

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

WUMEI LIN,

Plaintiff,

v.

HONG KONG FENGJIANG LIMITED,

Defendant.

Case No. 1:25-cv-14452-SRH-DPM

**FIRST AMENDED COMPLAINT FOR
COPYRIGHT INFRINGEMENT**

Honorable Sunil R. Harjani

Magistrate Daniel P. McLaughlin

JURY TRIAL DEMANDED

FIRST AMENDED COMPLAINT

Plaintiff, Wumei Lin, (“Plaintiff”), hereby files his First Amended Complaint for damages and injunction relief for copyright infringement against HONG KONG FENGJIANG LIMITED dba Wwmvrtp, dba JJVTLMU, dba Tehfgns (collectively, the “Defendant”) listed in Exhibit 2 and in support of his claims states as follows:

NATURE OF THE ACTION

1. Plaintiff is the owner of all rights, title, and interest in and to United States Copyright Registrations for specific photographic art. Plaintiff owns the federal copyright registration number for his original photographs, VA0002441336 (“Copyrighted Registration”). See Copyright Registration and the Copyrighted Photos photographs at issue attached as Exhibit 1 and Exhibit 2 (“Copyright-Protected Photos”).

2. Plaintiff is a professional photographer who licenses his photographic works to clothing companies for commercial use in advertising and marketing.

3. These Defendant operates the online storefronts Wwmvrtp, JJVTLMU, and Tehfgns (“Online Stores”) operating on the Temu Platform, which have used Plaintiff’s Copyright-

Protected Photos without authorization to promote and sell products competing with Plaintiff's licensees. *See* Exhibit 2 showing each storefront Defendant operates.

4. Plaintiff has never licensed to this Defendant for any use of the Copyright-Protected Photos, nor is this Defendant otherwise authorized to display the photos.

5. Defendant's unlawful use of Plaintiff's Copyright-Protected Photos on the Temu Platform deprives Plaintiff of licensing revenue, undermines his ability to issue exclusive licenses, and causes irreparable harm to his livelihood and reputation.

JURISDICTION AND VENUE

6. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Federal Copyright Act, 17 U.S.C. § 101, et seq., 28 U.S.C. § 1338(a)–(b) and 28 U.S.C. § 1331.

7. This Court may exercise personal jurisdiction over Defendant because Defendant directly targets business activities towards consumers in Illinois, through their Online Stores on the Temu Platform, attached hereto as Exhibit 2.

8. Defendant has targeted sales to the United States by operating these e-commerce stores, which cater to United States consumers, offer shipping to the United States, including Illinois, accept payment in U.S. dollars, and sell products using illicit copies Plaintiff's federally registered copyrights.

9. Specifically, Defendant copies and displays Plaintiff's Copyright-Protected Photos without license or authorization to residents of Illinois through the Temu Platform.

10. Defendant is properly subjected to personal jurisdiction in Illinois. Defendant is a foreign entity with sufficient contacts here, as they have systematically and continuously used Plaintiff's Copyright-Protected Photos for commercial purposes in this judicial district. This

systematic exploitation in the United States, and here specifically, Illinois, of Plaintiff's Copyright-Protected Photos for commercial purposes makes it reasonably foreseeable that Defendant would be hauled into answer in a court in Illinois. The exercise of jurisdiction in this Court complies with due process.

11. Venue is proper in this district under 28 U.S.C. § 1391 because Defendant is subject to this Court's personal jurisdiction, based on a pre-suit investigation, are residents of the United States. Defendant is engaging in infringing activities and causing harm within the Northern District of Illinois by displaying Plaintiff's Copyright-Protected Photos for commercial purposes within the district, and advertising, offering to sell, selling, and/or shipping products to consumers in this district.

THE PARTIES

Plaintiff

12. Plaintiff is an individual and the owner of the Copyright-Protected Photos, attached hereto as Exhibit 1 and Exhibit 2.

13. Plaintiff owns all rights, including, without limitation, the rights to reproduce the Copyright-Protected Photos in copies, prepare derivative works based upon the copyrighted works, and distribute copies of the Copyright-Protected Photos to the public by sale or other transfer of ownership, or by rental, lease, or lending the Copyright-Protected Photos. Exhibit 1.

14. Plaintiff licenses his Copyright-Protected Photos to clothing suppliers so they can use them to market their products, which is how Plaintiff earns a living.

15. Plaintiff earns his livelihood by licensing his works, often through exclusive licenses to fashion brands.

16. Plaintiff has issued exclusive licenses over his Copyright-Protected Photos involved in this suit.

17. Loss of exclusivity and control over these Copyright-Protected Photos creates serious harm to Plaintiff, who relies on limiting the availability of the Copyright-Protected Photos to sustain their value.

18. Unauthorized use by Defendant destroys exclusivity, devalues Plaintiff's Copyright-Protected Photos, and diminishes future licensing opportunities.

19. Plaintiff has neither licensed nor authorized Defendant to use the Copyright-Protected Photos.

20. Plaintiff allowing the continued distribution of the non-licensed clothing using Plaintiff's Copyright-Protected Photos, by not enforcing licensing, devalues the artwork that the Plaintiff produces in that:

- a) it prevents the Copyright-Protected Photos from being used by the licensees of these images to make their high-quality products appear distinct; and
- b) it shows future licensees that buying an exclusive license comes with no guarantee of exclusivity, which means it is not worth the purchase.

21. Plaintiff's livelihood depends on the ability to control the licensing of his Copyright-Protected Photos, which the swarm of illicit actors makes incredibly difficult, while simultaneously depreciating Plaintiff's Copyright-Protected Photos for every day that Plaintiff lacks control over it.

22. The damage to Plaintiff of continued infringement is imminent, irreparable, and unquantifiable.

Defendant

23. Defendant HONG KONG FENGJIANG LIMITED dba Wwmvrtp, dba JJVTLMU, dba Tehfgns are individuals and business entities of unknown corporate organization and/or structure, who own and/or operate one or more of the Online Stores on the Temu Platform as shown in Exhibit 2.

24. It is believed that these Defendant resides and/or operates in foreign jurisdictions outside the United States.

25. Defendant conducts business across the United States, including in this judicial district of Illinois, through the operation of their Online Stores. Exhibit 2. Defendant has offered to sell and have sold products using illicit copies of Plaintiff's original Copyright-Protected Photos without permission. Exhibit 2 for links to infringing uses of the copyrights on each of the Defendant's Online Stores, and comparison of the Copyright-Protected Photos compared to the infringing use.

26. Most third-party online marketplace platforms, like the Platform in this case, do not verify new sellers or confirm their identities. This allows infringers to use fake or inaccurate names, business details, and addresses when creating their online stores. These platforms also typically do not require sellers to reveal their actual business entities, enabling infringers to set up multiple profiles and stores that seem unrelated but are actually controlled by the same individuals.

DEFENDANT'S UNLAWFUL CONDUCT

27. The quality of Plaintiff's work and the brands he licenses his work to have attracted many illicit infringers who copy and display Plaintiff's Copyright-Protected Photos to sell cheap competing versions of some of the clothing depicted in his art.

28. Upon information and belief, all Defendant willfully uses Plaintiff's Copyright-Protected Photos, without permission, to manufacture, import, distribute, offer for sale, and sell the clothing depicted within.

29. Upon information and belief, Defendant has had full knowledge of Plaintiff's ownership and authorship of the Copyright-Protected Photos.

30. Plaintiff has identified numerous stores on the Temu Platform, including these Defendant's online stores, which display Plaintiff's Copyright-Protected Photos around the same timeframe.

31. Plaintiff seeks to shut down these Defendant's Online Stores, where Defendant display copies, they made of Plaintiff's Copyright-Protected Photos without permission.

32. Fraudulent seller alias registration patterns are among the common tactics used by Internet store operators, such as this Defendant, to conceal their identities and the full extent of their illicit activities, and to avoid shutdown.

33. Defendant operates under various seller aliases creating the impression that Defendant is comprised of multiple, separate entities when listed in enforcement actions.

34. Defendant's intentional tactic of hiding behind multiple seller aliases to obstruct enforcement aims to sustain illicit infringement activities.

35. Each of the Online Stores operated by Defendant are listed separately only to continue their illegal activities without liability. Each of the competing products are identical to each other and to Plaintiff's Copyrighted works. Exhibit 2.

36. This conclusion is enhanced by the fact that Defendant uses the Copyright-Protected Photos to sell the same clothing items, which they must produce on a larger scale to try

and make a profit on the market. It is unlikely that any single Defendant could sustain manufacturing at such a large scale alone.

37. Due to the large number of infringers Plaintiff faces, individual infringers can get lost in the swarm, especially since Defendant can easily disappear and open new stores, making enforcement of the Plaintiff's intellectual property against individual infringers impracticable.

38. Furthermore, infringers, like this Defendant, operate multiple credit card merchant accounts and third-party accounts, which are hidden behind layers of payment gateways, enabling them to continue their operations despite enforcement efforts.

39. Based on information and belief, these Defendant maintains offshore bank accounts and regularly transfer funds from their Platform accounts to offshore banks outside this Court's jurisdiction, especially since it is believed that Defendant resides abroad.

40. Defendant's Online Stores bear similarities and indicating their interrelatedness.

41. Notable features standard to Defendant's Online Stores includes a lack of complete contact information, the same or similar products for sale, identically or similarly priced items, sales discounts, shared hosting service, identical name servers, and their common illicit infringement of Plaintiff's Copyright-Protected Photos.

42. Defendant's use of Plaintiff's intellectual property devalues the same by eliminating and/or diluting the exclusiveness of the licenses Plaintiff has issued.

43. Unless restrained temporarily, preliminarily, and permanently by this Court, Defendant's infringing conduct will continue to cause irreparable harm to Plaintiff.

44. Upon information and belief, Defendant will continue to infringe Plaintiff's Copyrights for commercial purposes unless preliminarily and permanently enjoined.

COUNT I
COPYRIGHT INFRINGEMENT (17 U.S.C. § 101, et seq.)

45. Plaintiff repeats, realleges, and incorporates by reference herein its allegations contained in paragraphs 1 through 44, above.

46. Plaintiff's Copyright-Protected Photos have substantial value and were produced and created at significant expense.

47. Plaintiff owns all exclusive rights, including the rights to reproduce the Copyright-Protected Photos into copies, create derivative works based on copyright registrations, and to distribute copies of the Copyright-Protected Photos to the public through sale, transfer of ownership, rental, lease, or lending. Exhibit 1.

48. Defendant continues to use Plaintiff's Copyright-Protected Photos to sell their goods in this and other judicial districts.

49. Defendant's unauthorized use of Plaintiff's Copyright-Protected Photos, for commercial purposes, on their Online Stores, constitutes copyright infringement.

50. On information and belief, Defendant's infringing acts are willful, deliberate, and committed with prior notice and knowledge of Plaintiff's Copyright-Protected Photos.

51. Defendant either knew, or should have reasonably known, that Plaintiff's Copyright-Protected Photos were registered with the Copyright Office, as they did not create them and should have, at a minimum, checked before displaying them.

52. As a direct and proximate result of Defendant's unauthorized and infringing conduct, Defendant has obtained and continue to realize direct and indirect profits and other benefits rightfully belonging to Plaintiff, which Defendant would not otherwise have realized but for their infringement of Plaintiff's Copyright-Protected Photos.

53. The acts of infringement described above constitute a collective enterprise involving shared, conspiratorial, and overlapping actions done in coordination. These acts were

willful, intentional, and performed with disregard for and indifference to the rights of the Plaintiff. Therefore, Defendant's Online Stores, should be held jointly and severally liable.

54. Accordingly, Plaintiff seeks an award of damages under 17 U.S.C. § 504.

55. In addition to actual damages, Plaintiff is entitled to receive the profits made by Defendant from their wrongful acts, under 17 U.S.C. § 504(b). Defendant should be required to account for all gains, profits, and advantages derived by Defendant from their acts of infringement.

56. In the alternative, Plaintiff is entitled to and may elect to choose statutory damages under 17 U.S.C. § 504(c), which should be enhanced by 17 U.S.C. § 504(c)(2) because of Defendant's willful copyright infringement.

57. Plaintiff is entitled to and may elect to choose injunctive relief under 17 U.S.C. § 502, enjoining any use or exploitation of the Copyright-Protected Photos by Defendant.

58. Plaintiff had to hire and agree to compensate at a reasonable rate the undersigned firm; therefore, Plaintiff seeks and is also entitled to recover reasonable attorneys' fees and costs of suit under 17 U.S.C. § 505.

59. Plaintiff has no adequate remedy at law, and, if Defendant's actions are not enjoined, Plaintiff will continue to suffer irreparable harm to his reputation as an artist, because the lack of exclusivity over Plaintiff's works will devalue his portfolio and future ability to license his work.

60. Reputational damage and the devaluation of one's future works cannot be remedied by monetary damages. Instead, they are irreparable injuries lacking adequate remedies at law, without an injunction.

61. Under 17 U.S.C. §§502 and 503, Plaintiff is entitled to injunctive relief prohibiting Defendant from further displaying Plaintiff's Copyright-Protected Photos, ordering that Defendant

destroy all unauthorized copies, Defendant's copies, pictures, and other embodiments of the copyrighted works from which copies can be reproduced, if any, should be impounded and forfeited to Plaintiff as instruments of infringement, and all infringing copies created by Defendant should be impounded and forfeited to Plaintiff, under 17 U.S.C §503.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

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

a. using Plaintiff's Copyright-Protected Photos or any reproductions, counterfeit copies, or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not authorized by Plaintiff to be sold in connection with its registered copyrights;

b. further infringing the Copyrights and damaging Plaintiff's reputation and goodwill;

c. using, linking to, transferring, selling, exercising control over, or otherwise owning Defendant's stores on the Defendant's Online Stores or the Temu Platform, or any other domain name or online marketplace account that is being used to sell or is the means by which the Defendant could continue to conduct commercial activity using the Plaintiff's Copyright-Protected Photos; and

d. operating and/or hosting websites at the Defendant's Online stores and any other domain names registered or operated by the Defendant that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product through the

unauthorized use of the Copyright-Protected Photos.

2. That Defendant, within fourteen (14) days after service of judgment with notice of entry thereof upon them, be required to file with the Court and serve upon Plaintiff a written report under oath setting forth in detail the manner and form in which Defendant has complied with paragraph 1 above.

3. Entry of an Order that, upon Plaintiff's request, those in privity with Defendant and those with notice of the injunction, including in our case here the Temu Platform, as well as AliExpress, Walmart, Amazon, DHgate, eBay, Temu, and Wish, social media platforms such as Facebook, YouTube, Instagram, TikTok, LinkedIn, X, Internet search engines such as Google, Bing and Yahoo, web hosts for Defendant's Online Stores, and domain name registrars ("Third Party Providers"), shall:

a. disable and cease providing services for any accounts through which Defendant engage in commercial activity using Plaintiff's Copyright-Protected Photos, including any accounts associated with Defendant;

b. disable and cease displaying any advertisements used by or associated with Defendant that display the Copyrights; and

c. take all necessary steps to prevent links to Defendant's Online Stores from displaying in search results, including, but not limited to, removing links to Defendant's domain names from any search index.

4. That Defendant account for and pay to Plaintiff all profits realized by them through the unauthorized use of the Copyright-Protected Photos.

5. In the alternative, Plaintiff be awarded statutory damages of not less than \$750 and not more than \$30,000 for every infringement of the Copyrights under 17 U.S.C. § 504(c),

which should be enhanced to a sum of not more than \$150,000 by 17 U.S.C. § 504(c)(2) because of these Defendant's willful copyright infringement.

6. Plaintiff be awarded its reasonable attorneys' fees and costs.
7. Award any and all other relief that this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff also demands a trial by jury of all issues so triable pursuant to Federal Rule of Civil Procedure 38.

Dated: December 15, 2025

Respectfully Submitted,

By: /s/ Joseph W. Droter
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EXHIBIT 1
FILED
UNDER SEAL

EXHIBIT 2
FILED
UNDER SEAL