

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

LOUIS VUITTON MALLETIER,

Plaintiff,

vs.

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

Defendants.

/

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiff, Louis Vuitton Malletier (“Plaintiff” or “Louis Vuitton”), hereby sues Defendants, the Individuals, Business Entities, and Unincorporated Associations identified on Schedule “A” (collectively “Defendants”). Defendants are promoting, selling, offering for sale and/or distributing goods within this district bearing counterfeits and confusingly similar imitations of Louis Vuitton’s trademarks within this district through various fully interactive commercial Internet websites operating under the domain names identified on Schedule “A” hereto (the “Subject Domain Names”). In support of its claims, Louis Vuitton alleges as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1125(a), and 1125(d), 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 Louis

Vuitton'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 their fully interactive commercial Internet websites accessible in Florida and operating under the Subject Domain Names. 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 engaged in infringing activities and causing harm within this district by advertising, offering to sell, selling, and/or shipping infringing products into this district.

THE PLAINTIFF

4. Louis Vuitton is a foreign business entity organized under the laws of the Republic of France with its principal place of business located at 2, rue du Pont-Neuf in Paris, France 75034. Louis Vuitton operates boutiques throughout the world, including within this district. Louis Vuitton is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high-quality luxury goods under multiple world-famous common law and federally registered trademarks, including those identified in Paragraph 15 below. Louis Vuitton offers for sale and sells its trademarked goods within the State of Florida, including this district, through its boutiques and online retail website.

Defendants, through the sale and offer to sell of counterfeit and infringing Louis Vuitton branded products, are directly, and unfairly, competing with Louis Vuitton's economic interests in the State of Florida and causing Louis Vuitton harm and damage within this jurisdiction.

5. Like many other famous trademark owners, Louis Vuitton 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 Louis Vuitton's trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits across their websites. The natural and intended byproduct of Defendants' combined actions is the erosion and destruction of the goodwill associated with the Louis Vuitton name and associated trademarks and the destruction of the legitimate market sector in which it operates.

6. To combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Louis Vuitton 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, including through online marketplace platforms and social media websites, has created an environment that requires companies, such as Louis Vuitton, to expend significant resources across a wide spectrum of efforts in order to protect both consumers and itself from confusion and erosion of the goodwill embodied in Louis Vuitton's brand.

THE DEFENDANTS

7. Defendants are individuals, business entities of unknown makeup, or unincorporated associations each of whom, upon information and belief, either reside and/or operate in foreign jurisdictions, and/or 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

consumers as well as shipping and 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 towards consumers throughout the United States, including within this district, through the operation of, at least, their fully interactive Internet websites under the Subject Domain Names.

8. Defendants use aliases in conjunction with the operation of their businesses.

9. Defendants are the past and/or present controlling forces behind the sale of products using counterfeits and infringements of Louis Vuitton's trademarks as described herein.

10. Defendants directly engage in unfair competition with Louis Vuitton by advertising, offering for sale, and selling goods each using counterfeits and infringements of one or more of Louis Vuitton's trademarks to consumers within the United States and this district through at least, the fully interactive commercial Internet websites using, at least, the Subject Domain Names, as well as additional names, aliases, domain names, or websites not yet known to Louis Vuitton. Defendants have purposefully directed some portion of their illegal activities toward consumers in the State of Florida through the advertisement, offer to sell, sale, and/or shipment of counterfeit and infringing Louis Vuitton branded goods into the State.

11. Defendants have registered, established or purchased, and maintained their Subject Domain Names. Defendants may have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information during the registration or maintenance process related to their respective Subject Domain Names. Defendants have registered and/or maintained the Subject Domain Names for the sole purpose of engaging in unlawful infringing and counterfeiting activities.

12. Defendants will likely continue to register or acquire new domain names and other aliases, as well as related payment accounts, for the purpose of selling and offering for sale goods bearing and/or using counterfeit and confusingly similar imitations of one or more of Louis Vuitton's trademarks unless preliminarily and permanently enjoined.

13. Defendants use their Internet-based businesses to infringe the intellectual property rights of Louis Vuitton and others.

14. Defendants' Subject Domain Names, associated payment accounts, and any other alias seller identification names and domain names used in connection with the sale of counterfeit and infringing goods bearing and/or using one or more of Louis Vuitton's trademarks are essential components of Defendants' online activities and are one of the means by which Defendants further their counterfeiting and infringement schemes and cause harm to Louis Vuitton. Moreover, Defendants are using Louis Vuitton's famous brand name and/or trademarks to drive Internet consumer traffic to at least one of their websites operating under the Subject Domain Names, thereby increasing the value of the Subject Domain Names and decreasing the size and value of Louis Vuitton's legitimate marketplace and intellectual property rights at Louis Vuitton's expense.

COMMON FACTUAL ALLEGATIONS

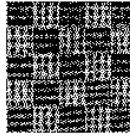
Plaintiff's Business and Trademark Rights

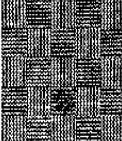
15. Louis Vuitton is the owner of all rights in and to the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (collectively, the "Louis Vuitton Marks"):

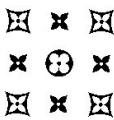
Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	0,297,594	September 20, 1932	IC 018: trunks, valises, traveling bags, satchels, hat boxes and shoe

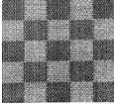
Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			boxes used for luggage, hand bags, and pocketbooks.
LOUIS VUITTON	1,045,932	August 10, 1976	IC 018: luggage and ladies' handbags.
	1,519,828	January 10, 1989	IC 018: trunks, valises, traveling bags, satchels, hat boxes and shoe boxes used for luggage, hand bags, pocketbooks.
	1,770,131	May 11, 1993	IC 25: clothing for men and women, namely, shawls, sashes, scarves; headgear.
	1,794,905	September 28, 1993	IC 16: stationery, pads of stationery, calendars, indexes for articles made for travellers, notebooks, envelopes; writing paper, office requisites in the nature of writing pads, pencil holders, pen cases, pencil cases, nibs, nibs of gold, inkwells, inkstands. IC 25: clothing for men and women; namely belts, shawls, sashes, scarves; footwear headgear.
LOUIS VUITTON	1,990,760	August 6, 1996	IC 014: watches and straps for wrist watches. IC 016: catalogues featuring luggage and travel accessories, bags, small leather goods, and garments; notebooks, anthologies, and pamphlets referring to travel; calendars; telephone indexes; fountain pens, ballpoint pens, nibs, covers for pocket and desk diaries, and checkbook holders. IC 018: trunks; traveling trunks; suitcases; traveling bags; luggage; garment bags for travel; hat boxes for travel; shoe bags for travel; umbrellas; animal carriers; rucksacks; haversacks; leather or

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>textile shopping bags; beach bags; handbags; vanity cases sold empty; attache cases; tote bags, travel satchels; clutch bags; briefcases; wallets; pocket wallets; credit card cases; business card cases; bill and card holders; checkbook holders; key cases; change purses; briefcase-type portfolios.</p> <p>IC 024: travel blankets.</p> <p>IC 025: shirts; sweatshirts; polo shirts; T-shirts; headwear; jackets; ties; belts; shawls; scarves.</p>
	2,177,828	August 4, 1998	<p>IC 014: goods made of precious metals, namely, shoe ornaments, ornamental pins; jewelry, namely, rings, ear rings, cufflinks, bracelets, charms, necklaces; horological instruments, straps for watches, watches and wrist-watches, and cases for watches.</p> <p>IC 018: goods made of leather or imitations of leather are not included in other classes, namely, boxes made from leather; trunks, valises, traveling bags, luggage for travel, garment bags for travel, vanity cases sold empty, rucksacks, hand bags, beach bags, shopping bags, shoulder bags, attache cases, briefcases, and fine leather goods, namely, pocket wallets, purses, leather key holders, business card cases, calling card cases, and credit card cases, umbrellas.</p> <p>IC 025: clothing and underwear, namely, shirts, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, scarves, neckties, pocket squares, belts, shoes, boots, and</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	2,181,753	August 18, 1998	<p>sandals.</p> <p>IC 014: jewelry, namely, rings, ear rings, bracelets, charms, necklaces, horological instruments, straps for watches, watches, and wrist-watches, and cases for watches.</p> <p>IC 018: goods made of leather or imitations of leather are not included in other classes, namely, boxes made from leather; trunks, valises, traveling bags, luggage for travel, garment bags for travel, vanity cases sold empty, rucksacks, hand bags, beach bags, shopping bags, shoulder bags, attache cases, briefcases, and fine leather goods, namely, pocket wallets, purses, leather key holders, business card cases, calling card cases, credit card cases, and umbrellas.</p> <p>IC 025: clothing and underwear, namely, shirts, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, scarves, neckties, pocket squares, belts, shoes, boots, and sandals.</p>
	2,255,321	June 22, 1999	<p>IC 25: clothing, and other garments, namely, sweaters, raincoats, rainwear, coats, jackets, ties, clothing belts, footwear.</p>
	2,361,695	June 27, 2000	<p>IC 025: Clothing, namely, sweaters, shirts, sweatshirts, polo shirts, t-shirts, suits, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, scarves, neckties, pocket squares, pocket handkerchief squares for wear, gloves, ties, belts, bathing suits, shoes, boots and sandals, and hats.</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
 LOUIS VUITTON PARIS	2,378,388	August 22, 2000	IC 18: goods made of leather or imitations of leather not included in other classes, namely, boxes of leather principally used for travel purposes, trunks, valises, traveling bags, * traveling sets for containing cosmetics and jewelry, * handbags, beach bags, shopping bags, shoulder bags, brief cases, pouches, fine leather goods namely, pocket wallets, purses, key cases, business card cases, credit card cases.
	2,399,161	October 31, 2000	IC 25: clothing and underwear, namely, shirts, polo shirts, t-shirts, waistcoats, raincoats, skirts, coats, trousers, dresses, jackets, shawls, stoles, scarves, neckties, gloves, ties, belts, bathing suits, shoes, boots and sandals, hats.
	2,421,618	January 16, 2001	IC 18: goods made of leather or imitations of leather not included in other classes, namely, valises, traveling bags, * traveling sets for containing cosmetics, * shopping bags, shoulder bags, brief cases, pouches; fine leather goods, namely, pocket wallets, purses, key cases, business card cases, credit card cases.
	2,773,107	October 14, 2003	IC 014: jewelry including ((rings,)) ((earrings,)) cuff links, bracelets, ((charms,)) necklaces, ((and medallions;)) horological and chronometric instruments and apparatus, namely, watches. IC 018: travel bags, travel bags made of leather; luggage trunks and valises, garment bags for travel, vanity-cases sold empty; rucksacks, shoulder bags, handbags; attache-cases, briefcases, drawstring pouches, pocket wallets, purses, umbrellas, business card cases

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>made of leather or of imitation leather, credit card cases made of leather or of imitation leather; key holders made of leather or of imitation leather.</p> <p>IC 025: clothing, namely, ((shirts, T-shirts,)) belts, scarves, neck ties, shawls, ((skirts,)) raincoats, overcoats, ((trousers, jeans, pullovers, frocks,)) high-heeled shoes, low-heeled shoes, boots, tennis shoes; ((hats)).</p>
LOUIS VUITTON	2,909,003	December 7, 2004	<p>IC 09: optical instruments and apparatus, namely, spectacles, eyeglasses, spectacle cases.</p> <p>IC 24: textiles and textile goods, namely, household linen including bed.</p>
	3,107,072	June 20, 2006	<p>IC 09: spectacles, sunglasses and spectacle cases.</p> <p>IC 14: jewelry, namely, rings, earrings and ear clips, ((cuff links,)) bracelets, charms, necklaces, ((tie pins,)) medallions; horological and chronometric apparatus and instruments, namely, watches, ((watch cases, alarm clocks;)) jewelry boxes of precious metal, their alloys or coated therewith.</p> <p>IC 18: leather and imitation leather products, namely, traveling bags, traveling sets comprised of bags or luggage, trunks and suitcases, garment bags for travel purposes; vanity cases sold empty, rucksacks, shoulder bags, handbags, attaché cases, document wallets and briefcases made of leather, pouches made of leather, wallets, purses, key cases, business card cases,</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>credit card cases; umbrellas.</p> <p>IC 25: clothing and undergarments, namely, shirts, tee-shirts, belts, scarves, neckties, shawls, skirts, raincoats, overcoats, trousers, denim trousers, dresses, jackets, sashes for wear, ((bathing suits,)) shoes, boots.</p>
	3,576,404	February 17, 2009	<p>IC 18: boxes of leather or imitation leather for packaging and carrying goods, trunks, suitcases, traveling sets comprised of matching luggage, traveling bags, luggage, garment bags for travel, ((vanity cases not fitted,)) toiletry cases sold empty, rucksacks, satchels, handbags, beach bags, leather shopping bags, sling bags, suit carriers, shoulder bags, waist bags, purses, travel cases, briefcases, briefcase-type portfolios, leather pouches, wallets, change purses, key cases, business card cases, calling card cases.</p>
	4,192,541	August 21, 2012	<p>IC 03: soaps for personal use; perfumery; essential oils; cosmetics; creams for the hair, face, and body; lotions for the hair, face, and body; shower and bath gels; shower and bath preparations; shampoos; make-up preparations, namely, foundations, lipsticks, eye shadows, mascara, make-up powder, and nail polish.</p> <p>IC 09: sunglasses; spectacles; optical lenses; spectacle cases; telephones; mobile telephones; smart phones; PC tablets; personal digital assistants; MP3 players; accessories for telephones, mobile telephones, smart phones, PC tablets, personal digital assistants, and MP3 players, namely, hands-</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>free kits for telephones, batteries, covers, housings, façades, chargers, hand straps, and neck straps.</p> <p>IC 14: jewelry; key rings of precious metal; tie pins; medallions; jewelry boxes; watches; watch bands; alarm clocks; cases for timepieces.</p> <p>IC 16: printed matter, namely, pamphlets, catalogs, and books in the field of travel, luggage, luxury goods, fashion, clothing, sports, the arts; publications, namely, brochures and booklets in the field of travel, luggage, luxury goods, fashion, clothing, sports, the arts; stationery; stationery articles, namely, note pads, writing books, drawing books, calendars, agendas, notebooks, envelopes, letter paper, and index cards; covers for diaries, indexes, and pads; office requisites, namely, letter trays, paper cutters, pencils, inkstands, inkwells, paperweights, pencil holders, pen holders, writing pads, pens, balls, and nibs for pens; postcards; paper labels; newspapers; printed documents, namely, printed certificates.</p> <p>IC 18: boxes of leather or imitation leather for packaging and carrying goods; traveling bags; leather traveling sets of luggage; trunks; suitcases; garment bags for travel; vanity cases sold empty; toiletry bags sold empty; backpacks; handbags; attaché cases; leather document cases; wallets; purses; leather key cases; umbrellas.</p> <p>IC 24: textiles and textile goods, namely, bath linen, bed linen, table linen, towels, bed covers, textile</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>table cloths.</p> <p>IC 25: clothing, namely, underwear, shirts, tee-shirts, pullovers, skirts, dresses, trousers, coats, jackets, belts for clothing, scarves, sashes for wear, gloves, neckties, socks, bathing suits; footwear; headwear.</p> <p>IC 34: cigar and cigarette cases of leather and imitation leather.</p>
LOUIS VUITTON	4,530,921	May 13, 2014	<p>IC 09: optical apparatus, namely, binoculars; blank USB sticks; spectacles; sunglasses; spectacle frames; spectacle glasses; spectacle cases; accessories for telephones, mobile phones, smart phones, tablet devices, PDAs, and MP3 players, namely, covers, neck straps, neck cords, and bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories.</p> <p>IC 16: paper bags; boxes of cardboard or paper; cardboard and paperboard envelopes and pouches for packaging; plastic materials for packaging, namely, bags; posters; pamphlets referring to travel; postcards; catalogs featuring luggage, travel accessories, bags, small leather goods, and clothing; paper labels; trading cards; greeting cards; business cards; invitation cards; printed publications, namely, books, newspapers, leaflets, and magazines featuring luggage, travel accessories, purses, small leather goods, and clothing; bookbinding materials; printed photographs; photograph albums; stationery, namely, note pads, desk pads, writing pads, drawing pads, envelopes, note paper; calendars; pocket calendars; note books;</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			<p>telephone indexes; diary covers; diaries; office requisites, namely, letter trays, paper knives, ink stands, inkwells, paper weights, pencil holders, pen holders, pencil tubs, blotting pads, pencils, fountain pens, rubber erasers, pen cases; printing types; printing blocks; table linens of paper.</p> <p>IC 25: clothing, namely, pullovers, vests, shirts, tee-shirts, trousers, jackets, suits, coats, rain coats, waterproof jackets, waterproof pants, overcoats, parkas, skirts, dresses, pajamas, dressing gowns, nightgowns, robe, gloves, neck ties, belts for clothing, leather belts, scarves, pocket squares, sashes for wear, shawls, stockings, socks, tights, braces for clothing, suspenders, stoles, underwear, lingerie, bathing suits; headwear; shoes; slippers; boots; half-boots.</p> <p>IC 26: buttons; hooks and eyes; shoe buckles; hair accessories, namely, hair pins, barrettes, hair bows, hair clips, hair bands, hair wraps; hair ornaments; brooches for clothing; clothing fasteners, namely, scarf holders.</p>
YU	4,614,736	September 30, 2014	IC 09: optical apparatus, namely, binoculars; blank USB sticks; spectacles; sunglasses; spectacle frames; spectacle glasses; spectacle cases; accessories for telephones, mobile phones, smart phones, tablet devices, PDAs, and MP3 players, namely, covers, neck straps, neck cords, and bags and cases specially adapted for holding or carrying portable telephones and telephone equipment and accessories.

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
			IC 16: paper bags, boxes of cardboard or paper, cardboard and paperboard envelopes and pouches for packaging; plastic materials for packaging, namely, bags; posters; pamphlets referring to travel; postcards; catalogs featuring luggage, travel accessories, bags, small leather goods, and clothing; paper labels; trading cards; greeting cards; business cards; invitation cards; printed publications, namely, books, newspapers, leaflets, and magazines featuring luggage, travel accessories, purses, small leather goods, and clothing; bookbinding materials; printed photographs; photograph albums; stationery, namely, note pads, desk pads, writing pads, drawing pads, envelopes, note paper; calendars; pocket calendars; note books; telephone indexes; diary covers; diaries; office requisites, namely, letter trays, paper knives, ink stands, inkwells, paper weights, pencil holders, pen holders, pencil tubs, blotting pads, pencils, fountain pens, rubber erasers, pen cases; printing types; printing blocks; table linens of paper. IC 26: buttons; hooks and eyes; shoe buckles; hair accessories, namely, hair pins, barrettes, hair bows, hair clips, hair bands, hair wraps; hair ornaments; brooches for clothing; clothing fasteners, namely, scarf holders.

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

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

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

18. The Louis Vuitton Marks are symbols of Louis Vuitton's quality, reputation and goodwill. Louis Vuitton has continuously used the Louis Vuitton Marks since registration.

19. Louis Vuitton expends substantial resources developing, advertising and otherwise promoting the Louis Vuitton Marks.

20. Louis Vuitton extensively uses, advertises, and promotes the Louis Vuitton Marks in the United States in association with the sale of high-quality luxury goods and has carefully monitored and policed the use of the Louis Vuitton Marks.

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

22. Accordingly, the Louis Vuitton Marks have achieved secondary meaning among consumers as identifiers of high-quality goods.

23. Genuine goods bearing the Louis Vuitton Marks are widely legitimately advertised and promoted by Louis Vuitton, 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 is important to Louis Vuitton's overall marketing and consumer education efforts. Thus, Louis Vuitton expends significant monetary and other resources on Internet marketing and consumer education, including search engine optimization ("SEO") and

search engine marketing (“SEM”) strategies. Those strategies allow Louis Vuitton and its authorized retailers to educate consumers fairly and legitimately about the value associated with the Louis Vuitton brand and the goods sold thereunder. Similarly, many of Defendants’ individual store websites are indexed on search engines and compete directly with Louis Vuitton for space and consumer attention in search results.

Defendants’ Infringing Activities

24. Defendants are each promoting, advertising, distributing, selling, and/or offering for sale goods in interstate commerce using counterfeit and confusingly similar imitations of one or more of the Louis Vuitton Marks (the “Counterfeit Goods”) through at least the commercial Internet websites operating under the Subject Domain Names. Specifically, Defendants are using the Louis Vuitton Marks to initially attract online consumers and drive them to Defendants’ Internet websites operating under the Subject Domain Names. Defendants are each using identical copies of one or more of the Louis Vuitton Marks for different quality goods. Louis Vuitton has used the Louis Vuitton Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Louis Vuitton’s merchandise.

25. Defendants’ Counterfeit Goods are of a quality substantially different than that of Louis Vuitton’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 high-quality goods offered for sale by Louis Vuitton, despite Defendants’ knowledge that they are without authority to use the Louis Vuitton Marks. The net effect of Defendants’ actions is likely to cause confusion of consumers, at the time of initial interest, sale, and in the post-sale setting,

who will believe all of Defendants' goods offered for sale in or through Defendants' Internet websites are genuine goods originating from, associated with, and/or approved by Louis Vuitton.

26. Defendants advertise their websites, including their Counterfeit Goods offered for sale, to the consuming public via at least, the fully interactive, commercial Internet websites operating under the Subject Domain Names. In so doing, Defendants improperly and unlawfully uses one or more of the Louis Vuitton Marks without Louis Vuitton'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 Louis Vuitton Marks. Specifically, Defendants are using counterfeits and infringements of Louis Vuitton's famous name and the Louis Vuitton Marks to make their e-commerce website stores selling illegal goods appear more relevant and attractive to consumers searching for both Louis Vuitton and non-Louis Vuitton 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 Louis Vuitton's genuine goods. Defendants are causing individual, concurrent, and indivisible harm to Louis Vuitton and the consuming public by (i) depriving Louis Vuitton and other third parties of their right to fairly compete for space online and within search engine results and reducing the visibility of Louis Vuitton's genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with the Louis Vuitton Marks, and (iii) increasing Louis Vuitton'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 Louis Vuitton and the consuming public for Defendants' own benefit.

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

30. Defendants' use of the Louis Vuitton Marks, including the promotion and advertisement, reproduction, distribution, sale and offering for sale of their Counterfeit Goods, is without Louis Vuitton'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 Louis Vuitton's rights for the purpose of trading on Louis Vuitton's goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Louis Vuitton 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 Louis Vuitton's genuine goods and Defendants' Counterfeit Goods, which there is not.

33. Moreover, at least Defendant Numbers 1–8 have registered their Subject Domain Names, using marks that are nearly identical and/or confusingly similar to at least one of the Louis Vuitton Marks, (the "Cybersquatted Subject Domain Names").

34. Defendant Numbers 1–8 have registered and/or used the Cybersquatted Subject Domain Names with the bad faith intent to profit from the Louis Vuitton Marks.

35. Defendants do not have, nor have they ever had, the right or authority to use the Louis Vuitton Marks. Further, the Louis Vuitton Marks have never been assigned or licensed to be used on any of the websites operating under the Cybersquatted Subject Domain Names.

36. Upon information and belief, Defendant Numbers 1–8 have provided false and/or misleading contact information when applying for the registration of the Cybersquatted Subject Domain Names or have intentionally failed to maintain accurate contact information with respect to the registration of the Cybersquatted Subject Domain Names.

37. Defendant Numbers 1–8 have never used the Cybersquatted Subject Domain Names in connection with a bona fide offering of goods or services.

38. Defendant Numbers 1–8 have not made any bona fide non-commercial or fair use of the Louis Vuitton Marks on a website accessible under the Cybersquatted Subject Domain Names.

39. Defendant Numbers 1–8 have intentionally incorporated at least one of the Louis Vuitton Marks in their Cybersquatted Subject Domain Names to divert consumers looking for Louis Vuitton's Internet website to their own Internet websites for commercial gain.

40. Given the visibility of Defendants' various websites and the similarity of their actions, it is clear Defendants are either affiliated, or at a minimum, cannot help but know of each other's existence and the unified harm likely to be caused to Louis Vuitton and the overall consumer market in which they operate as a result of Defendants' concurrent actions.

41. Although some Defendants may be physically acting independently, they may properly be deemed to be acting in concert because the combined force of their actions serves to multiply the harm caused to Louis Vuitton.

42. 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 Subject Domain Names and any other alias domain names used or controlled by them.

43. Further, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to Louis Vuitton.

44. Louis Vuitton has no adequate remedy at law.

45. Louis Vuitton is suffering irreparable injury and has suffered substantial damages because of Defendants' unauthorized and wrongful use of the Louis Vuitton Marks. If Defendants' counterfeiting and infringing, and unfairly competitive activities are not preliminarily and permanently enjoined by this Court, Louis Vuitton and the consuming public will continue to be harmed.

46. The harm and damages sustained by Louis Vuitton 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)

47. Louis Vuitton hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

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

49. 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 Louis Vuitton Marks. Defendants are continuously infringing and inducing others to infringe the Louis Vuitton Marks by using one or more of them to advertise, promote, offer to sell and/or sell counterfeit and infringing Louis Vuitton branded goods.

50. 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.

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

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

53. Louis Vuitton 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))

54. Louis Vuitton hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

55. Defendants' Counterfeit Goods bearing, offered for sale and sold using copies of one or more of the Louis Vuitton Marks have been widely advertised and offered for sale throughout the United States via the Internet.

56. Defendants' Counterfeit Goods bearing, offered for sale, and sold using copies of one or more of the Louis Vuitton Marks are virtually identical in appearance to Louis Vuitton'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.

57. 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 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 Louis Vuitton's detriment.

58. Defendants have each authorized infringing uses of one or more of the Louis Vuitton 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 they advertise and sell are genuine, non-infringing goods.

59. Additionally, Defendants are using counterfeits and infringements of one or more of the Louis Vuitton Marks to unfairly compete with Louis Vuitton and others for space within

organic and paid search engine and social media results. Defendants are thereby jointly (i) depriving Louis Vuitton of valuable marketing and educational space online which would otherwise be available to Louis Vuitton, and (ii) reducing the visibility of Louis Vuitton's genuine goods on the World Wide Web and across social media platforms.

60. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

61. Louis Vuitton 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 Louis Vuitton will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

**COUNT III - CLAIM FOR RELIEF FOR CYBERSQUATTING
UNDER §43(d) OF THE LANHAM ACT (15 U.S.C. §1125(d))**
(Against Defendant Numbers 1–8 only)

62. Louis Vuitton hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

63. Defendant Numbers 1–8 have acted with the bad faith intent to profit from the Louis Vuitton Marks and the goodwill associated with the adidas Marks by registering and using the Cybersquatted Subject Domain Names.

64. The Louis Vuitton Marks were distinctive and famous at the time Defendant Numbers 1–8 registered the Cybersquatted Subject Domain Names.

65. The Cybersquatted Subject Domain Names are identical to, confusingly similar to or dilutive of one or more of the Louis Vuitton Marks.

66. Defendant Numbers 1–8’s conduct is done with knowledge and constitutes a willful violation of Louis Vuitton’s rights in the Louis Vuitton Marks. At a minimum, Defendants’ conduct constitutes reckless disregard for and willful blindness to Louis Vuitton’s rights.

67. Defendant Numbers 1–8’s actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. §1125(d).

68. Louis Vuitton has no adequate remedy at law. Louis Vuitton has suffered and will continue to suffer irreparable injury and damages due to Defendant Numbers 1–8’s above-described activities if Defendant Numbers 1–8’s are not preliminarily and permanently enjoined. Additionally, Defendant Numbers 1–8’s will continue to wrongfully profit from their illegal activities.

COUNT IV - COMMON LAW UNFAIR COMPETITION

69. Louis Vuitton hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

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

71. 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 Louis Vuitton Marks. Defendants are also using counterfeits and infringements of one or more of the Louis Vuitton Marks to unfairly compete with Louis Vuitton 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.

72. Defendants' infringing activities are likely to cause and are causing confusion, mistake and deception among consumers as to the origin and quality of Defendants' websites as a whole and all products sold therein by their use of the Louis Vuitton Marks.

73. Louis Vuitton 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 V - COMMON LAW TRADEMARK INFRINGEMENT

74. Louis Vuitton hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

75. Louis Vuitton is the owner of all common law rights in and to the Louis Vuitton Marks.

76. 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 using one or more of the Louis Vuitton Marks.

77. Specifically, each Defendant is promoting, and otherwise advertising, distributing, offering for sale, and selling goods using and/or bearing infringements of one or more of the Louis Vuitton Marks.

78. 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 bearing the Louis Vuitton Marks.

79. Louis Vuitton 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

80. WHEREFORE, Louis Vuitton 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 Louis Vuitton Marks; from using the Louis Vuitton 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 Louis Vuitton; from falsely representing themselves as being connected with Louis Vuitton, 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 Louis Vuitton; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the Louis Vuitton 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 Louis Vuitton, or in any way endorsed by Louis Vuitton and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of Louis Vuitton's name or trademarks; and from otherwise unfairly competing with Louis Vuitton.

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 the 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 Louis Vuitton 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 Louis Vuitton's request, those acting in concert or participation as service providers to Defendants, who have notice of the injunction, cease hosting, facilitating access to, or providing any supporting service to any and all domain names, including but not limited to the Subject Domain Names, and websites through which Defendants engages in the promotion, offering for sale and/or sale of goods using counterfeits and/or infringements of the Louis Vuitton Marks.

d. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority, authorizing Louis Vuitton to serve the injunction on any e-mail service provider with a request that the service provider permanently suspend the e-mail addresses that are used by Defendants in connection with Defendants' promotion, offering for sale, and/or sale of goods using counterfeits, and/or infringements of the Louis Vuitton Marks.

e. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority authorizing Louis Vuitton to serve the injunction on the domain name registrar(s) and/or the privacy protection service(s) for the Subject Domain Names to disclose to Louis Vuitton the true identities and contact information for the registrant of the Subject Domain Name.

f. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon Louis Vuitton's request, the top level domain (TLD) Registry for each of the Subject Domain Names, and any other domains used by Defendants, or their administrators, including backend registry operators or administrators, place the Subject Domain Names on Registry Hold status for the remainder of the registration period for any such domain name, thus removing them from the TLD zone files which link the Subject Domain Names, and any other domain 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 Louis Vuitton Marks, to the IP addresses where the associated websites are hosted.

g. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority canceling for the life of the current registration or, at Louis Vuitton's election, transferring the Subject Domain Names and any other domain names used by Defendants to engage in their counterfeiting of the Louis Vuitton Marks at issue to Louis Vuitton's control so they may no longer be used for illegal purposes.

h. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act and the Court's inherent authority authorizing Louis Vuitton to request any Internet search engines or service provider referring or linking users to any URL of the Subject Domain Names, which are

provided with notice of the order, to permanently disable, de-index or delist all URLs of the Subject Domain Names and/or permanently disable the references or links to all URLs of the Subject Domain Names used by Defendants to promote, offer for sale and/or sell goods bearing counterfeits and/or infringements of the Louis Vuitton Marks, based upon Defendants' unlawful activities being conducted via the Subject Domain Names as a whole and via any specific URLs identified by Louis Vuitton.

i. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act and the Court's inherent authority authorizing Louis Vuitton to request any service providers, including specifically CloudFlare, Inc., to permanently cease providing any services to the Defendants in connection with any and all domain names, including but not limited to the Subject Domain Names, and websites through which Defendants engage in the promotion, offering for sale and/or sale of goods using counterfeits of the Louis Vuitton Marks, including permanently deleting the Subject Domain Names from its DNS used for the DoH (1.1.1.1).

j. Entry of an Order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority, requiring Defendant, its agent(s) or assign(s) to assign all rights, title, and interest, to its Subject Domain Name(s) to Louis Vuitton and, if within five (5) days of entry of such Order Defendants fail to make such an assignment, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

k. Entry of an Order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority requiring Defendants, their agent(s) or assign(s) to instruct all search engines to permanently delist or deindex the Subject Domain Name(s) and, if within five (5) days of entry of such Order Defendants fails to make such a written instruction, the Court order the act to be

done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

1. Entry of an Order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority, requiring Defendants, their agent(s) or assign(s) to instruct the Registrar(s) for each Subject Domain Name(s) to permanently close the domain registration account(s) in which any Subject Domain Name(s) are located and, if within five (5) days of entry of such Order Defendants fail to make such a written instruction, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

m. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that, upon Louis Vuitton's request, any Internet marketplace website operators, administrators, registrar and/or top level domain (TLD) Registry who are provided with notice of the injunction identify any e-mail address known to be associated with Defendants' Subject Domain Names.

n. Entry of an Order pursuant to 15 U.S.C. § 1116 and the Court's inherent authority requiring Defendants, their agent(s) or assign(s) to instruct all of its service providers, including specifically CloudFlare, Inc., to permanently cease providing any services to the Defendants in connection with any and all domain names, including but not limited to the Subject Domain Names, and websites through which Defendants engage in the promotion, offering for sale and/or sale of goods using counterfeits of the Louis Vuitton Marks, including permanently deleting the Subject Domain Names from its DNS used for the DoH (1.1.1.1), and, if within five (5) days of entry of such Order Defendants fail to make such a written instruction,

the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

o. Entry of an Order requiring Defendants to account to and pay Louis Vuitton for all profits and damages resulting from Defendants' trademark counterfeiting and infringing and unfairly competitive activities and that the award to Louis Vuitton be trebled, as provided for under 15 U.S.C. §1117, or, at Louis Vuitton's election with respect to Count I, that Louis Vuitton be awarded statutory damages from Defendants 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.

p. Entry of an order requiring Defendant Numbers 1–8 to account to and pay Louis Vuitton for all profits and damages resulting from Defendant Numbers 1–8's cybersquatting activities and that the award to Louis Vuitton be trebled, as provided for under 15 U.S.C. §1117, or that Louis Vuitton be awarded statutory damages from Defendant Numbers 1–8 in the amount of one hundred thousand dollars (\$100,000.00) per cybersquatted domain name used as provided by 15 U.S.C. §1117(d) of the Lanham Act.

q. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Louis Vuitton's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

r. Entry of an Order pursuant to 15 U.S.C. § 1116, 28 U.S.C. § 1651(a), The All Writs Act, Federal Rule of Civil Procedure 65, and the Court's inherent authority that, upon Louis Vuitton's request, Defendants and any financial institutions, payment processors, banks, escrow services, money transmitters, e-commerce shipping partner, fulfillment center, warehouse, storage facility, 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 Subject Domain Names, or other alias domain names and/or websites 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 Louis Vuitton in partial satisfaction of the monetary judgment entered herein.

- s. Entry of an award of pre-judgment interest on the judgment amount.
- t. 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.
- u. Entry of an Order for any further relief as the Court may deem just and proper.

DATED: January 25, 2022.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

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SCHEDULE "A"

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