

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

FENDI S.R.L.,

Plaintiff,

v.

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

Defendants.

Civil Action No: 1:24-cv-05629
District Judge John F. Kness
Magistrate Judge Beth W. Jantz

DECLARATION OF NICOLAS LAMBERT

I, Nicolas Lambert, declare and state as follows:

1. This declaration is based upon my personal knowledge of the facts stated herein or on the business records that were made at the time or in the regular course of business. If called as a witness, I could and would testify to the statements made herein.

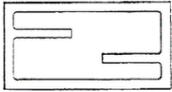
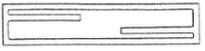
2. I am employed by LVMH Moët Hennessy Louis Vuitton SE, (“LVMH”) and am duly empowered to represent Fendi S.r.L. (“Fendi”). In my capacity as LVMH’s Head of Online Brand Protection, I am responsible, in part, for Fendi’s trademark and anti-counterfeiting efforts in connection with internet related matters. I am knowledgeable about or have access to business records concerning all information referenced herein, including, but not limited to, Fendi’s trademarks, copyrights, other intellectual property, sales, online sales, advertising, marketing, media coverage and anti-counterfeiting activities. I make this declaration from matters within my own knowledge save where otherwise stated.

3. Fendi is a world-famous luxury brand, founded in 1925 by Adele and Edoardo Fendi. Plaintiff is engaged in the business of styling and selling a diverse portfolio of high-quality luxury goods, including a variety of men's and women's apparel, fashion accessories, and leather goods (collectively, the "Fendi Products"). The Fendi Products prominently display Plaintiff's famous internationally recognized and federally registered trademarks. In 2000, Fendi became a part of the Louis Vuitton Moet Hennessy (LVMH) group.

4. Fendi Products have become enormously popular and even iconic, driven by Fendi's arduous quality standards and innovative designs. Among the purchasing public, genuine Fendi Products are instantly recognizable as products authorized by Plaintiff. In the United States and around the world, the Fendi brand has come to symbolize high quality, and Fendi Products are among the most recognizable of their kind in the world.

5. Fendi Products are distributed and sold to customers through retailers throughout the United States, including in company-operated boutiques, via its e-commerce website located at www.fendi.com, and through a selective network of high-quality department stores in Illinois such as Nordstrom, Neiman Marcus, and Saks Fifth Avenue.

6. Fendi incorporates a variety of distinctive marks in the design of its various Fendi Products. Fendi owns common law trademark rights in its trademarks as a result of their long-standing use. Fendi has also registered its trademarks with the United States Patent and Trademark Office. Fendi Products typically include at least one of Fendi's registered trademarks. Often several Fendi marks are displayed on a single product. Fendi uses its trademarks in connection with the marketing of its Fendi Products, including the following marks which are collectively referred to as the "Fendi Trademarks."

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
1,214,472		Oct. 26, 1982	For: Leather and Imitations of Leather; Luggage, Trunks, and Travelling Bags in class 018
1,244,466	FENDI	July 05, 1983	For: Traveling Luggage, Trunks, Purses, Rucksacks, Brief Cases, Attache Cases, Wallets, Key Cases, Passport Cases, Business Card Cases, Cosmetic Cases Sold Empty in class 018 For: Fur Coats, Fur Stoles, Fur Jackets, Raincoats, Cloth Coats, Jackets, Skirts, Blouses, Dresses, Hosiery, Shirts, Trousers, Hats, Scarves, Foulards, Gloves, Ties, Neckwear, Belts, Swimwear, Shoes, Boots in class 025
1,267,539		February 21, 1984	For: Perfumes, Toilet Water in class 003 For: Fur Coats, Fur Stoles, Fur Pieces, Rainwear, Cloth Coats, Jackets, Skirts, Trousers, Dresses, Hosiery, Shirts, Blouses, Headwear, Scarves, Foulards, Gloves, Ties, Neckwear, Belts, Swimwear, Shoes, Boots in class 025
2,648,256		November 12, 2002	For: Leather and imitation of leather items, namely, traveling trunks and traveling bags, attache cases, briefcases, handbags, shoulder bags, men's carry-on bags, tote bags, wallets, purses in class 018
2,648,257		November 12, 2002	For: Leather and imitation of leather items, namely, handbags, shoulder bags in class 018
4,036,925		October 11, 2011	For: Leather and imitation leather; furs; goods made of leather and

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>imitation leather, namely, handbags, shoulder bags, briefcases, leatherwear, namely, key cases, purses, wallets, backpacks, pouches, leather straps in class 018</p> <p>For: Clothing, namely, shirts, t-shirts, sweatshirts, sport shirts, pants, sport pants, trousers, shorts, skirts, dresses, belts, sweaters, cardigans, pullovers, jackets, scarves, foulards, gloves; waterproof clothing, namely, waterproof jackets, swimsuits; hats; footwear, namely, shoes, sport shoes, boots, slippers, sneakers, sandals in class 025</p>
4,362,861		July 9, 2013	<p>For: Eyeglasses, sunglasses, eyeglass and sunglass lenses, eyeglass frames in class 009</p> <p>For: Jewelry of precious and non-precious metal, namely, bracelets, necklaces, neck chains and rings, earrings, watches, wristwatches, watch bands and straps, chronographs for use as timepieces and for use as watches in class 014</p> <p>For: Bags, namely, shoulder bags, travelling bags, handbags, Boston bags, waist packs, sling bags for carrying infants, leather and canvas shopping bags, duffle bags, tote bags, clutch bags, trunks, wallets, purses, briefcases, attach cases, pouches of leather or textile, school bags, suitcases, garment bags for travel, key cases made of leather, backpacks, rucksacks, vanity cases sold empty, carry-on bags, beach bags, umbrellas in class 018</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>For: Furniture, household furniture, namely, chairs, lounge chairs, armchairs, tables, coffee tables, stools, sofas and divans, ottomans in class 020</p> <p>For: beach towels in class 024</p> <p>For: Articles of clothing for men, women and children, namely, pullovers, cardigans, sweaters, jumpers, jackets, sweatshirts, parkas, blouses, shirts, trousers, jeans, waistcoats, skirts, T-shirts, dresses, men's suits, coats, overcoats, jackets, vests, shawls, scarves, neckties, gloves for clothing, belts for clothing, shoes, boots, sandals, slippers[,] hats and caps in class 025</p>
4,409,049	FENDI	October 1, 2013	<p>For: Perfumes, eau de parfum, toilet water, after shave creams, after shave lotions, shaving lotions, shampoos, creams, deodorants for personal use, toilet soaps, bath soaps, bath and shower gels, body lotions, skin lotions in class 003</p> <p>For: Eyeglasses, sunglasses, eyeglass frames and eyeglass cases; bags, cases and sleeves specially adapted for holding or carrying all the above mentioned goods, namely, eyeglasses, sunglasses, eyeglass and sunglass lenses, eyeglass frames and eyeglass cases; telephones and mobile phones in class 009</p> <p>For: Jewelry of precious and non-precious metal, namely, bracelets, necklaces, neck chains and rings, brooches, earrings, pendants, cuff-links, jewelry cases; clocks, watches, wristwatches, watch bands and straps,</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>chronographs for use as timepieces and for use as watches, chronometers in class 014</p> <p>For: Bags, namely, shoulder bags, travelling bags, handbags, Boston bags, waist packs, leather and canvas shopping bags, duffle bags, tote bags, clutch bags, trunks, wallets, purses, briefcases, attach cases, pouches of leather or textile, school bags, suitcases, key cases made of leather, backpacks, rucksacks, vanity cases sold empty, carry-on bags, beach bags, umbrellas in class 018</p> <p>For: Furniture, bathroom furniture, kitchen furniture, household furniture, namely, chairs, lounge chairs, armchairs, tables, coffee tables, benches, stools, beds, bedside tables, wardrobes, desks, sofas and divans, ottomans, shelves, drawers, wall cupboards, showcases, television stands, bookshelves, bathroom cabinets; mirrors in class 020</p> <p>For: Articles of clothing for men, women and children, namely, pullovers, cardigans, sweaters, jerseys, jumpers, jackets, sweatshirts, parkas, bathing suits, blouses, shirts, trousers, jeans, waistcoats, skirts, shorts, T-shirts, dresses, men's suits, coats, raincoats, overcoats, fur coats and jackets, vests, hosiery and panty hose, bathrobes, shawls, scarves, neckties, gloves for clothing, belts for clothing, shoes, boots, sandals, slippers, clogs, hats and caps in class 025</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>For: The bringing together, for the benefit of others, of a variety of goods excluding the transport thereof, such as eyeglasses, jewellery, horological instruments, bags, wallets and other leather goods, furniture, clothing, footwear, headgear, personal accessories, enabling customers to conveniently view and purchase those goods, as well as retail store services for the above mentioned products in class 035</p> <p>For: Resort hotel services, namely, hotel services and hotel accommodation, hotel services for holidays, resort hotel services; providing temporary lodging services in the nature of a condominium and cooperative hotel; restaurant, bar and cocktail lounge services; contract food services; take away restaurant services; bars, restaurants and cafes; catering services; provision of exhibition facilities in the nature of halls; travel agency services, namely, making reservations and bookings for temporary accommodation in class 043</p>
4,916,008		March 15, 2016	For: Eyeglasses; sunglasses; eyeglass frames; eyeglass and sunglass cases and holders; strings and chains for eyeglasses and sunglasses in class 009
4,929,737	FENDI	April 5, 2016	For: Eyeglasses; sunglasses; eyeglass lenses; eyeglass frames; eyeglass and sunglass cases and holders; protective helmets; sports helmets; helmets for motorcyclists; blank USB flash drives; headphones; earphones; hi-fi

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			apparatus, namely, record players, audio speakers, personal stereos; cameras and digital cameras; video cameras; bags, cases and sleeves specially adapted for holding or carrying mobile phones, computers, laptop computers, headphones, earphones, photographic apparatus and equipment, cameras, and video cameras; and strings and chains, namely, straps and lanyards specially adapted for mobile phones, MP3 players, MP4 players, portable media players, and digital audio and video players in class 009
5,139,608	FENDI	February 14, 2017	For: Shoulder straps for handbags in class 018
5,505,551		July 3, 2018	For: Fragrances; make-up in class 003 For: Cell phone cases; cell phone covers; cell phone straps; sunglasses in class 009 For: Decorative fobs for keys; key rings with decorative trinkets or fobs; precious metal key holders with decorative trinkets or fobs; key holders of precious metals; key fobs of precious metals; key rings of precious metals; key fobs being rings coated with precious metal; key chains as jewelry, being trinkets or fobs; key rings with decorative trinkets or fobs of precious metal in class 014 For: Leather and imitations of leather; animal skins and hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips; harness; saddlery; all-purpose

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>carrying bags; shoulder bags; travelling bags; hand bags; boston bags; waist packs; sling bags for carrying infants; duffle bags; tote bags; clutch bags; wallets; purses; briefcases; attaché cases; pouches of leather; pouches of textile, not for packaging; school bags; suitcases; garment bags for travel; key cases made of leather; backpacks; rucksacks; vanity cases sold empty; carry-on bags; beach bags; umbrellas in class 018</p> <p>For: Furniture; mirrors; picture frames; air cushions, not for medical purposes; air mattresses, not for medical purposes; air pillows, not for medical purposes; bead curtains for decoration; bedding, except linen, namely, beds, mattresses, pillows and bolsters; busts of wood, wax, plaster or plastic; wardrobes; curtain holders, not of textile material; curtain tie-backs, namely, non-textile curtain holders; cushions; doors for furniture; dressmakers' dummies; screens for fireplaces; house numbers, not of metal, non-luminous; indoor window blinds being shades; infant walkers; mannequins; decorative mobiles; pet cushions; pillows; slatted indoor blinds; statues of wood, wax, plaster or plastic; statuettes of wood, wax, plaster or plastic; table tops; tailors' dummies; decorative wind chimes; works of art of wood, wax, plaster or plastic; signboards of wood or plastics in class 020</p> <p>For: Clothing, namely, shirts and pants; footwear; headwear; pullovers;</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>cardigans; sweaters; jerseys; jumpers; jackets; sweatshirts; parkas; bathing suits; blouses; shirts; trousers; jeans; waistcoats; skirts; shorts; T-shirts; dresses; men's suits; coats; raincoats; overcoats; fur coats and jackets; overalls; underwear; vests; hosiery; panty hose; bathrobes; shawls; scarves; neckties; gloves being clothing; belts for clothing; shoes; boots; sandals; slippers; clogs; hats and caps in class 025</p> <p>For: Information and advice in relation to retail store services in the field of ready-to-wear, clothing and footwear; information and advice in relation to direct selling through telecommunications in the field of ready-to-wear, clothing and footwear; information and advice in relation to direct selling through telephone in the field of ready-to-wear, clothing and footwear; information and advice in relation to direct selling through facsimile in the field of ready-to-wear, clothing and footwear; information and advice in relation to direct selling through email in the field of ready-to-wear, clothing and footwear; information and advice in relation to direct selling through the Internet in the field of ready-to-wear, clothing and footwear; information and advice in relation to on-line direct selling in the field of ready-to-wear, clothing and footwear; information and advice in relation to wholesale store services in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through telephones</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through facsimiles in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through email in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through the Internet including social networks in the field of ready-to-wear, clothing and footwear; organisation of mail order promotions in the field of ready-to-wear, clothing and footwear; marketing, including direct marketing and direct mail advertising in the field of ready-to-wear, clothing and footwear; advertising by mail order in the field of ready-to-wear, clothing and footwear; point of purchase promotions in the field of ready-to-wear, clothing and footwear; on-line advertising in the field of ready-to-wear, clothing and footwear; sale promotions in the field of ready-to-wear, clothing and footwear in class 035</p>
5,563,158		September 18, 2018	<p>For: Fragrances; make-up in class 003</p> <p>For: Cell phone cases; cell phone covers; cell phone straps; sunglasses in class 009</p> <p>For: Decorative fobs for keys; key rings being trinkets or fobs; key holders of precious metals being trinkets or fobs; key holders of precious metals; decorative key fobs of precious metals; key rings of precious metals; key fobs being rings coated with precious metal; key</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>chains as jewelry, being trinkets or fobs; key rings being trinkets or fobs of precious metal in class 014</p> <p>For: Leather and imitations of leather; animal skins and hides; trunks and travelling bags; umbrellas and parasols; walking sticks; whips; harnesses; saddlery; bags, namely, leather bags, weekend bags and all-purpose carrying bags; shoulder bags; travelling bags; hand bags; boston bags; waist packs; sling bags for carrying infants; duffle bags; tote bags; clutch bags; wallets; purses; briefcases; attaché cases; pouches of leather; pouches of textile, not for packaging; school bags; suitcases; garment bags for travel; key cases made of leather; backpacks; rucksacks; vanity cases sold empty; carry-on bags; beach bags; umbrellas in class 018</p> <p>For: Furniture; mirrors; picture frames; air cushions, not for medical purposes; air mattresses, not for medical purposes; air pillows, not for medical purposes; bead curtains for decoration; bedding, namely, beds, bed headboards and bed fittings not of metal; busts of wood, wax, plaster or plastic; covers for clothing being wardrobe; curtain holders, not of textile material; curtain tie-backs in the nature of non-textile curtain holders; cushions; doors for furniture; dressmakers' dummies; fire screens, domestic being screens for fireplaces; garment covers for storage being nonmetal and non-paper containers for storage, fitted fabric furniture</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>covers, furniture and wardrobes; house numbers, not of metal, nonluminous; indoor window blinds being shades; infant walkers; mannequins; decorative mobiles; pet cushions; pillows; slatted indoor blinds; statues of wood, wax, plaster or plastic; statuettes of wood, wax, plaster or plastic; table tops; tailors' dummies; decorative wind chimes; works of art of wood, wax, plaster or plastic; signboards of wood or plastics in class 020</p> <p>For: Clothing, namely, shirts, dresses, pants and sweaters; footwear; headwear; pullovers; cardigans; sweaters; jerseys; jumpers; jackets; sweatshirts; parkas; bathing suits; blouses; shirts; trousers; jeans; waistcoats; skirts; shorts; T-shirts; dresses; men's suits; coats; raincoats; overcoats; fur coats and jackets; overalls; underwear; vests; hosiery; panty hose; bathrobes; shawls; scarves; neckties; gloves being clothing; belts for clothing; shoes; boots; sandals; slippers; clogs; hats and caps being headwear in class 025</p> <p>For: Providing information and advice in relation to retailing services in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to direct selling through telecommunications in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to direct selling through telephone in the field of ready-to-wear, clothing and footwear; providing information and advice in</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			<p>relation to direct selling through facsimile in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to direct selling through email in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to direct selling through the Internet in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to on-line direct selling in the field of ready-to-wear, clothing and footwear; providing information and advice in relation to wholesaling services in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through telephones in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through facsimiles in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through email in the field of ready-to-wear, clothing and footwear; computerized on-line ordering service through the internet including social networks in the field of ready-to-wear, clothing and footwear; advertising by mail order, namely, organisation of mail order promotions in the field of ready-to-wear, clothing and footwear; marketing, including direct marketing and direct mail advertising in the field of ready-to-wear, clothing and footwear; advertising by mail order in the field of ready-to-wear, clothing and footwear; promotion and marketing services, namely, point of</p>

REGISTRATION NUMBER	REGISTERED TRADEMARK	REGISTRATION DATE	INTERNATIONAL CLASSES
			purchase promotions in the field of ready-to-wear, clothing and footwear; on-line advertising in the field of ready-to-wear, clothing and footwear; sales promotions services in the field of ready-to-wear, clothing and footwear in class 035
6,821,740		August 16, 2022	For: Fragrances; perfumery in class 003 For: Carpets in class 027
6,874,501		October 18, 2022	For: Sunglasses in class 009 For: Necklace, rings, earrings, bracelet in class 014

7. The Fendi Trademarks have been used exclusively and continuously in the U.S. by Fendi and have never been abandoned. The above U.S. registrations for the Fendi Trademarks are valid, subsisting, in full force and effect, and many are incontestable pursuant to 15 U.S.C. § 1065. Attached hereto as Exhibit 1 are true and correct copies of the U.S. Registration Certificates for the Fendi Trademarks included in the above table.

8. The Fendi Trademarks are exclusive to Fendi and are displayed extensively on Fendi Products and in Fendi’s marketing and promotional materials. Fendi Products have long been among the most famous and popular of their kind in the world and have been extensively promoted and advertised at great expense. In fact, Fendi has expended millions of dollars annually

in advertising, promoting, and marketing goods featuring the Fendi Trademarks. Because of these and other factors, the Fendi name and the Fendi Trademarks have become famous throughout the United States.

9. The Fendi Trademarks are distinctive when applied to the Fendi Products, signifying to the purchaser that the products come from Fendi and are manufactured to Fendi's quality standards. Whether Fendi manufactures the products itself or licenses others to do so, Fendi has ensured that products bearing its trademarks are manufactured to the highest quality standards. The Fendi Trademarks have achieved tremendous fame and recognition, which has only added to the distinctiveness of the marks. As such, the goodwill associated with the Fendi Trademarks is of incalculable and inestimable value to Fendi.

10. Fendi has expended substantial time, money, and other resources in developing, advertising and otherwise promoting the Fendi Trademarks. As a result, products bearing the Fendi Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being high-quality products from Fendi. Fendi is a multi-million-dollar operation, and Fendi Products have become among the most popular of their kind in the world.

11. The success of the Fendi brand has resulted in its significant counterfeiting. Consequently, Fendi has a worldwide anti-counterfeiting program and regularly investigates suspicious e-commerce stores identified in proactive internet sweeps and reported by consumers. In recent years, Fendi has identified numerous fully interactive e-commerce stores, including those operating under the internet stores identified in Schedule A to the Complaint (the "Defendant Internet Stores"), which were offering for sale and/or selling unauthorized and unlicensed products in connection with infringing and counterfeit versions of the Fendi Trademarks (the "Counterfeit

Fendi Products”) to consumers in this judicial district and throughout the United States.

12. I perform, supervise, and/or direct investigations related to internet-based infringement of the Fendi Trademarks. Our investigation shows that Defendants are using the Defendant Internet Stores to sell Counterfeit Fendi Products from foreign countries such as China to consumers in the U.S. and elsewhere. I, or someone working under my direction, analyzed each of the e-commerce stores operating under the Defendant Internet Stores and determined that Counterfeit Fendi Products were being offered for sale to the United States, including Illinois. This conclusion was reached through visual inspection of the products listed for sale on each e-commerce store, the price at which the Counterfeit Fendi Products were offered for sale, other features commonly associated with e-commerce stores selling counterfeit products, and because Defendants and their e-commerce stores do not conduct business with Fendi and do not have the right or authority to use the Fendi Trademarks for any reason. In addition, each e-commerce store offered shipping to the United States, including Illinois. True and correct copies of screenshot printouts showing the active e-commerce stores operating under the Defendant Internet Stores reviewed are attached as Exhibit 2.

13. Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Defendant Internet Stores, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and, on information and belief, have sold Counterfeit Fendi Products to residents of Illinois.

14. Defendants concurrently employ and benefit from substantially similar advertising and marketing strategies. For example, Defendants facilitate sales by designing the e-commerce stores operating under the Defendant Internet Stores so that they appear to unknowing consumers

to be authorized online retailers, outlet stores, or wholesalers. E-commerce stores operating under the Defendant Internet Stores appear sophisticated and accept payment in U.S. dollars via credit cards, Alipay, Amazon Pay, and/or PayPal. E-commerce stores operating under the Defendant Internet Stores often include content and images that make it very difficult for consumers to distinguish such stores from an authorized retailer. Fendi has not licensed or authorized Defendants to use any of the Fendi Trademarks, and none of the Defendants are authorized retailers of genuine Fendi Products.

15. Many Defendants also deceive unknowing consumers by using the Fendi Trademarks without authorization within the content, text, and/or meta tags of their e-commerce stores in order to attract various search engines crawling the internet looking for websites relevant to consumer searches for Fendi Products. Other e-commerce stores operating under Defendant Internet Stores omit using the Fendi Trademarks in the item title to evade enforcement efforts while using strategic item titles and descriptions that will trigger their listings when consumers are searching for Fendi Products.

16. On information and belief, Defendants have engaged in fraudulent conduct when registering the Defendant Internet Stores by providing false, misleading, and/or incomplete information to e-commerce platforms to prevent discovery of their true identities and the scope of their e-commerce operation.

17. On information and belief, Defendants regularly register or acquire new Defendant Internet Stores for the purpose of offering for sale and selling Counterfeit Fendi Products. Such seller alias registration patterns are one of many common tactics used by the Defendants to conceal

their identities and the full scope and interworking of their counterfeiting operation, and to avoid being shut down.

18. Even though Defendants operate under multiple fictitious aliases, the e-commerce stores operating under the Defendant Internet Stores often share unique identifiers, such as templates with common design elements that intentionally omit any contact information or other information for identifying Defendants or other internet stores they operate or use. E-commerce stores operating under the Defendant Internet Stores include other notable common features such as use of the same registration patterns, accepted payment methods, check-out methods, keywords, advertising tactics, similarities in price and quantities, the same incorrect grammar and misspellings, and/or the use of the same text and images. Additionally, Counterfeit Fendi Products for sale by the Defendant Internet Stores bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Counterfeit Fendi Products were manufactured by and come from a common source and that Defendants are interrelated.

19. Counterfeiters such as Defendants typically operate under multiple internet stores and payment accounts so that they can continue operation in spite of Fendi's enforcement efforts. On information and belief, Defendants maintain off-shore accounts and regularly move funds from their financial accounts to off-shore accounts outside the jurisdiction of this Court.

20. On information and belief, Defendants are an interrelated group of counterfeiters working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Counterfeit Fendi Products in the same transaction, occurrence, or series of transactions or occurrences. Defendants, without any authorization or license from Plaintiff, have jointly and severally, knowingly, and willfully used and continue to use the Fendi Trademarks in

connection with the advertisement, distribution, offering for sale, and sale of Counterfeit Fendi Products into the United States and Illinois over the internet.

21. Monetary damages cannot adequately compensate Fendi for ongoing infringement because monetary damages fail to address the loss of control of and damage to Fendi's reputation and goodwill. Furthermore, monetary damages are difficult, if not impossible, to ascertain due to the inability to calculate measurable damage in dollars and cents caused to Fendi's reputation and the goodwill associated therewith by acts of infringement, as well as loss of future sales.

22. Fendi 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).

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

Executed on July 16, 2024.

DocuSigned by:
Nicolas Lambert
A207A327B631495...
Nicolas Lambert