed in the Copyright Protected Images have been highly commercially successful, bringing in substantial revenue, with new images and photographs being released on a rolling cycle to keep up with changing fashion trends.
16. The products of the women's clothing and apparel embodying the designs displayed in the Copyright Protected Images differentiate such women's clothing and apparel from those of competitors.
17. The marketplace success of Plaintiff's Products has resulted in significant counterfeiting of such products and unauthorized publication of the Copyright Protected Images. I have, therefore, instituted a worldwide anti-counterfeiting and anti-infringement program and regularly investigates suspicious e-commerce stores identified in proactive internet sweeps and reported by consumers.

18. Plaintiff has identified numerous fully interactive e-commerce stores, including those operating Defendants' Online Stores, which were offering for sale and/or selling Defendants' Infringing Products to consumers in the State of Florida and throughout the United States.
19. All Defendants' Online Stores located on the Platform utilize the reputation of Plaintiff's Rotita brand to market and sell inferior, counterfeit products by displaying Plaintiff's Copyright Protected Images after they are first displayed on the company's website as part of Rotita's yearly product launches for its Spring/Summer, Fall/Winter, and Resort Wear collections for any given year. To keep up with fashion trends and seasons each year, Rotita will publish various photographs and images to advertise its collections of women's clothing to sell, including the Copyrighted Designs at issue in this action.
20. Defendants' unauthorized use of Plaintiff's copyright registrations has caused, and continues to cause, irreparable harm to Plaintiff through loss of exclusivity and loss of future revenue.
21. Given the nature of the fashion industry and my first-hand knowledge of Plaintiff's operations, such large-scale counterfeit sales operations over online retail platforms require considerable supply chain coordination efforts that could not reasonably be accomplished independently by any of the named Defendants.
22. Since 2009, Plaintiff has invested substantial time, money, and effort advertising the copyrighted photographs claimed in its Copyright Protected Images.
23. Defendants' unauthorized use of the Copyrighted Designs and Copyright Protected Images has and continues to irreparably harm Plaintiff through diminished goodwill and brand confidence, damage to Plaintiff's reputations, loss of exclusivity, and loss of future sales.
24. The extent of the harm to Plaintiff's reputation, the goodwill associated therewith, and the possible diversion of customers due to loss in brand confidence are irreparable and

incalculable, thus warranting an immediate halt to Defendants' infringing activities through injunctive relief.

25. Plaintiff will suffer immediate and irreparable injury, loss, or damage if an *ex parte* Temporary Restraining Order is not issued in accordance with Federal Rule of Civil Procedure 65(b)(1).
26. Defendants have been profiting and continue to profit from the sale of the Infringing Products.
27. Defendants have eliminated the exclusivity that Plaintiff was entitled to under the Copyright Act.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct.

Executed on June 3, 2025, in Hong Kong

By: /s/ Liangjie Li
LIANGJIE LI

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 1:25-cv-22143-BECERRA

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

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

Defendants.

[PROPOSED] TEMPORARY RESTRAINING ORDER
AND ASSET RESTRAINT ORDER

Plaintiff Hong Kong Leyuzhen Technology Co. Limited, (“Plaintiff”) filed a Motion for Temporary Restraining Order, Including a Temporary Asset Restraint, and Expedited Discovery, (the “Motion”) against the fully interactive, e-commerce stores¹ (the “Online Marketplaces”) operating under the domain names on the online Amazon platform identified in Schedule A to the Complaint and attached hereto (collectively, “Defendants”), After reviewing the Motion and the accompanying record, this Court **GRANTS** Plaintiff’s Motion as follows:

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

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 Florida. Specifically, Plaintiff has provided a basis to conclude that Defendants have targeted sales to Florida residents by setting up and operating e-commerce stores by using one or more seller aliases, offer shipping to the United States, including to the State of Florida, and intentionally offering for sale women's apparel and fashion items ("Competing Goods") that Plaintiff sells in connection with the use and display of Plaintiff's federally-registered, copyright-protected photographs ("Plaintiff's Copyrights").

In this case, Plaintiff has presented screenshot evidence that each of the Defendants' e-commerce stores on the online Amazon.com marketplace platform is reaching out to do business with Florida residents by operating one or more commercial, interactive internet stores that use, without authorization, Plaintiff's Copyrights through which Florida residents can and do purchase competing products copying the subject matter of Plaintiff's Copyrights leading consumers to think they are purchasing Plaintiff's legitimate products that are shown in Plaintiff's Copyrights. *See* Docket No. [1-3], Exhibit 3 to the Complaint (including screenshot evidence and internet link confirming that each Defendant's Internet store displays the Plaintiff's Copyrights without authorization in connection with offering the competing products and they stand ready, willing, and able to ship the Competing Products to customers in Florida). Accordingly, the Court finds

that Plaintiff stands a likelihood of success on the merits of its Copyright Infringement and Florida Deceptive and Unfair Trade Practices Act claims for relief.

The Court additionally finds that issuance of the requested injunctive relief would be in the public interest by protecting consumers from being misled by the unauthorized use of Plaintiff's Copyrights by Defendants on their internet stores to entice the purchase of the competing products. The Court also finds that it need not balance the interests of Defendants in this case because there is credible evidence to conclude they are engaged in, among other things, willful infringement of Plaintiff's copyrights.

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 Declarations of William Brees, Anisah Beaston, and Liangjie Li, 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 parties 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, 4 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

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

2. 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 ("Temu"), PayPal Inc. ("PayPal"), Alipay, ContextLogic Inc. d/b/a Wish.com ("Wish"), Alibaba Group Holding Ltd. ("Alibaba"), Ant Financial Services Group ("Ant Financial"), Amazon Pay, Afterpay, Klarna or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

d. The domain name registries for the Defendants ("Defendant Domain Names"), including, but not limited to, VeriSign, Inc., Neustar, Inc., Afilias Limited, CentralNic, Nominet, and the Public Interest Registry, and the domain name registrars,

including, but not limited to, GoDaddy Operating Company LLC, Name.com, PDR LTD. d/b/a/ PublicDomainRegistry.com, Cloudflare Inc, Oracle Corp., Amazon Inc., Alibaba Group d/b/a Alibaba Cloud.com, Namesilo, LLC d/b/a privacuguardian.org, and Namecheap Inc., within seven (7) calendar days of receipt of this Order or prior to the expiration of this Order, whichever date shall occur first, shall disable the Defendant Domain Names and make them inactive and untransferable until further order by this Court.

3. 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 TikTok Temu, eBay Inc., AliExpress, Alibaba, Amazon.com Inc., Wish, 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, Alibaba, Ant Financial, Amazon Pay, or other merchant account providers, payment providers, third party processors, credit card associations (e.g., MasterCard and VISA), including present balances on any accounts.

4. The domain name registries for the Defendant Domain Names, including, but not limited to, VeriSign, Inc., Neustar, Inc., Afiliis Limited, CentralNic, Nominet, and the Public Interest Registry, and the domain name registrars, including, but not limited to, GoDaddy Operating Company LLC, Name.com, PDR LTD. d/b/a PublicDomainRegistry.com, Cloudflare Inc, Oracle Corp., Amazon Inc., Alibaba Group d/b/a Alibaba Cloud.com, Namesilo, LLC d/b/a privacuguardian.org, and Namecheap Inc., within seven (7) calendar days of receipt of this Order or prior to the expiration of this Order, whichever date shall occur first, shall disable the Defendant Domain Names and make them inactive and untransferable until further order by this Court.

5. Upon Plaintiff's request, those with notice of this Order, including the Third-Party Providers as defined in Paragraph 3, 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 using the Plaintiff's Trademark.

6. Any Third-Party Providers, including PayPal, Alipay, Alibaba, Ant Financial, Wish, Afterpay, Klarna, 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. Within seven (7) business days of entry of this Order, Plaintiff shall deposit with the Court \$5,000.00 (Five Thousand Dollars), 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.

8. 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 Southern District of Florida Local Rules. Any third party impacted by this Order may move for appropriate relief.

This Temporary Restraining Order without notice is entered at _____ [TIME] on this day of _____, 2025 and shall remain in effect for fourteen (14) calendar days. Any motion to extend this Order must be filed by _____[DATE].

HONORABLE JUDGE JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE

SCHEDULE A

NO.	SELLER'S NAME	LINK TO SELLER'S WEBSITE
1.	Xinlees	https://www.amazon.com/sp?ie=UTF8&seller=A3U7471MYMCQ5M&asin=B0D5TR7JVF&ref_=dp_merchant_link&isAmazonFulfilled=1
2.	Xisenjia	https://www.amazon.com/sp?ie=UTF8&seller=A2ZSL6SQ4I2RAS&asin=B0CYT2XBJL&ref_=dp_merchant_link
3.	Girls' Club	https://www.amazon.com/sp?ie=UTF8&seller=A253CNHTS0PHQM&asin=B0CH9T3NTJ&ref_=dp_merchant_link
4.	Etily	https://www.amazon.com/sp?ie=UTF8&seller=A12HMN9RBHO7D5&asin=B0CYM1LYGJ&ref_=dp_merchant_link&isAmazonFulfilled=1
5.	MOJICK	https://www.amazon.com/sp?ie=UTF8&seller=A3LI8RLL84XB8N&asin=B0C7SZD2T1&ref_=dp_merchant_link&isAmazonFulfilled=1
6.	shengfan	https://www.amazon.com/sp?ie=UTF8&seller=A3UDVI4Z9N96SC&asin=B0CWGQLY5J&ref_=dp_merchant_link&isAmazonFulfilled=1
7.	HugeNice	https://www.amazon.com/sp?ie=UTF8&seller=A33LCVQ65LYQC&asin=B0CC24GTV7&ref_=dp_merchant_link&isAmazonFulfilled=1
8.	air-SMART	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A3R3Y931W8YB1Y&asin=B081F5JGJZ&ref_=dp_merchant_link
9.	rebehaolee	https://www.amazon.com/sp?ie=UTF8&seller=A1CQMR9JR2DUL5&asin=B09X2VQZD9&ref_=dp_merchant_link

NO.	SELLER'S NAME	LINK TO SELLER'S WEBSITE
10.	PROMLINK Dresses	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A2V6SAA8XTEK5G&asin=B09JRK78TK&ref_=dp_merchant_link
11.	TawangTe	https://www.amazon.com/sp?ie=UTF8&seller=A2K7LJU0EH7ZNR&asin=B0CHVSQQJW&ref_=dp_merchant_link
12.	IbuduSexy	https://www.amazon.com/sp?ie=UTF8&seller=A1856U6J8MHWFG&asin=B0D8L14V1X&ref_=dp_merchant_link&isAmazonFulfilled=1
13.	Yvette JM	https://www.amazon.com/sp?ie=UTF8&seller=A3CHAHVWBFHE3W&asin=B0C6SHB9FY&ref_=dp_merchant_link&isAmazonFulfilled=1
14.	DAILSA	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A2576EBPPF0P1F&asin=B0CFX7NT51&ref_=dp_merchant_link
15.	EOPUING (Prime Day Deals 2024)	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A3JI9HRLNVZSIU&asin=B0BD7R8QDP&ref_=dp_merchant_link
16.	Febecool	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A32X6FOWLNLMBK&asin=B0C5HCCVSQ&ref_=dp_merchant_link
17.	JIYUEJIYUE	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A1U52NYWO94SQY&asin=B095T2BWP9&ref_=dp_merchant_link

NO.	SELLER'S NAME	LINK TO SELLER'S WEBSITE
18.	TraSuts	https://www.amazon.com/sp?ie=UTF8&seller=A3FF6NU8D24UEY&asin=B0CRBGKNRM&ref_=dp_merchant_link&isAmazonFulfilled=1
19.	Danswin	https://www.amazon.com/sp?ie=UTF8&seller=A1SV2HCRGTNI7J&asin=B0BFRF47XM&ref_=dp_merchant_link&isAmazonFulfilled=1
20.	CuteCherry	https://www.amazon.com/sp?ie=UTF8&seller=AT5PKG2HB5ZCN&asin=B0C7W7GP8H&ref_=dp_merchant_link&isAmazonFulfilled=1
21.	ZonJie	https://www.amazon.com/sp?ie=UTF8&seller=A7MES8ZDPMT86&asin=B0D3QB7GHK&ref_=dp_merchant_link&isAmazonFulfilled=1
22.	RUIZHIRUI	https://www.amazon.com/gp/help/seller/at-a-glance.html/ref=dp_merchant_link?ie=UTF8&seller=A13F0UYLYYK89P&asin=B0CYYWYK3H&ref_=dp_merchant_link
23.	FoveNK	https://www.amazon.com/sp?ie=UTF8&seller=A36JPWSV8DA1D3&asin=B0CG5Q9WLH&ref_=dp_merchant_link&isAmazonFulfilled=1
24.	TDiooCor	https://www.amazon.com/sp?ie=UTF8&seller=A3QVYLMNMAQLND&asin=B0CNW94Y6L&ref_=dp_merchant_link&isAmazonFulfilled=1
25.	Maymallhill	https://www.amazon.com/sp?ie=UTF8&seller=A2CMKR8PBX8UTO&asin=B0D59XBSSX&ref_=dp_merchant_link&isAmazonFulfilled=1
26.	shan guang bai huo hang	https://www.amazon.com/sp?ie=UTF8&seller=A16SJLTI9HVKVC&isAmazonFulfilled=0&asin=B0CDTHMRZW&ref_=olp_merch_name_1

NO.	SELLER'S NAME	LINK TO SELLER'S WEBSITE
27.	HGps8w	https://www.amazon.com/sp?ie=UTF8&seller=A1XDYM0Y8GAG92&asin=B0DJVJF8PN&ref_=dp_merchant_link
28.	USAQosmon	https://www.amazon.com/sp?ie=UTF8&seller=A35KOEFC7F5PVJ&asin=B0DQNLBDYS&ref_=dp_merchant_link
29.	Shixiangbaihuohang	https://www.amazon.com/sp?ie=UTF8&seller=A39V978427YYJN&asin=B0CW3B9KHW&ref_=dp_merchant_link
30.	LAMISION	https://www.amazon.com/sp?ie=UTF8&seller=A386BLU2GA7ULQ&asin=B0CYP3L21Q&ref_=dp_merchant_link&isAmazonFulfilled=1
31.	dachengrunshius	https://www.amazon.com/sp?ie=UTF8&seller=A3J2T08799YF4P&asin=B0DCZ268XX&ref_=dp_merchant_link
32.	JHZDMKJ	https://www.amazon.com/sp?ie=UTF8&seller=A19238XJ2KXDA4&asin=B0DHR7TFCB&ref_=dp_merchant_link
33.	Jouica	https://www.amazon.com/sp?ie=UTF8&seller=AN6IN3FNP90Q7&asin=B083P2SZ1J&ref_=dp_merchant_link
34.	DinyIn	https://www.amazon.com/sp?ie=UTF8&seller=A192V8KA3X09GE&asin=B0CC9WLK1Q&ref_=dp_merchant_link&isAmazonFulfilled=1
35.	guchengxianfuyunshang maoshanghang	https://www.amazon.com/sp?ie=UTF8&seller=AU0UE6DWO7M1Q&asin=B0DRYGWPGC&ref_=dp_merchant_link
36.	DDUNDD	https://www.amazon.com/sp?ie=UTF8&seller=A26M2SW353AWIJ&asin=B0D65J7YF8&ref_=dp_merchant_link&isAmazonFulfilled=0

NO.	SELLER'S NAME	LINK TO SELLER'S WEBSITE
37.	JYS_TRD	https://www.amazon.com/sp?ie=UTF8&seller=A29GGWLJCI1YJY&asin=B0D2BCQPL2&ref_=dp_merchant_link
38.	BOGURST	https://www.amazon.com/sp?ie=UTF8&seller=A191WQ5EYYBPC1&asin=B09QLPCYMH&ref_=dp_merchant_link&isAmazonFulfilled=1
39.	LaiyiVic	https://www.amazon.com/sp?ie=UTF8&seller=A8W6GPHZXI613&asin=B0DHQQW86K&ref_=dp_merchant_link&isAmazonFulfilled=1
40.	Yundily	https://www.amazon.com/sp?ie=UTF8&seller=A3UMVWHILRXBOG&asin=B0CY5FX6WD&ref_=dp_merchant_link
41.	Chaos World	https://www.amazon.com/sp?ie=UTF8&seller=A3GYVP5YCU59JR&asin=B095XZVPFV&ref_=dp_merchant_link&isAmazonFulfilled=1
42.	USA GPINE Sexy Yoga	https://www.amazon.com/sp?ie=UTF8&seller=A13LLQKUKMH5W&asin=B0DK3F42HW&ref_=dp_merchant_link
43.	weipinhui fushi	https://www.amazon.com/sp?ie=UTF8&seller=A2PMQD6OX2VXKG&asin=B0DFH1TNPY&ref_=dp_merchant_link