

**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.

No. 24-cv-05629

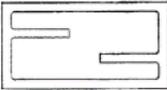
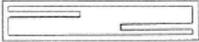
Judge John F. Kness

SEALED TEMPORARY RESTRAINING ORDER

THIS CAUSE being before the Court on Plaintiff Fendi S.R.L.’s (“Fendi”) *Ex Parte* Motion for Entry of a Temporary Restraining Order, Including a Temporary Injunction, a Temporary Asset Restraint, and Expedited Discovery, and Motion for Electronic Service of Process Pursuant to Fed. R. Civ. P. 4(f)(3) (the “Motions”) against the fully interactive, e-commerce stores operating under the seller aliases identified in Schedule A to the Complaint and attached hereto (collectively, the “Seller Aliases”), and this Court having considered the evidence before it hereby GRANTS Plaintiff’s Motion as follows.

This Court further finds, in the absence of adversarial presentation, that it has personal jurisdiction over the Defendants because Defendants directly target their business activities toward consumers in the United States, including Illinois. Defendants have targeted sales to Illinois residents by setting up and operating e-

commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and have sold products using infringing and counterfeit versions of the Fendi Trademarks (a list of which is included in the chart below) to residents of Illinois.

REG. NUMBER	REG. TRADEMARK	REG. DATE	INTERNATIONAL CLASSES
1,214,472		Oct. 26, 1982	18
1,244,466	FENDI	July 05, 1983	18, 25
1,267,539		February 21, 1984	3, 25
2,648,256		November 12, 2002	18
2,648,257		November 12, 2002	18
4,036,925		October 11, 2011	18, 25

REG. NUMBER	REG. TRADEMARK	REG. DATE	INTERNATIONAL CLASSES
4,362,861		July 9, 2013	9, 14, 18, 20, 24, 25
4,409,049	FENDI	October 1, 2013	3, 9, 14, 18, 20, 25, 35, 43
4,916,008		March 15, 2016	9
4,929,737	FENDI	April 5, 2016	9
5,139,608	FENDI	February 14, 2017	18
5,505,551		July 3, 2018	3, 9, 14, 18, 20, 25, 35
5,563,158		September 18, 2018	3, 9, 14, 18, 20, 25, 35
6,821,740		August 16, 2022	3, 27
6,874,501		October 18, 2022	9, 14

REG. NUMBER	REG. TRADEMARK	REG. DATE	INTERNATIONAL CLASSES
			

This 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 Fendi has presented specific facts in the Declaration of Nicolas Lambert, and the Declaration of John Haarlow, Jr. in support of the Motion for Temporary Restraining Order and accompanying evidence clearly showing that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition. Specifically, in the absence of an *ex parte* Order, Defendants could and likely would move any assets from accounts in financial institutions under this Court's jurisdiction to off-shore accounts. Accordingly, this Court orders that:

1. 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 temporarily enjoined and restrained from:

a. Using the Fendi Trademarks or any reproductions, counterfeit copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product

that is not a genuine Fendi product or not authorized by Fendi to be sold in connection with the Fendi Trademarks;

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

c. Committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of Fendi, or are sponsored by, approved by, or otherwise connected with Fendi;

d. Further infringing the Fendi Trademarks and damaging Fendi's goodwill; and

e. 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 Fendi, nor authorized by Fendi to be sold or offered for sale, and which bear any of Fendi's trademarks, including the Fendi Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof.

2. Defendants shall be temporarily restrained and enjoined from transferring or disposing of Defendants' money or other assets, in an amount not to exceed \$50,000 per separate Defendant, until further ordered by this Court.

3. Upon Fendi's request, any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as eBay, Inc. ("eBay"), AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc. ("Amazon"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), Dhgate, and social media platforms such as Facebook, Inc., (collectively, the "Third Party Providers") shall, within ten business days after receipt of such notice, provide to Fendi expedited discovery, including copies of all documents and records in such person's or entity's possession or control sufficient to determine:

a. The identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in 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 Domain Names; and

c. Any financial accounts owned or controlled by Defendants, including their agents, servants, employees, confederates, attorneys, and any persons acting in 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, Inc. (“PayPal”), Apple Pay, Google Pay, Alipay, Amazon Pay, Wish.com, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

4. Upon Fendi’s request, those with notice of the injunction, including the Third Party Providers as defined in Paragraph 3, shall, within ten business days after receipt of such notice, disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the Fendi Trademarks.

5. Defendants shall be temporarily restrained and enjoined from transferring or disposing of any money or other of Defendants’ assets in any of Defendants’ financial accounts, in an amount not to exceed \$50,000 per separate Defendant, until further ordered by this Court.

6. Any Third Party Providers, including PayPal, Google Pay, Apple Pay, Alipay, Alibaba, Ant Financial, Wish.com, and Amazon Pay, shall, within seven calendar days of receipt of this Order:

- a. Locate all of Defendants’ accounts and funds; and
- b. Restrain and enjoin any such accounts or funds from transferring or disposing of Defendants’ money or other assets, in an amount not to exceed \$50,000 per separate Defendant, until further ordered by this Court.

7. Fendi is authorized to issue expedited written discovery, pursuant to the Federal Rules of Civil Procedure 33, 34 and 36, related to:

a. The identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information, including any and all associated e-mail addresses; and

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.

8. Fendi is authorized to issue any such expedited discovery requests via e-mail. Defendants shall respond to any such discovery requests within ten business days of being served via e-mail.

9. Fendi may provide notice of these proceedings to Defendants, including notice of the preliminary injunction hearing, service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Complaint, this Order and other relevant documents on a website, and by sending an e-mail to the e-mail addresses identified in Exhibit 2 to the Declaration of Nicolas Lambert and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The combination of providing notice via electronic publication and/or e-mail, along with any notice that Defendants receive from

payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

10. The Clerk of the Court is directed to issue a single original summons in the name of “The Partnerships and Unincorporated Associations identified on Schedule A of the Complaint” that shall apply to all Defendants.

11. Schedule A to the Complaint, Exhibit 2 to the Declaration of Nicolas Lambert, and this Order shall remain sealed until further ordered by this Court.

12. Within seven days of entry of this Order, Fendi shall deposit with the Court ten thousand dollars, either cash 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.

13. 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 Northern District of Illinois Local Rules.

14. This Temporary Restraining Order without notice is entered at 1300 hrs. U.T.C. on October 15, 2024 and shall remain in effect for fourteen days.

SO ORDERED in No. 24-cv-05629.

Date: October 15, 2024



JOHN F. KNESS
United States District Judge

Schedule A
Restrained Defendants

No.	Seller Name
001	DANASS JEWELRY
002	faguangmaoyi
003	LuoJiaXiaodexiaodianpu
004	shuigg1588 Store
005	kynebag Store
006	overt0_share Store
007	cy_trend_shop Store
008	good_off_shop Store
009	clover_a Store
010	gucci20220407 Store
011	corteiz25 Store
012	celinee_bags Store
013	tshirt278 Store
014	louise1 Store
015	min007 Store
016	fashion932 Store
017	bagstore5566 Store
018	fashion8635 Store
019	fashion1788 Store
020	bag2939 Store
021	handbag_shop88 Store
022	fashion_shop588 Store
023	luxury_fashion68 Store
024	realmadrid966 Store
025	pradahandbag Store
026	mingfengbag1686 Store
027	modishmarket88 Store
028	marvellous66 Store
029	lontime11 Store
030	cing9 Store
031	carmar Store
032	a_handbag8 Store
033	jsem_home Store
034	woman_glasses Store

035	juyuan2023 Store
036	nmixxone Store
037	ladys bag Store
038	goldencamebag Store
039	shienstoresun Store
040	Highquality luxurybags Store
041	discountbags Store
042	Luxury brand bag store 888 Store
043	bagsonlines Store
044	womensbags4 Store