

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 25-cv-20797

KIDS MAGIC LLC,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS, LIMITED
LIABILITY COMPANIES, PARTNERSHIPS, AND
UNINCORPORATED ASSOCIATIONS IDENTIFIED
ON SCHEDULE A,

Defendants.

COMPLAINT

Plaintiff KIDS MAGIC LLC (“Plaintiff” or “KIDS MAGIC”), hereby alleges as follows against the individuals, corporations, limited liability companies, partnerships, and unincorporated associations identified on Schedule A¹ (collectively, “Defendants”):

INTRODUCTION

1. This action has been filed by Plaintiff to combat online infringers who trade upon Plaintiff’s reputation and goodwill by selling and/or offering for sale products in connection with Plaintiff’s copyrights, which are covered by U.S. Copyright Registration Nos. VA 2-415-942 and VA 2-415-930, being registrations for two-dimensional and three-dimensional images of PLIM PLIM, an animated character developed by the Plaintiff (“PLIM PLIM Copyrights”).

2. The PLIM PLIM Copyrights are valid, subsisting, and in full force and effect. True and correct copies of the federal copyright registration certificates for the PLIM PLIM Copyrights

¹ Plaintiff intends to file a motion to seal Schedule A.

are attached as **Exhibit 1**. The Defendants advertise, market, and/or sell their unauthorized and illegal products embodying Plaintiff's copyrights by reference to the same design as the Plaintiff's genuine PLIM PLIM products ("Infringing Products"), which causes deception in the marketplace.

3. In order to combat the harm caused by the combined actions of Defendants and others engaging in similar conduct, Plaintiff has expended significant amounts of resources in connection with copyright enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement. The exponential growth of infringing over the Internet, particularly through online marketplace platforms, has created an environment that requires companies, such as Plaintiff, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and itself from the negative effects of confusion and the erosion of the goodwill connected to Plaintiff's brand and the PLIM PLIM Copyrights.

4. The Defendants create numerous fully interactive commercial internet stores operating under the Defendant Domain Names and/or the Online Marketplace Accounts identified in Schedule A (collectively, the "Defendant Internet Stores"). The Defendants design the Defendant Internet Stores to appear to be selling genuine products, while selling inferior imitations of Plaintiff's products. The Defendant Internet Stores share unique identifiers, such as design elements and similarities of the Infringing Products offered for sale, establishing a logical relationship between them and suggesting that Defendants' illegal operations arise out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their illegal operation. Plaintiff is forced to file this action to combat Defendants' infringement of Plaintiff's copyrights, as well as to protect unknowing consumers from purchasing unauthorized Infringing Products over the

Internet. Plaintiff has been and continues to be irreparably harmed by the unauthorized sale of Infringing Products and seeks injunctive and monetary relief.

5. This Court has personal jurisdiction over each Defendant, in that each Defendant conducts significant business in Florida and in this Judicial District, and the acts and events giving rise to this lawsuit of which each Defendant stands accused were undertaken in Florida and in this Judicial District. In addition, each Defendant has offered to sell and ship Infringing Products into this Judicial District.

JURISDICTION AND VENUE

6. This Court has original subject matter jurisdiction over the copyright claim pursuant to the Copyright Laws of the United States, 17 U.S.C. § 101 et seq., 28 U.S.C. § 1338(a), and 28 U.S.C. § 1331. This Court has jurisdiction over the unfair deceptive trade practices claim in this action that arise under the laws of the State of Florida pursuant to 28 U.S.C. § 1367(a) because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

7. This Court may properly exercise personal jurisdiction over Defendants, because each of the Defendants directly target consumers in the United States, including Florida, through at least Defendant Internet Stores. Specifically, Defendants are reaching out to do business with Florida residents by operating one or more commercial, interactive Internet Stores through which Florida residents can purchase unauthorized and illegal products embodying Plaintiff's copyrights. Each of the Defendants has targeted sales from Florida residents by operating online stores that offer shipping to the United States, including Florida, accept payment in U.S. dollars, and, on information and belief, has sold unauthorized and illegal products embodying Plaintiff's federally registered copyrights to residents of Florida. Each of the Defendants is committing tortious acts in

Florida, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Florida. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2) because Defendants have committed acts of copyright infringement in this Judicial District and a substantial part of the events or omissions giving rise to the claim occurred in this Judicial District. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

THE PLAINTIFF

8. Plaintiff KIDS MAGIC LLC is a limited liability company organized under the laws of Delaware with its principal place of business in Argentina, Mexico, and is the owner of the PLIM PLIM Copyrights.

9. KIDS MAGIC LLC first published an animated series featuring the character of PLIM PLIM on September 21, 2011, which aired on the Disney Junior (Latin America) channel “Las flores de Mei-li”. The audiovisual was titled “El Payaso Plim Plim, Un Héroe del Corazón”. The series utilizes engaging visual and musical content to encourage active learning, promote physical movement, foster social-emotional development, and inspire creativity and curiosity in children.



Images sourced from Plaintiff's Official PLIM PLIM Website (<https://plimplim.tv/en/>)

10. The success of this animated series resulted in the creation of another series titled “Las Mágicas Histórias de Plim Plim” in 2015, YouTube channels, TV shows, music, books and

other affiliated products. On YouTube, the “El Payaso Plim Plim” channel has 26.5 million subscribers, 468.1 million monthly views and 19.5 billion lifetime views. The character of Plim Plim is also featured in numerous other animated videos and music, available for viewing on official YouTube, Spotify, Apple Music, and other channels in English, Indonesian, Portuguese, Russian and Italian languages. Together with Penguin Random House, seven books featuring the Plim Plim character have been published. According to leading publications, in 2023, “El Payaso Plim Plim” was the most-watched Spanish-language animation preschool channel on YouTube and the most in-demand series in Latin America.

11. From September 2011 to the present, Plaintiff KIDS MAGIC has been the official source of the genuine PLIM PLIM Products in the United States, which include party decorations, children’s clothing, books, toys, and other products incorporating the copyrighted image of the PLIM PLIM character covered by the PLIM PLIM Copyright Registrations. Genuine PLIM PLIM Products are available to purchase through Plaintiff’s online shop (<https://www.plimplimshop.tv/>) and through licensed vendors:

Buscar Q



CARRITO (0) \$0
[CREAR CUENTA](#) | [INICIAR SESIÓN](#)

INICIO
PRODUCTOS
CONTACTO
NOSOTROS



COMBO PARA 40 NIÑOS BÁSICO

\$84.200

24 CUOTAS DE \$8.420

+

[VER MEDIOS DE PAGO](#)

CANTIDAD

AGREGAR AL CARRITO

Medios de envío

No sé mi código postal

Buscar Q



CARRITO (0) \$0
[CREAR CUENTA](#) | [INICIAR SESIÓN](#)

INICIO
PRODUCTOS
CONTACTO
NOSOTROS

Inicio / Niños / Pijama Plim Plim Rosa



MEDIDAS APROXIMADAS DE LA PRENDA

TALLE	LONGITUD	ANCHO	ANCHO DE LA CINTURA	ANCHO DE LA CINTURA DE LA PANTALONA	ANCHO DE LA CINTURA DE LA PANTALONA
2	45	25	20	20	20
4	50	30	25	25	25
6	55	35	30	30	30

PIJAMA PLIM PLIM ROSA

\$15.000

24 CUOTAS DE \$1.500

+

[VER MEDIOS DE PAGO](#)

TALLE: 2

CANTIDAD

AGREGAR AL CARRITO

Medios de envío

No sé mi código postal

Tela de algodón. Talles 2, 4 y 6

Exemplar Images of Genuine PLIM PLIM Products Available for Purchase on Plaintiff's Official Online Shop (<https://www.plimplimshop.tv/>)

12. Plaintiff has expended substantial time, money, and other resources in developing, advertising, and otherwise promoting the PLIM PLIM Products. As a result, the PLIM PLIM Products are widely recognized and exclusively associated by consumers, the public, and the trade as being products sourced from Plaintiff.

13. Plaintiff own all rights, including without limitation, the rights to reproduce the copyrighted works in copies, to prepare derivative works based upon the copyrighted works, and to distribute copies of the copyrighted works to the public by sale or other transfer of ownership, or by rental, lease, or lending, in various copyrights for the PLIM PLIM Products as either the owner and/or licensee of its copyrights, including without limitation copyrights covered by the PLIM PLIM Copyrights registrations, as set out above.

THE DEFENDANTS

14. Defendants are individuals and business entities who, upon information and belief, reside mainly in the People's Republic of China or other foreign jurisdictions. Defendants conduct business throughout the United States, including within Florida and in this Judicial District, through the operation of the fully interactive commercial websites and online marketplaces operating under the Defendant Internet Stores. Each Defendant targets the United States, including Florida, and has offered to sell and, on information and belief, has sold and continues to sell Infringing Products to consumers within the United States, including Florida and in this Judicial District.

THE DEFENDANTS' UNLAWFUL CONDUCT

15. The success of the PLIM PLIM character and all affiliated PLIM PLIM Products has resulted in its infringement. Plaintiff has identified numerous domain names linked to fully interactive websites and marketplace listings on platforms such as Alibaba, AliExpress, Amazon,

eBay, Etsy, Shein, Temu, and Walmart, including the Defendant Internet Stores, which were offering for sale, selling, and importing Infringing Products to consumers in this Judicial District and throughout the United States.

16. Defendants have persisted in creating such online marketplaces and internet stores, like the Defendant Internet Stores. In fact, such online marketplaces and stores are estimated to receive tens of millions of visits per year and to generate over \$135 billion in annual online sales. According to an intellectual property rights seizures statistics report issued by the United States Department of Homeland Security, the manufacturer's suggested retail price ("MSRP") of goods seized by the U.S. government in fiscal year 2021 was over \$3.3 billion. Websites like the Defendant Internet Stores are also estimated to contribute to tens of thousands of lost jobs for legitimate businesses and broader economic damages such as lost tax revenue every year.

17. On personal knowledge and belief, Defendants facilitate sales by designing the Defendant Internet Stores so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers selling genuine PLIM PLIM Products. Many of the Defendant Internet Stores look sophisticated and accept payment in U.S. dollars via credit cards, Western Union, and PayPal. Defendant Internet Stores often include images and design elements that make it very difficult for consumers to distinguish such infringing sites from an authorized website. Defendants further perpetuate the illusion of legitimacy by offering "live 24/7" customer service and using indicia of authenticity and security that consumers have come to associate with authorized retailers, including the McAfee® Security, VeriSign®, Visa®, MasterCard®, and PayPal® logos.

18. As part of their overall infringement scheme, Defendants are, upon information and belief, employing and benefitting from substantially similar, advertising and marketing strategies

based, in large measure, upon an illegal use of infringements of the PLIM PLIM Copyrights. Specifically, Defendants are selling identical products incorporating the PLIM PLIM Copyrights with identical product descriptions and photographs. A non-exhaustive list of the similarities include the following: identical photographs; identical product packaging; identical or similar usages of the PLIM PLIM Copyrights; and similar pricing. Thus, upon information, these Defendants are the same person, related persons, or acting in concert with one another such as utilizing the same fraudulent marketing material and/or obtaining the Infringing Products from a common source. Defendants' unlawful conduct is calculated in order to make their e-commerce stores and websites selling illegal goods appear more relevant, authentic, and attractive to consumers searching for Plaintiff's related 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 Plaintiff's genuine goods. Defendants are causing harm to Plaintiff and the consuming public by (i) depriving Plaintiff and other third parties of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiff's genuine goods on the World Wide Web, (ii) causing an overall degradation of the goodwill associated with the PLIM PLIM Copyrights, and/or (iii) increasing Plaintiff's overall cost to market the PLIM PLIM Copyrights and educate consumers about their brand via the Internet.

19. Upon information and belief, Defendants are concurrently targeting their infringing activities toward consumers and causing harm within this District and elsewhere throughout the United States. As a result, Defendants are defrauding Plaintiff and the consuming public for Defendants' own benefit.

20. Plaintiff has not licensed or authorized Defendants to use the PLIM PLIM Copyrights, and none of the Defendants are authorized retailers of genuine PLIM PLIM Products.

21. Defendants use their Internet-based businesses in order to infringe the intellectual property rights of Plaintiff.

22. Defendants' business names, *i.e.*, the Defendant Internet Stores, associated payment accounts, and any other alias seller identification names used in connection with the sale of Infringing Products are essential components of Defendants' online activities and are one of the means by which Defendants further their infringement scheme and cause harm to Plaintiff. Moreover, Defendants are using Plaintiff's PLIM PLIM Copyrights to drive Internet consumer traffic to their e-commerce stores operating under the Defendant Internet Stores, thereby increasing the value of the Defendant Internet Stores and decreasing the size and value of Plaintiff's legitimate marketplace and intellectual property rights at Plaintiff's expense.

23. On personal knowledge and belief, Defendants use other unauthorized search engine optimization ("SEO") tactics and social media spamming so that the Defendant Internet Stores listings show up at or near the top of relevant search results and misdirect consumers searching for genuine PLIM PLIM Products. Further, Defendants utilize similar illegitimate SEO tactics to propel new domain names to the top of search results after others are shut down. As such, Plaintiff also seeks to disable Defendant Domain Names owned by Defendants that are the means by which the Defendants could continue to sell Infringing Products into this Judicial District.

24. On information and belief, Defendants go to great lengths to conceal their identities and often use multiple fictitious names and addresses to register and operate their massive network of Defendant Internet Stores. For example, it is common practice for infringers to register their domain names with incomplete information, randomly typed letters, or omitted cities or states, as Defendants here have done. And many Defendant Domain Names use privacy services that conceal the owners' identity and contact information.

25. On personal knowledge and belief, Defendants regularly create new websites and Online Marketplace Accounts on various platforms using the identities listed in Schedule A, as well as other unknown fictitious names and addresses. Such Defendant Internet Store registration patterns are one of many common tactics used by the Defendants to conceal their identities, the full scope and interworking of their massive infringement operation, and to avoid being shut down.

26. On personal knowledge and belief, even though Defendants operate under multiple fictitious names, there are numerous similarities among the Defendant Internet Stores. For example, some of the Defendant websites have virtually identical layouts, even though different aliases were used to register the respective domain names. In addition, the Infringing Products for sale in the Defendant Internet Stores bear similarities and indicia of being related to one another, suggesting that the Infringing Products were manufactured by and come from a common source and that, upon information and belief, Defendants are interrelated. The Defendant Internet Stores also include other notable common features, including use of the same domain name registration patterns, unique shopping cart platforms, accepted payment methods, check-out methods, meta data, illegitimate SEO tactics, HTML user-defined variables, domain redirection, lack of contact information, identically or similarly priced items and volume sales discounts, similar hosting services, similar name servers, and the use of the same text and images.

27. In addition to operating under multiple fictitious names, Defendants in this case and defendants in other similar cases against online infringers use a variety of other common tactics to evade enforcement efforts. For example, infringers like Defendants will often register new domain names or Online Marketplace Accounts under new aliases once they receive notice of a lawsuit.²

² <https://www.ice.gov/news/releases/buyers-beware-ice-hsi-and-cbp-boston-warn-consumers-about-counterfeit-goods-during> (noting counterfeiters are adept at “setting up online stores to lure

Infringers also often move website hosting to rogue servers located outside the United States once notice of a lawsuit is received. Rogue servers are notorious for ignoring take down demands sent by brand owners.³ Infringers also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection. A 2012 U.S. Customs and Border Protection report on seizure statistics indicated that the Internet has fueled “explosive growth” in the number of small packages of counterfeit goods shipped through the mail and express carriers.

28. Further, infringers such as Defendants typically operate multiple credit card merchant accounts and PayPal accounts behind layers of payment gateways so that they can continue operation in spite of Plaintiff’s enforcement efforts.

29. On personal knowledge and belief, Defendants maintain off-shore bank accounts and regularly move funds from their PayPal accounts to off-shore bank accounts outside the jurisdiction of this Court. Indeed, analysis of PayPal transaction logs from previous similar cases indicates that offshore infringers regularly move funds from U.S.-based PayPal accounts to foreign-based bank accounts outside the jurisdiction of this Court.

30. Defendants, without any authorization or license from Plaintiff, have knowingly and willfully used and continue to use the PLIM PLIM Copyrights in connection with the advertisement, distribution, offering for sale, and sale of Infringing Products into the United States and Florida over the Internet. Each Defendant Internet Store offers shipping to the United States,

the public into thinking they are purchasing legitimate good on legitimate websites”) (last visited July 24, 2024).

³ While discussed in the context of false pharma supply chains, rogue internet servers and sellers are a well-known tactic that have even been covered in congressional committee hearings. <https://www.govinfo.gov/content/pkg/CHRG-113hrg88828/html/CHRG-113hrg88828.htm> (last visited July 24, 2024).

including Florida and, on information and belief, each Defendant has offered to sell Infringing Products into the United States, including Florida (in this Judicial District).

31. Defendants' use of the PLIM PLIM Copyrights in connection with the advertising, distribution, offering for sale, and sale of Infringing Products, including the sale of Infringing Products into Florida, is likely to cause and has caused confusion, mistake, and deception by and among consumers and is irreparably harming Plaintiff.

32. Prior to and contemporaneous with their infringing actions alleged herein, Defendants had knowledge of Plaintiff's ownership of the PLIM PLIM Copyrights, of the fame and incalculable goodwill associated therewith and of the popularity and success of the PLIM PLIM Products, and in bad faith proceeded to manufacture, market, develop, offer to be sold, and/or sell the Infringing Products.

33. Defendants have been engaging in the illegal infringing actions, as alleged herein, knowingly and intentionally, or with reckless disregard or willful blindness to Plaintiff's rights, or in bad faith, for the purpose of trading on the goodwill and reputation of Plaintiff and the PLIM PLIM Copyrights and Products.

34. The proliferation of Defendants' poor quality imitations threatens to irreparably harm the goodwill Plaintiff has developed over the past several decades for its genuine PLIM PLIM Products.

35. The harm and damages sustained by Plaintiff have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Infringing Products.

FIRST CAUSE OF ACTION
COPYRIGHT INFRINGEMENT (17 U.S.C. § 101, et seq.)

36. Plaintiff repeats and incorporates by reference its allegations contained in paragraphs 1–35 of this Complaint.

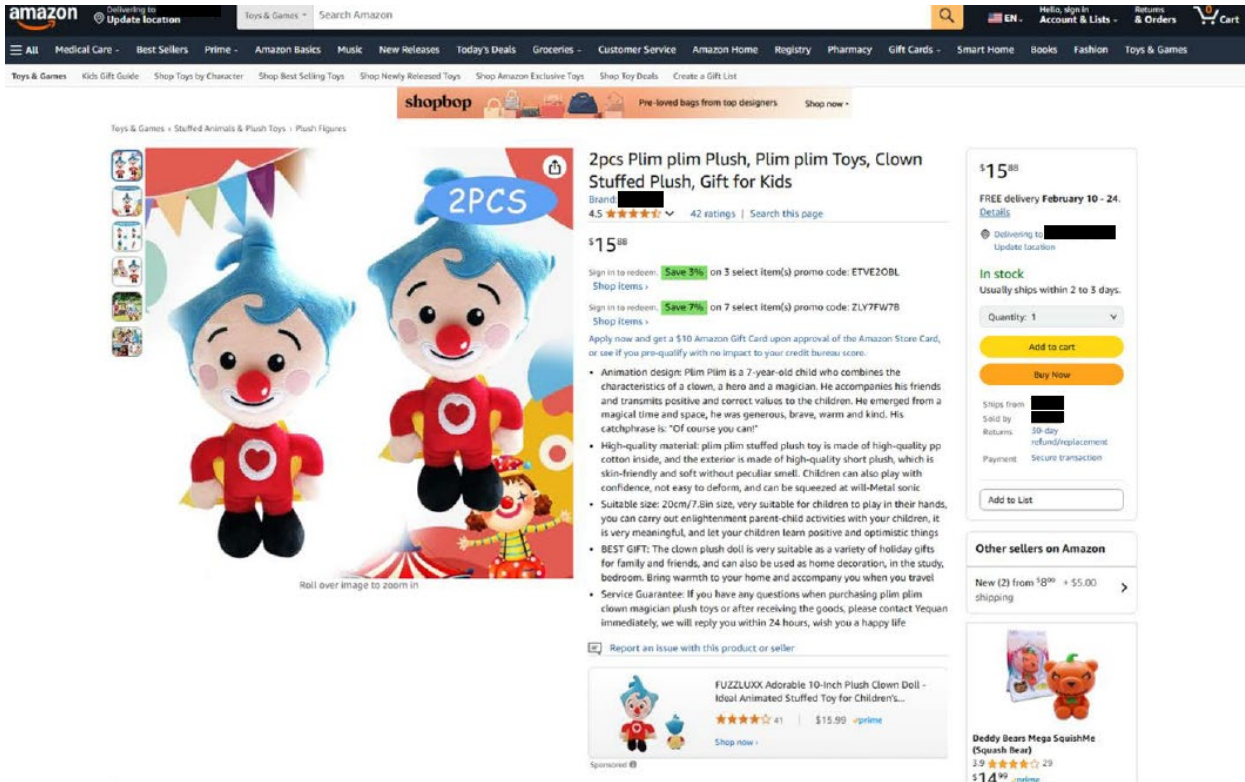
37. Plaintiff owns all exclusive rights, including without limitation the rights to reproduce the copyrighted work in copies, to prepare derivative works based upon the copyrighted work, and to distribute copies of the copyrighted work to the public by sale or other transfer of ownership, or by rental, lease, or lending, in various copyrights for the PLIM PLIM Products as either the owner and/or licensee of its copyrights, including without limitation copyrights covered by the PLIM PLIM Copyrights registrations.

38. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products in connection with the PLIM PLIM Copyrights without Plaintiff’s permission.

39. Defendants had access to the PLIM PLIM Products incorporating Plaintiff’s registered copyrights before Defendants ever sold or offered to sell Infringing Products.

40. Upon information and belief, Defendants have directly copied Plaintiff’s registered copyrights for the PLIM PLIM Products. Alternatively, Defendants’ representations of Plaintiff’s registered copyrights for the PLIM PLIM Products in the Defendant Internet Stores are strikingly similar, or at the very least substantially similar, to Plaintiff’s copyrights for the PLIM PLIM Products and constitute unauthorized copying, reproduction, distribution, creation of a derivative work, and/or public display of Plaintiff’s copyrights for the PLIM PLIM Products.

41. As just one example, Defendants deceive unknowing consumers by using the PLIM PLIM Copyrights, without authorization, within the listing(s) for sale of the Infringing Products on their Defendant Online Store to attract customers as follows:



Exemplary Listing on Defendant Online Store of Infringing Product Embodying Copyrighted Works Covered by Plaintiff's PLIM PLIM Copyrights

COMPARED TO



2-Dimensional and 3-Dimensional Copyrighted Images of Plaintiff's PLIM PLIM Character, Covered by the PLIM PLIM Copyrights

Buscar

plim plim SHOP

CARRITO (0) \$0
CREAR CUENTA | INICIAR SESIÓN

INICIO PRODUCTOS CONTACTO NOSOTROS

PELUCHE MUSICAL PAYASO PLIM PLIM OFICIAL PEQUEÑO. 20 CM ALTURA.
\$36.000
SIN STOCK

24 CUOTAS DE \$3.600
VISA

VER MEDIOS DE PAGO

SIN STOCK

Compra protegida
Tus datos cuidados durante toda la compra.

Cambios y devoluciones
Si no te gusta, podés cambiarlo por otro o devolverlo.

Genuine PLIM PLIM Products Incorporating the PLIM PLIM Copyrights, Available for Purchase on Plaintiff's Official Online Shop (<https://www.plimplimshop.tv/>)

42. Defendants' exploitation of Plaintiff's copyrights for the sale, offering to sell, marketing, distribution, and advertisement of Infringing Products through the Defendant Internet Stores constitutes infringement of Plaintiff's PLIM PLIM Copyrights.

43. On information and belief, Defendants' infringing acts were willful, deliberate, and committed with prior notice and knowledge of Plaintiff's copyrights. Each Defendant willfully, wantonly, and in conscious disregard and intentional indifference to the rights of Plaintiff made and distributed in the United States, including this Judicial District, caused to be made and distributed in the United States, including this Judicial District, and aided, abetted, contributed to, and participated in the unauthorized making and distribution of the Infringing Products via the Defendant Online Stores.

44. Each Defendant either knew, or should have reasonably known, that Plaintiff's PLIM PLIM Products were protected by copyright and their representations infringed on Plaintiff's copyrights. Each Defendant continues to infringe upon Plaintiff's rights in and to the copyrighted works.

45. As a direct and proximate result of their wrongful conduct, Defendants have realized and continue to realize profits and other benefits rightfully belonging to Plaintiff. Accordingly, Plaintiff seeks an award of damages pursuant to 17 U.S.C. § 504.

46. Defendants' unlawful actions have caused and are continuing to cause unquantifiable and irreparable harm and unquantifiable damages to Plaintiff and are unjustly enriching Defendants at Plaintiff's expense.

47. In addition to Plaintiff's actual damages, Plaintiff is entitled to receive the profits made by the Defendants from their wrongful acts, pursuant to 17 U.S.C. § 504(b). Each Defendant should be required to account for all gains, profits, and advantages derived by each Defendant from their acts of infringement.

48. In the alternative, Plaintiff is entitled to, and may elect to choose statutory damages pursuant to 17 U.S.C. § 504(c), which should be enhanced by 17 U.S.C. § 504(c)(2) because of Defendants' willful copyright infringement.

49. Plaintiff is entitled to, and may elect to choose, injunctive relief under 17 U.S.C. § 502, enjoining any use or exploitation by Defendants of their infringing work and for an order under 17 U.S.C. § 503 that any of Defendants' Infringing Products be impounded and destroyed.

50. Plaintiff seeks and is also entitled to recover reasonable attorneys' fees and costs of suit pursuant to 17 U.S.C. § 505.

51. Plaintiff has no adequate remedy at law and has sustained injury and damage caused by Defendants' concurrent conduct. If Defendants' actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its well-known PLIM PLIM Copyrights and genuine products incorporating the PLIM PLIM Copyrights.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants and each of them as follows:

1. That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:

a. using the PLIM PLIM Copyrights or any reproductions, infringing copies, or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine PLIM PLIM Product or is not authorized by Plaintiff to be sold in connection with the PLIM PLIM Copyrights;

b. further infringing the PLIM PLIM Copyrights and damaging Plaintiff's goodwill;

c. 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 copy any Plaintiff copyright, including the PLIM PLIM Copyrights, or any reproductions, infringing copies, or colorable imitations thereof;

d. using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Accounts, the Defendant Domain Names, or any other domain

name or Online Marketplace Account that is being used to sell or is the means by which Defendants could continue to sell Infringing Products; and

e. operating and/or hosting websites at the Defendant Domain Names and any other domain names registered or operated by Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product embodying the PLIM PLIM Copyrights or any reproduction, infringing copy, or colorable imitation thereof that is not a genuine PLIM PLIM Product or not authorized by Plaintiff to be sold in connection with the PLIM PLIM Copyrights.

2. Entry of an Order that the Marketplace Platforms, including without limitation Alibaba, AliExpress, Amazon, eBay, Etsy, Shein, Temu, and Walmart, and any other online marketplace account through which Defendants are selling Infringing Products:

a. disable and cease providing services for any accounts through which Defendants engage in the sale of Infringing Products embodying the PLIM PLIM Copyrights, including any accounts associated with the Defendants listed on Schedule A;

b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of Infringing Products embodying the PLIM PLIM Copyrights; and

c. take all steps necessary to prevent links to the Defendant Internet Stores identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Internet Stores from any search index.

3. That Defendants account for and pay to Plaintiff all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged.

4. In the alternative, that Plaintiff be awarded statutory damages of not less than \$750

and not more than \$30,000 for each and every infringement of Plaintiff's copyright pursuant to 17 U.S.C. § 504(c), which should be enhanced to a sum of not more than \$150,000 by 17 U.S.C. § 504(c)(2) because of Defendants' willful copyright infringement;

5. That Plaintiff be awarded its reasonable attorneys' fees and costs; and
6. Award any and all other relief that this Court deems just and proper.

Dated: February 20, 2025

Respectfully submitted,

BOIES SCHILLER FLEXNER LLP

/s/ Valeria Munoz

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