

UNITED STATES DISTRICT COURT

NORTHER DISTRICT OF ILLINOIS, EASTERN DIVISION

<p>JOURNALINESH, INC., a Colorado Corporation,</p> <p>Plaintiff,</p> <p>v.</p> <p>THE PARTNERSHIPS and UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE "A" a Foreign Entity</p> <p>Defendants</p>	<p>Case No.: 1:22-cv-03740</p> <p>Hon. Matthew F. Kennelly</p>
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SEALED ~~CORRECTED~~ TEMPORARY RESTRAINING ORDER,

This order corrects a typographical error in the Temporary Restraining Order entered by the Court on September 6, 2022 and is entered *nunc pro tunc* that date.

Plaintiff JOURNALINESH, INC. ("Plaintiff") filed an ex-parte motion seeking entry temporary restraining order and other relief against the fully interactive ex-commerce stores operating under the seller aliases identified n Schedule A to the Complaint and attached hereto ("Seller Aliases"), and this Court hereby GRANTS Plaintiff's motion as follows:

This Court further finds, in the absence of adversarial presentation, that the Defendants have sold products bearing unauthorized copies of Plaintiff's Copyrighted Designs (including U.S. Copyright Registration No. VA 2-303-531), issued by the Register of Copyrights on June 9, 2022), and Plaintiff's trade dress to residents of Illinois.

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 Plaintiff has presented specific facts in the Declaration of Min Li [Docket No. 22], paragraphs 10-20, and the Declaration of Vahe Khojayan [Docket No. 24], paragraphs 5–11, in support of the Motion for Temporary Restraining Order and accompanying evidence 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 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. reproducing, distributing copies of, making derivative works of, or publicly displaying the Plaintiff’s Copyrighted Designs in any manner without the express authorization of Plaintiff;
- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine Plaintiff’s Products or any other product produced by Plaintiff, that is not Plaintiff’s or its assignors’ not produced under the authorization, control or supervision of Plaintiff or Plaintiff’s assignor and approved by Plaintiff for sale under the Copyrighted designs and Plaintiffs Trade Dress.
- c. committing any acts calculated to cause consumers to believe that Defendants’ Unauthorized 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, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's Marks, including the Copyrighted Designs, or reproductions, counterfeit copies or colorable imitations thereof.

2. 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 eBay, Inc. ("eBay"), AliExpress, Alibaba Group Holding Ltd. ("Alibaba"), Amazon.com, Inc. ("Amazon"), ContextLogic Inc. d/b/a Wish.com ("Wish.com"), (collectively "Third Party Providers") shall within seven (7) calendar days after the 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 agents, servants, employees, 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
 - c. any financial accounts owned or controlled by Defendants, including their agents, servants, employees, 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”), Alipay, Alibaba, Ant Financial Services Group (“Ant Financial”), Amazon Pay, Wish.com, or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

3. Upon Plaintiff’s request, those with notice of this Order, including Third Party Providers as defined in Paragraph 2, 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 counterfeit and infringing goods using Plaintiff’s Mark and Copyrighted Designs.
4. Defendants shall not transfer or dispose of any money or other of Defendants’ assets in any of Defendants’ financial accounts.
5. Any Third Party Providers, including PayPal, Alipay, Alibaba, Ant Financial, Wish.com, 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 and Online Marketplaces, including, but not limited to, any financial accounts connected to the information listed in Schedule A hereto, the e-mail addresses identified in Exhibit 3 to the Declaration of Min Li, 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 ordered by this Court.
6. Plaintiff is authorized to issue expedited written discovery, pursuant to 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

Plaintiff is authorized to issue any such expedited discovery requests via e-mail.

Defendants shall respond to any such discovery requests within seven (7) calendar days of being served via e-mail.

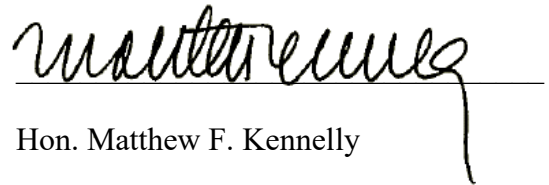
7. Plaintiff may provide notice of these proceedings to Defendants, including notice of the preliminary injunction hearing, service of process pursuant to Fed. R. Civ. P. 4(f)(3), and any future motions, by electronically publishing a link to the Complaint, this Order and other relevant documents on a website, and by sending an e-mail to the e-mail addresses identified in Exhibit 3 to the Declaration of Min Li and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The Clerk of the Court is directed to issue a single original summons in the name of "The Partnerships and all other Defendants identified in the Complaint" that shall apply to all Defendants. The combination of providing notice via electronic publication and 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.
8. Schedule A to the Amended Complaint, Exhibit 3 to the Declaration of Min Li, and this Order shall remain sealed until further ordered by this Court.
9. Within three (3) business days of entry of this Order, Plaintiff shall deposit with the Court twenty thousand dollars (\$20,000; \$500.00 per defendant), 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.

10. 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.

11. This Temporary Restraining Order without notice is entered on September 16, 2022, *nunc pro tunc* September 6, 2022, and shall remain in effect for fourteen (14) days.

Date: 9/16/2022

A handwritten signature in black ink, appearing to read "Matthew F. Kennelly", is written over a horizontal line.

Hon. Matthew F. Kennelly

United States District Judge

Journalinesh, Inc., v. The Partnerships and Unincorporated Associations Identified in Schedule A.

Case No.: 1:22-cv-03740

SCHEDULE A

Seller Aliases

1.	Yumiana
2.	TOUVE
3.	Besplany
4.	BHR-US
5.	Nitukany
6.	CCLing
7.	SXGL
8.	INFOSUN.
9.	aapartstore
10.	WMOVE
11.	INFOSUN.
12.	Cheese Cat
13.	USA YOUNG
14.	FRUOR
15.	HMMT
16.	Thefefan Official Store
17.	MIAODAM
18.	Artrello
19.	Kgxurl
20.	Ctarwxzin

21.	HBlife Flagship Store
22.	Schaber Station
23.	There For You
24.	LDbeita
25.	TOUVE
26.	Besplany
27.	BHR-US
28.	Nitukany
29.	Keladier
30.	baiyunqubantianranshangmao
31.	Smliekate
32.	PickBest
33.	FreSheep
34.	Smliekate
35.	OZBLUE
36.	Xloey
37.	FRUOR
38.	ORVPMVP
39.	HBlife
40.	OuMuaMua