

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.**

YIP, LLC,

Plaintiff,

vs.

THE INDIVIDUALS, BUSINESS ENTITIES,
AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON
SCHEDULE "A,"

Defendants.

/

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiff, YIP, LLC ("Plaintiff" or "YIP"), hereby sues Defendants, the Individuals, Business Entities, and Unincorporated Associations identified on Schedule "A" hereto (collectively "Defendants"). Defendants are promoting, selling, offering for sale and distributing goods bearing counterfeits and confusingly similar imitations of YIP's trademarks within this district through various Internet based e-commerce stores operating under the seller identities set forth on Schedule "A" hereto (the "Seller IDs"). In support of its claims, YIP alleges as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, and 1125(a), The All Writs Act, 28 U.S.C. § 1651(a), and Florida's common law. Accordingly, this Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1337 over YIP's state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this district, because they direct business activities toward and conduct business with consumers throughout the United States, including within the State of Florida and this district through at least the Internet based e-commerce stores accessible in Florida and operating under their Seller IDs. Alternatively, Defendants are subject to personal jurisdiction in this district pursuant to Federal Rule of Civil Procedure 4(k)(2) because (i) Defendants are not subject to jurisdiction in any state's court of general jurisdiction; and (ii) exercising jurisdiction is consistent with the United States Constitution and laws.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 since Defendants are, upon information and belief, aliens who are engaged in infringing activities and causing harm within this district by advertising, offering to sell, selling, and/or shipping infringing products into this district.

PLAINTIFF

4. YIP is a Florida limited liability company with a principal place of business located at 3355 Enterprise Ave., Suite 160, Fort Lauderdale, Florida 33331. YIP is the exclusive owner of numerous trademarks for the Yonanas brand home appliances. YIP, through various subsidiary companies and affiliates, is engaged in the business of manufacturing and distributing throughout the world, including within this district, its unique frozen-dessert maker using multiple common law and federally registered trademarks, including those identified below. Goods bearing YIP's registered trademarks set forth below are offered for sale and sold through various channels of trade within the State of Florida, including this district, and throughout the United States, including through its online retail website. Defendants, through the sale and offering for sale of goods using counterfeit and infringing versions of YIP's trademarks are directly, and unfairly, competing with

YIP's economic interests in the United States, including within the State of Florida, and causing YIP irreparable harm and damage within this jurisdiction.

5. Like many other intellectual property owners, YIP suffers ongoing daily and sustained violations of its trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit YIP's trademarks for the twin purposes of (i) duping and confusing the consuming public, and (ii) earning substantial profits across their e-commerce stores.

6. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year YIP expends significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement. The exponential growth of counterfeiting over the Internet has created an environment that requires companies, such as YIP, to expend significant resources across a wide spectrum of efforts in order to protect both consumers and itself from confusion and the erosion of the goodwill connected to the YONANAS brand.

DEFENDANTS

7. Defendants are individuals and/or business entities of unknown makeup, each of whom, upon information and belief, either reside and/or operate in foreign jurisdictions, redistribute products from the same or similar sources in those locations, and/or ship their goods from the same or similar sources in those locations to fulfillment centers within the United States to redistribute their products from those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities toward consumers throughout the United States, including within this district, through the

simultaneous operation of Internet based e-commerce stores via Internet marketplace websites under the Seller IDs.

8. Defendants use aliases in conjunction with the operation of their businesses, including but not limited to those identified by the same Defendant Number on Schedule "A."

9. Defendants are the past and present controlling forces behind the sale of products bearing counterfeits and infringements of YIP's trademarks as described herein.

10. Upon information and belief, Defendants are directly and personally contributing to, inducing and engaging in the sale of counterfeit branded products as alleged herein, often times as partners, co-conspirators, and/or suppliers.

11. Defendants directly engage in unfair competition with YIP by advertising, offering for sale, and selling goods each using counterfeits and infringements of one or more of YIP's trademarks to consumers within the United States and this district through, at least, the Internet based e-commerce stores using, at least, the Seller IDs, as well as additional names, e-commerce stores, or seller identification aliases not yet known to YIP. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale, and/or shipment of counterfeit and infringing branded versions of YIP's goods into the State.

12. Defendants have registered, established or purchased, and maintained their Seller IDs. Defendants may have engaged in fraudulent conduct with respect to the registration of the Seller IDs by providing false and/or misleading information to the Internet based e-commerce platforms where they offer to sell and/or sell during the registration or maintenance process related to their respective Seller ID. Many Defendants have registered and/or maintained their Seller IDs for the sole purpose of engaging in illegal counterfeiting activities.

13. Defendants will likely continue to register or acquire new seller identification aliases for the purpose of selling and/or offering for sale goods bearing and/or using counterfeit and confusingly similar imitations of one or more of YIP's trademarks unless preliminarily and permanently enjoined.

14. Defendants' Seller IDs, associated payment accounts, and any other alias seller identification names and e-commerce stores used in connection with the sale of counterfeit and infringing goods bearing and/or using one or more of YIP's trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement scheme and cause harm to YIP. Moreover, Defendants are using YIP's brand name and associated trademarks to drive Internet consumer traffic to their e-commerce stores operating under the Seller IDs, thereby increasing the value of the Seller IDs, and decreasing the size and value of YIP's legitimate marketplace and intellectual property rights at YIP's expense.

FACTS COMMON TO ALL CLAIMS

YIP's Business and Trademark Rights

15. YIP is the owner of all rights in and to the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (collectively the "YIP Marks"):

Trademark	Registration No.	Registration Date	Classes/Goods
YONANAS	3,998,579	July 19, 2011	IC 011 - frozen dessert dispenser

Trademark	Registration No.	Registration Date	Classes/Goods
	4,165,549	June 26, 2012	IC 011 - frozen dessert dispenser
YONANAS	4,229,118	October 23, 2012	IC 007- electric food processors
	4,406,665	September 24, 2013	IC 007- electric food processors
	4,414,904	October 8, 2013	IC 007- electric food processors
	4,414,905	October 8, 2013	IC 007- electric food processors

The YIP Marks are used in connection with the manufacture and distribution of quality goods in the categories identified above. True and correct copies of the Certificates of Registration for the YIP Marks are attached hereto as Composite Exhibit "1."

16. The YIP Marks have been used in interstate commerce to identify and distinguish YIP's quality goods for an extended period of time.

17. The YIP Marks have been used in commerce by YIP long prior in time to Defendants' use of copies of those Marks. The YIP Marks have never been assigned or licensed to any of the Defendants in this matter.

18. The YIP Marks are symbols of YIP's high-quality, reputation and goodwill and have never been abandoned. YIP has carefully monitored and policed the use of the YIP Marks.

19. YIP expends substantial resources developing, advertising and otherwise promoting the YIP Marks in conjunction with its unique products.

20. Further, YIP extensively uses, advertises, and promotes the YIP Marks in the United States in association with the sale of high-quality goods. YIP and its related companies have spent over a million dollars promoting the YIP Marks and products bearing the YIP Marks. In recent years, sales of products bearing the YIP Marks have generated millions of dollars within the United States.

21. As a result of YIP's efforts, members of the consuming public readily identify merchandise bearing or sold under the YIP Marks as being high-quality goods sponsored and approved by YIP.

22. Accordingly, the YIP Marks have achieved secondary meaning as identifiers of high-quality goods.

23. Genuine goods bearing the YIP Marks are widely legitimately advertised and promoted by YIP, its authorized distributors, and unrelated third parties via the Internet. Visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to YIP's overall marketing and consumer education efforts. Thus, YIP expends significant monetary and other resources on Internet marketing and consumer education. Those strategies allow YIP and its authorized retailers to educate consumers fairly and legitimately about the value associated with the YIP brand and the goods sold thereunder. Similarly, Defendants' individual seller stores are indexed on search engines and compete directly with YIP for space and consumer attention in search results.

Defendants' Infringing Activities

24. Defendants are each promoting and advertising, distributing, offering for sale, and/or selling goods, including but not limited to frozen-dessert makers and electric food processors, in interstate commerce bearing and/or using counterfeits and confusingly similar imitations of one or more of the YIP Marks (collectively, the "Counterfeit Goods") through at least the Internet based e-commerce stores operating under the Seller IDs. Several Defendants are also using, at least, the listings and associated images identified by the Amazon Standard Identification Numbers ("ASIN") on Schedule "A" annexed hereto. Specifically, Defendants are using the YIP Marks to initially attract online consumers and drive them to Defendants' e-commerce stores operating under the Seller IDs. Defendants are each using identical copies of one or more of the YIP Marks for different quality goods. YIP has used the YIP Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of YIP's products.

25. Defendants' Counterfeit Goods are of a quality substantially different than that of YIP's genuine goods. Defendants are actively using, promoting and otherwise advertising, distributing, selling and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine quality goods offered for sale by YIP despite Defendants' knowledge that they are without authority to use the YIP Marks. The net effect of Defendants' actions is likely to cause confusion of consumers who will believe all of Defendants' goods offered for sale in Defendants' e-commerce stores are genuine goods originating from, associated with, and/or approved by YIP.

26. Defendants advertise their e-commerce stores, including their Counterfeit Goods offered for sale, to the consuming public via e-commerce stores on, at least, one Internet marketplace website operating under, at least, the Seller IDs. In so advertising their stores and

goods, Defendants improperly and unlawfully use one or more of the YIP Marks without YIP's permission.

27. As part of their overall unlawful scheme, Defendants are, upon information and belief, concurrently employing and benefitting from substantially similar, advertising and marketing strategies based, in large measure, upon an illegal use of counterfeits and infringements of the YIP Marks. Specifically, Defendants are using counterfeits and infringements of one or more of the YIP Marks to make their e-commerce stores selling illegal goods appear more relevant and attractive to consumers searching for both YIP and non-YIP goods and information online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for YIP's genuine goods. Defendants are causing individual, concurrent and indivisible harm to YIP and the consuming public by (i) depriving YIP and other third parties of their right to fairly compete for space online and within search engine results and reducing the visibility of YIP's genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with the YIP Marks, and (iii) increasing YIP's overall cost to market its goods and educate consumers about its brand via the Internet.

28. Defendants are concurrently conducting and targeting their counterfeiting and infringing activities toward consumers and likely causing unified harm within this District and elsewhere throughout the United States. As a result, Defendants are defrauding YIP and the consuming public for Defendants' own benefit.

29. At all times relevant hereto, Defendants in this action had full knowledge of YIP's ownership of the YIP Marks, including its exclusive right to use and license such intellectual property and the goodwill associated therewith.

30. Defendants' use of the YIP Marks, including the promotion and advertisement, reproduction, distribution, sale and offering for sale of their Counterfeit Goods, is without YIP's consent or authorization.

31. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to YIP's rights for the purpose of trading on YIP's goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, YIP and the consuming public will continue to be harmed.

32. Defendants' above identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public, and the trade into believing there is a connection or association between YIP's genuine goods and Defendants' Counterfeit Goods, which there is not.

33. Defendants' payment and financial accounts, including but not limited to those specifically set forth on Schedule "A," are being used by Defendants to accept, receive, and deposit profits from Defendants' trademark counterfeiting and infringing and unfairly competitive activities connected to their Seller IDs and any other e-commerce stores or alias seller identification names being used and/or controlled by them.

34. Further, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to YIP.

35. YIP has no adequate remedy at law.

36. YIP is suffering irreparable injury and has suffered substantial damages as a result of Defendants' unauthorized and wrongful use of the YIP Marks. If Defendants' counterfeiting

and infringing, and unfairly competitive activities are not preliminarily and permanently enjoined by this Court, YIP and the consuming public will continue to be harmed.

37. The harm and damages sustained by YIP have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods.

COUNT I - TRADEMARK COUNTERFEITING AND INFRINGEMENT
PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)

38. YIP hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 37 above.

39. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeit and confusingly similar imitations of the YIP Marks in commerce in connection with the promotion, advertisement, distribution, offering for sale, and sale of the Counterfeit Goods.

40. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing goods bearing and/or using counterfeits and/or infringements of one or more of the YIP Marks. Defendants are continuously infringing and inducing others to infringe the YIP Marks by using one or more of them to advertise, promote, offer to sell, and sell counterfeit and infringing goods bearing one or more of the YIP Marks.

41. Defendants' concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

42. Defendants' unlawful actions have caused and are continuing to cause unquantifiable damages to YIP and are unjustly enriching Defendants with profits at YIP's expense.

43. Defendants' above-described unlawful actions constitute counterfeiting and infringement of the YIP Marks in violation of YIP's rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

44. YIP has suffered and will continue to suffer irreparable injury and damages due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined. Additionally, Defendants will continue to wrongfully profit from their illegal activities.

COUNT II – FALSE DESIGNATION OF ORIGIN
PURSUANT TO § 43(a) OF THE LANHAM ACT (15 U.S.C. § 1125(a))

45. YIP hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 37 above.

46. Defendants' Counterfeit Goods bearing, offered for sale, and sold using copies of one or more of the YIP Marks have been widely advertised and offered for sale throughout the United States via at least one Internet marketplace website.

47. Defendants' Counterfeit Goods bearing, offered for sale, and sold using copies of at least one of the YIP Marks are virtually identical in appearance to YIP's genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among consumers as to at least the origin or sponsorship of their Counterfeit Goods.

48. Defendants have used in connection with their advertisement, offer for sale, and sale of their Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress, which tend to falsely describe or represent such goods and have caused such goods to enter into commerce in the United States with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to YIP's detriment.

49. Defendants have each authorized infringing uses of one or more of the YIP Marks in Defendants' advertisement and promotion of their counterfeit and infringing branded goods. Defendants have misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

50. Additionally, Defendants are using counterfeits and infringements of one or more of the YIP Marks to unfairly compete with YIP and others for space within organic search engine and social media results, thereby jointly depriving YIP of a valuable marketing and educational tool which would otherwise be available to YIP and reducing the visibility of YIP's genuine goods on the World Wide Web and across social media platforms. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

51. YIP has no adequate remedy at law and has sustained both individual and indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Defendants will continue to wrongfully reap profits and YIP will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

COUNT III – COMMON LAW UNFAIR COMPETITION

52. YIP hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 37 above.

53. This is an action against Defendants based on their promotion, advertisement, distribution, offering for sale, and/or sale of goods using or bearing marks that are virtually identical to the YIP Marks in violation of Florida's common law of unfair competition.

54. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing goods using or bearing counterfeits and infringements of one or more of the YIP Marks. Defendants are also each using counterfeits and infringements of one or more of

the YIP Marks to unfairly compete with YIP and others for (i) space in search engine and social media results across an array of search terms and (ii) visibility on the World Wide Web.

55. Defendants' infringing activities are likely to cause and are causing confusion, mistake and deception among consumers as to the origin and quality of Defendants' e-commerce stores as a whole and all products sold therein by their use of the YIP Marks.

56. YIP has no adequate remedy at law and is suffering irreparable injury and damages because of Defendants' actions. Moreover, Defendants are unjustly profiting from those actions.

COUNT IV – COMMON LAW TRADEMARK INFRINGEMENT

57. YIP hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 37 above.

58. YIP is the owner of all common law rights in and to the YIP Marks.

59. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and sale of their Counterfeit Goods bearing and/or using at least one or more of the YIP Marks.

60. Specifically, each Defendant is manufacturing, promoting, and otherwise advertising, distributing, offering for sale, and selling goods using and bearing infringements of at least one or more of the YIP Marks.

61. Defendants' infringing activities are likely to cause and are causing confusion, mistake and deception among consumers as to the origin and quality of Defendants' Counterfeit Goods using the YIP Marks.

62. YIP has no adequate remedy at law and is suffering damages and irreparable injury because of Defendants' actions. Moreover, Defendants are unjustly profiting from those actions.

PRAYER FOR RELIEF

WHEREFORE, YIP demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary, preliminary, and permanent injunctions pursuant to 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting the YIP Marks; from using the YIP Marks, or any mark or design similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name or trademark or design that may be calculated to falsely advertise the services or goods of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with YIP; from falsely representing themselves as being connected with YIP, through sponsorship or association, or engaging in any act that is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants, are in any way endorsed by, approved by, and/or associated with YIP; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the YIP Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of YIP, or in any way endorsed by YIP and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of YIP's name or the YIP Marks, and from otherwise unfairly competing with YIP.

b. Entry of a temporary restraining order, as well as preliminary and permanent injunctions, pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, enjoining Defendants and all third parties with actual notice of an injunction issued by this Court from participating in, including providing financial services, technical services or other support to, Defendants in connection with the sale and distribution of non-genuine goods bearing and/or using counterfeits of the YIP Marks.

c. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon YIP's request, the applicable governing Internet marketplace website operators and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court disable and/or cease facilitating access to the Seller IDs and any other alias e-commerce stores and seller identification names being used and/or controlled by Defendants to engage in the business of marketing, offering to sell, and/or selling goods bearing counterfeits and infringements of the YIP Marks.

d. Entry of an order, pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that, upon YIP's request, any Internet marketplace website operators, and/or administrators for the Seller IDs who are provided with notice of an injunction issued by the Court identify any e-mail address known to be associated with Defendants' respective Seller ID.

e. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon YIP's request, any Internet marketplace website operators and/or administrators who are provided with notice of an injunction issued by the Court permanently remove from the multiple platforms, which include, inter alia, a Direct platform, Group platform, Seller Product Management platform, Vendor Product Management platform, and

Brand Registry platform, any and all listings and associated images of goods bearing and/or using counterfeits and/or infringements of the YIP Marks via the e-commerce stores operating under the Seller IDs, including but not limited to the listings and associated images identified by the “parent” and/or “child” Amazon Standard Identification Numbers (“ASIN”) on Schedule “A” annexed hereto, and upon YIP’s request, any other listings and images of goods bearing and/or using counterfeits and/or infringements of the YIP Marks associated with and/or linked to the same sellers or linked to any other alias seller identification names being used and/or controlled by Defendants to promote, offer for sale and/or sell goods bearing counterfeits and/or infringements of the YIP Marks.

f. 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, Federal Rule of Civil Procedure 65, and this Court’s inherent authority that upon YIP’s request, Defendants and any Internet marketplace operators and/or administrators who are provided with notice of an injunction issued by the Court immediately cease fulfillment of and sequester all goods of each Defendant bearing one or more of the YIP Marks in its inventory, possession, custody, or control, and surrender those goods to YIP.

g. Entry of an Order requiring Defendants to account to and pay YIP for all profits and damages resulting from Defendants’ trademark counterfeiting and infringing and unfairly competitive activities and that the award to YIP be trebled, as provided for under 15 U.S.C. §1117, or that YIP be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

h. Entry of an Order requiring Defendants to pay the cost necessary to correct any erroneous impression the consuming public may have received or derived concerning the

nature, characteristics, or qualities of Defendants' products, including without limitation, the placement of corrective advertising and providing written notice to the public.

i. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of YIP's costs and reasonable attorneys' fees and investigative fees associated with bringing this action, including the cost of corrective advertising.

j. Entry of an Order that, upon YIP's request, Defendants and any financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, and their related companies and affiliates, identify and restrain all funds, up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the Seller IDs, alias seller identification names, and/or e-commerce store names used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), and remain restrained until such funds are surrendered to YIP in partial satisfaction of the monetary judgment entered herein.

k. That Defendants be required to account for all profits, income, receipts, or other benefits derived by Defendant as a result of its unlawful conduct.

l. Entry of an award of pre-judgment interest on the judgment amount.

m. Entry of an Order for any further relief as the Court may deem just and proper.

DATED: August 2, 2021.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

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SCHEDULE "A"

[This page is the subject of YIP's Motion to File Under Seal. As such, this page has been redacted in accordance with L.R. 5.4(b)(1)]