

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

CELINE, SA,

Plaintiff,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No. 24-cv-03881

District Judge Manish S. Shah

DEFAULT JUDGMENT ORDER




This action having been commenced by Plaintiff Celine, SA against the defendants operating under the Seller Aliases identified on Schedule A to the Complaint (collectively, the “Seller Aliases”), and Celine having moved for entry of Default Judgment against all Defendants who are identified on Schedule A, which is attached hereto (collectively, the “Defaulting Defendants”), and

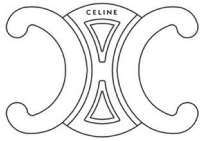
This Court having entered a temporary restraining order and a preliminary injunction against Defaulting Defendants, which included an asset restraining order; Celine having completed service of process on Defaulting Defendants on June 11, 2024 by providing notice and e-mail and via electronic publication on a website, along with any notice that Defaulting Defendants received from payment processors, being reasonably calculated under all circumstances to apprise Defaulting Defendants of the pendency of the action and affording them the opportunity to answer and present their objections; and

The Defaulting Defendants having failed to answer the Complaint or otherwise plead, and the time for answering having expired, so that the allegations of the Complaint are uncontroverted and are deemed admitted:

THIS COURT FINDS finds that it has personal jurisdiction over Defaulting Defendants since Defaulting Defendants directly target their business activities toward consumers in the United States, including Illinois by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, and have sold products using infringing and counterfeit versions of Celine’s federally registered trademarks (the “Celine Trademarks”) to residents of Illinois (a non-exclusive list of which is included in the below chart).

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
982,010	CELINE	April 9, 1974	For: pullover type sweaters, shirts, blouses, boots, shoes and slippers in class 25.
1,000,156	CÉLINE	December 24, 1974	For: leather goods- namely, purses, pouches, money bags and cardholders, wallets, passport and travel document cases, handbags in class 18.
1,744,898	CELINE	January 5, 1993	For: retail clothing and accessories boutique services in class 42.
1,772,927	CELINE	May 25, 1993	For: costume jewelry in class 14. For: clothing; namely, sweaters, blouses, T- shirts, shorts, sweatshirts, lingerie, men's and ladies' suits, trousers, dresses, jackets, skirts, scarves, neckties, belts, boots, shoes, and parkas in class 25.
2,475,129	CELINE	August 7, 2001	For: spectacles, spectacles cases, eyeglasses, and sunglasses in class 9.

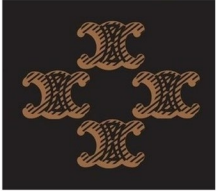
REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
3,919,067		February 15, 2011	For: clothing, namely, overcoats, pullovers, jackets in class 25.
4,879,264		January 5, 2016	For: handbags, in class 18.
5,959,186		January 14, 2020	<p>For: leather and imitations of leather; travel bags, leather luggage travelling sets, travelling trunks and travelling bags, unfitted vanity cases, rucksacks, shoulder bags, handbags, attaché cases, document cases and briefcases of leather, pouches of leather, pouches of textile, pouches for holding keys, wallets, key cases, business card cases, calling card cases, and credit card cases; umbrellas in class 18.</p> <p>For: clothing and underwear, namely, shirts, T-shirts, lingerie, belts, headscarves, neckties, shawls, waistcoats, skirts, waterproof clothing in the nature of waterproof jackets and raincoats, overcoats, trousers, jeans, pullovers, dresses, jackets, scarves, gloves, tights, socks, swimsuits, bathrobes, pyjamas, nightgowns, shorts, pocket handkerchiefs in the nature of pocket squares; shoes, boots, slippers; headwear in class 25.</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
6,187,133		November 3, 2020	<p>For: Non-medicated soaps; perfumery, toilet water, eau de Cologne; perfumes; extracts of flowers being perfumes; plant extracts sold as components of cosmetics; incense; after-shave preparations; essential oils; oils for cosmetic use; cosmetics; cosmetic products, namely, foundations, lipsticks, lip gloss, eye shadows, mascaras, eyebrow pencils, eye shadows; hair, face and body powders, creams, sprays and lotions for cosmetic use; cleansing milk for toilet purposes; make-up removing preparations; deodorants for personal use; lip and body balms other than for medical use; bath and shower gels and bath and shower cosmetic preparations; beauty masks; hair shampoos and conditioners; non-medicated toiletry preparations; make-up; products for nail care and embellishment, namely, nail polish; massage candles for cosmetic use in class 3.</p> <p>For: Combustible wax for candles; fuels and lighting fuel; candles and wicks for lighting; wicks for candles; candles for nightlights; perfumed candles; oils and fats for preservation of leather in class 4.</p> <p>For: Common metals and their alloys; ring shaped fittings of metal; chains of metal; rivets of metal; ironmongery and small items of metal hardware, namely, bag hangers of metal, metal rings, namely, ring shaped fittings of metal, boxes of common metal,</p>

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			<p>bolts of metal, padlocks, chains of metal, stays of metal, namely, metal fence stays, pegs of metal, keys of metal, namely, metal keys for locks, nails, cramps of metal, hooks, nuts of metal, signboards of metal, labels of metal, box fasteners of metal, locks of metal for bags, house numbers and letters of common metal, except type, bindings of metal, namely, metal binding bands, latches of metal, handcuffs, clips of metal for sealing bags, nameplates of common metal, springs, rivets of metal, locks of metal, wire cloth, and screws of metal; buckles of common metal; metallic bag hooks; knobs of metal; boxes of common metal; chests of metal; metal industrial packaging containers; monuments of non-precious metal; works of art of common metal; statues and figurines made from common metal in class 6.</p> <p>For: Smart watches, connected bracelets, namely, wearable activity trackers; smart rings; stands, bags, satchels, carriers, covers and cases all specially adapted for holding photographic apparatus, video cameras, tablet computers, computers, laptops, portable phones, smart phones; digital photograph frame; blank USB flash drives; electronic publications downloadable online or from the Internet in the nature of magazines in the fields of fashion, fashion show, jewelry, clothes, bags, shoes, and perfumes; wrist straps, neck</p>

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			<p>straps and fitted plastic films known as skins for covering and providing a scratch proof barrier or protection for portable phones; telecommunications apparatus in the nature of wireless receivers in the form of jewelry; optical goods, namely, spectacles, sunglasses, goggles for sports; smart glasses; spectacle frames; spectacle lenses, contact lenses; spectacle cords and chains; cases for spectacles or for contact lenses; binoculars; decorative magnets; ring holders, namely, holders specially adapted for holding smart rings in class 9.</p> <p>For: Jewelry; rings being jewelry; medals; clocks; wristwatches; watches; watch cases; watch bands; watch chains; cases for watches; clasps for jewelry; key rings; wristwatch buckles and earrings; cuff links, bracelets, jewelry charms, charms for key rings, brooches, necklaces, chains being jewelry, tie pins, ornaments of precious metal in the nature of jewelry, lockets; jewelry boxes and jewelry cases made from precious metals, their alloys or coated therewith; badges of precious metal; unwrought or semi-wrought precious metals; works of art of precious metal; precious stones in class 14.</p> <p>For: Leather and imitations of leather; unworked or semi-worked leather; imitation leather; furs being animal skins; fur-skins, namely, semi worked fur; traveling bags, leather traveling</p>

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			<p>bag sets, trunks being luggage, traveling trunks and suitcases, garment bags for travel purposes, boxes intended for toiletry articles, namely, unfitted vanity cases, leather or leather board boxes; bags, namely, rucksacks, shoulder bags, handbags, sports bags, briefcases, document cases, briefcases and business cases made from leather; luggage tags for luggage, whips, animal leashes, saddlery; walking sticks; leather pouches, wallets, business card cases; credit card holders, namely, wallets; purses, key cases, credit card cases; umbrellas; parasols; beach umbrellas in class 18.</p> <p>For: Clothing, namely, underwear, shirts, sweaters, t-shirts, lingerie, belts, scarves, neckties, shawls, vests, jerseys, skirts, raincoats, coats, overcoats, suspenders, trousers, denim trousers, pullovers, dresses, jackets, sashes, gloves, tights, socks, bathing suits, bath robes, pajamas, nightgowns, shorts, pocket squares; shoes, fitted metal heel protectors for shoes; boots, half-boots; soles for footwear; slippers; headwear; cuffs; clothing and footwear for sports and skiing, namely, trousers, knitwear, namely, knitted shirts and sweaters, and hosiery, underwear, skirts, trousers, jackets, coats, shirts, gloves, waterproof clothing, namely, waterproof jackets and pants, anoraks, snow suits, hats, caps, socks, panty hose, footwear,</p>

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			<p>boots, sports shoes, and ski boots in class 25.</p> <p>For: Retail stores and online retail stores in the fields of perfumery and cosmetics, clothing, footwear, headgear, leather goods, optical goods, jewelry, watches, and luggage; providing television home shopping services in the fields of perfumery and cosmetics, clothing, footwear, headgear, optical goods, leather goods, jewelry, watches, and luggage; gift registry services in class 35.</p>
6,337,314		May 4, 2021	<p>For: surveying instruments, photographic cameras, cinematographic cameras, weighing apparatus and instruments, distance measuring apparatus, signaling buoys, directional compasses; apparatus for recording, transmission, reproduction of sound or images; helmets for virtual reality, smartwatches, connected bracelets being wearable computer peripherals for users to connect wirelessly to computers; smart rings; blank magnetic data carriers, blank audio disks; stands for smartphones, computer bags, blank magnetic data carriers, smartphone covers, cases for photographic apparatus, video cameras, tablet computers, computers, laptops, portable phones, smart phones; blank compact disks, DVDs and other digital storage media; electronic book reader; data processing equipment, computers and</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>computer peripheral equipment; mouse pads; headphone; loudspeakers; digital photo frames; blank USB flash drives; electronic agendas; downloadable electronic game software; telephones; mobile telephones; computers; portable computers; tablet computers; personal digital assistants (PDA); MP3 players; batteries; battery chargers; earphones; telecommunication apparatus in the nature of wireless receivers in the form of jewelry; optical goods, namely, spectacles, sunglasses, goggles for sports; smart glasses; spectacle frames; spectacle lenses, contact lenses; spectacle cords and chains; cases for spectacles or for contact lenses; binoculars; decorative magnets; ring holders for mobile phones in class 9.</p> <p>For: Leather and imitations of leather; unworked or semi-worked leather; imitation leather; fur pelts; fur being animal skins; traveling bags, leather traveling bag sets, travel chests being luggage, trunks being luggage and suitcases, garment bags for travel, boxes of leather or leather board; leather bags, rucksacks, shoulder bags, handbags, sports bags, carrying cases, attaché cases, document cases and business cases of leather; luggage tags for luggage, whips, animal leashes, saddlery; walking sticks; clutch bags, wallets, business card cases; credit card holders; purses, key cases, credit card cases;</p>

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			umbrellas; parasols; beach umbrellas in class 18.

THIS COURT FURTHER FINDS that Defaulting Defendants are liable for willful federal trademark infringement and counterfeiting (15 U.S.C. § 1114) and false designation of origin (15 U.S.C. § 1125(a)).

ACCORDINGLY, THIS COURT HEREBY ORDERS that Celine's Motion for Entry of Default and Default Judgment is GRANTED in its entirety, that Defaulting Defendants are in default, and that this Default Judgment is entered against Defaulting Defendants.

THIS COURT FURTHER ORDERS THAT:

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

a. Using the Celine Trademarks 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 a genuine Celine product or not authorized by Celine to be sold in connection with the Celine Trademarks;

b. Passing off, inducing, or enabling others to sell or pass off any product as a genuine Celine product or any other product produced by Celine, that is not Celine's or not produced under the authorization, control, or supervision of Celine and approved by Celine for sale under the Celine Trademarks;

c. Committing any acts calculated to cause consumers to believe that Defaulting Defendants' products are those sold under the authorization, control, or

supervision of Celine, or are sponsored by, approved by, or otherwise connected with Celine; and

d. Manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Celine, nor authorized by Celine to be sold or offered for sale, and which bear any of Celine's trademarks, including the Celine Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.

2. Defaulting Defendants and any third party with actual notice of this Order who is providing services for any of the Defaulting Defendants, or in connection with any of the Defaulting Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms and payment processors such as PayPal, Inc., eBay, Inc., AliExpress, Alipay, Alibaba Group Holding Ltd., Amazon.com, Amazon Pay, DHgate, Ant Financial Services Group, Walmart and Etsy (collectively, the "Third Party Providers"), shall within seven (7) calendar days of receipt of this Order cease:

a. Using, linking to, transferring, selling, exercising control over, or otherwise owning the online marketplace accounts associated with the Seller Aliases, or any other online marketplace account that is being used to sell or is the means by which Defaulting Defendants could continue to sell counterfeit and infringing goods using the Celine Trademarks; and

b. Operating and/or hosting websites that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product bearing the Celine Trademarks or any reproductions, counterfeit copies or colorable imitations thereof that is not a genuine Celine product or not authorized by Celine to be sold in connection with the

Celine Trademarks.

3. Upon Celine's request, those with notice of this Order, including the Third Party Providers, shall within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defaulting Defendants in connection with the sale of counterfeit and infringing goods using the Celine Trademarks.

4. Pursuant to 15 U.S.C. § 1117(c)(2), Celine is awarded statutory damages from each of the Defaulting Defendants in the amount of \$50,000 for willful use of counterfeit Celine Trademarks in connection with products sold through at least the Defaulting Defendants' Online Marketplaces.

5. Celine may serve this Order on the Third Party Providers by e-mail delivery to the e-mail addresses Celine used to serve the Temporary Restraining Order and Preliminary Injunction on the Third Party Providers.

6. Any Third Party Providers holding funds for Defaulting Defendants, shall, within seven (7) calendar days of receipt of this Order, permanently restrain and enjoin any accounts connected to Defaulting Defendants from transferring or disposing of any funds, up to the above-identified statutory damages award, or other of Defaulting Defendants' assets.

7. All monies up to the above-identified statutory damages award in Defaulting Defendants' financial accounts, including monies held by Third Party Providers are hereby released to Celine as partial payment of the above-identified damages, and the Third Party Providers, are ordered to release to Celine the amounts from Defaulting Defendants' financial accounts within seven (7) calendar days of receipt of this Order.

8. Until Celine has recovered full payment of monies owed to it by any Defaulting Defendants, Celine shall have the ongoing authority to serve this Order on Third Party Providers in the event that any new financial accounts controlled or operated by Defaulting Defendants are identified. Upon receipt of this Order, Third Party Providers shall within seven (7) calendar days:

a. Locate all accounts and funds connected to Defaulting Defendants' Seller Aliases, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit 2 to the Declaration of Nicolas Lambert, and any e-mail addresses provided for Defaulting Defendants by third parties;


b. Restrain and enjoin such accounts or funds from transferring or disposing of any money or other of Defaulting Defendants' assets; and

c. Release all monies, up to the above identified statutory damages award, restrained in Defaulting Defendants' financial accounts to Celine as partial payment of the above-identified damages within seven (7) calendar days of receipt of this Order.

9. If Celine identifies any additional online marketplace accounts or financial accounts owned by Defaulting Defendants, Celine may send notice of any supplemental proceeding, including a citation to discover assets, to Defaulting Defendants by e-mail at the e-mail addresses identified by Celine in Exhibit 2 to the Declaration of Nicolas Lambert and any e-mail addresses provided for Defaulting Defendants by third parties.

10. The one-hundred thousand-dollar (\$100,000) bond posted by Celine is hereby released to Celine or its counsel, Mercer Oak LLC. The Clerk of the Court is directed to return the bond previously deposited with the Clerk of the Court to Celine or its counsel.

July 10, 2024



Manish S. Shah
United States District Judge