

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ENTERTAINMENT ONE UK LTD.,

Plaintiff,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A,”

Defendants.

Case No. 23-cv-01475

COMPLAINT

Plaintiff Entertainment One UK Ltd. (collectively, “Plaintiff”) hereby brings the present action against the Partnerships and Unincorporated Associations Identified on Schedule A attached hereto (collectively, “Defendants”) and alleges as follows:

I. JURISDICTION AND VENUE

1. This Court has original subject matter jurisdiction over Plaintiff’s claims pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051, *et seq.*, the Copyright Act 17 U.S.C. § 501, *et seq.*, 28 U.S.C. § 1338(a)-(b) and 28 U.S.C. § 1331.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may exercise personal jurisdiction over Defendants because Defendants structure their business activities so as to target consumers in the United States, including Illinois, through at least the fully interactive e-commerce stores operating under the aliases identified on Schedule A attached hereto (the “Seller Aliases”). Specifically, Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers; offering shipping to the United States, including Illinois; accepting payment in U.S. dollars; and, on information and belief,

selling products using infringing and counterfeit versions of Plaintiff's federally registered trademarks and unauthorized copies of Plaintiff's federally registered copyrighted works (collectively, the "Unauthorized Products") to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the state of Illinois.

II. INTRODUCTION

3. Plaintiff filed this case to prevent e-commerce store operators who trade upon Plaintiff's reputation and goodwill from further selling and/or offering for sale Unauthorized Products. Defendants create e-commerce stores under one or more Seller Aliases and then advertise, offer for sale, and/or sell Unauthorized Products to unknowing consumers. E-commerce stores operating under the Seller Aliases share identifiers, such as design elements and similarities of the Unauthorized Products offered for sale, establishing that a logical relationship exists between them, and that Defendants' infringing operation arises out of the same transaction, occurrence, or series of transactions or occurrences. Defendants take advantage of a set of circumstances, including the anonymity and mass reach afforded by the Internet and the cover afforded by international borders, to violate Plaintiff's intellectual property rights with impunity. Defendants attempt to avoid liability by operating under one or more Seller Aliases to conceal their identities, locations, and the full scope and interworking of their counterfeiting operation. Plaintiff is forced to file this action to combat Defendants' counterfeiting of its registered trademarks and infringement of its registered copyrighted works, as well as to protect consumers from purchasing Unauthorized Products over the Internet. Plaintiff has been, and continues to be, irreparably damaged through consumer confusion and dilution of its valuable trademarks and

infringement of its copyrighted works because of Defendants' actions and therefore seeks injunctive and monetary relief.

III. THE PARTIES



4. Plaintiff, Entertainment One UK Ltd., was formed in 1994 and is an entertainment production and distribution limited company specializing in the development, acquisition, production, distribution, and sales of entertainment content. Plaintiff has its principal place of business in the United Kingdom.

5. Plaintiff is a global studio that enables every step in the entertainment value chain from development and production to marketing and distribution. With the reach of a studio and the flexibility of an indie, Plaintiff is known for sharing bold stories with audiences around the world. Plaintiff's diversified expertise spans across film, television, music production and sales, family programming, merchandising and licensing, and digital content. Through its global reach and expansive scale, powered by deep local market knowledge, Plaintiff delivers the best content to the world. By carefully selecting, crafting, and nurturing the very best children's content into global brands, Plaintiff connects families around the world. Plaintiff's roster of brands includes famous children's television show franchises such as Ricky Zoom, Power Rangers, My Little Pony, Transformers, PJ Masks and the subject of this action, Peppa Pig.



6. The Peppa Pig brand is built on a TV series, created by Astley Baker Davies, that follows Peppa Pig, a cheeky little piggy who lives with her younger brother George, Mummy Pig, and Daddy Pig. Peppa's favorite things include playing games, dressing up, days out, and jumping in muddy puddles. Peppa Pig is a top performing global preschool property that has been translated into over 40 languages and broadcast in over 180 territories. A pipeline of new episodes delivering fresh content through to 2023 has also been confirmed. *Peppa Pig* has also won three British

Academy of Film and Television Arts, or BAFTA, Awards for preschool animation. *Peppa Pig* is available for streaming on numerous platforms worldwide, including Paramount Plus, Amazon Prime, YouTube, and Disney+.

7. Some of the characters and character names made famous by the *Peppa Pig* franchise include, but are not limited to:¹

<p>Peppa Pig</p>	
<p>George Pig</p>	

¹ The characters contained within the table are not an exhaustive list of the characters embodied in Plaintiff's copyrighted works. This table is included only to provide examples of the characters found on the infringing products offered for sale or sold by Defendants. Regardless of any changes in their design, each of these characters, among others contained within Plaintiff's copyrighted works, have always maintained their distinctive qualities and unique elements of expression.

<p>Mummy Pig</p>	
<p>Daddy Pig</p>	

8. Before Defendants’ acts described herein, Plaintiff launched the *Peppa Pig* television series and the related lines of products bearing the famous PEPPA PIG marks. Plaintiff has also registered countless works related to the Peppa Pig franchise and the characters embodied therein with the United States Copyright Office, including episodes of the *Peppa Pig* TV show and the characters embodied therein (“Plaintiff’s Copyrighted Works”).

9. Plaintiff markets and sells a variety of Peppa Pig products, including episode DVDs, video games and other toys such as playsets, playing cards, vehicles, and stuffed toys, household items such as bathroom products, stationery, and bed linens, food, drinks, clothing, and jewelry (collectively, “Plaintiff’s Products”).


10. Plaintiff's Products have become enormously popular and even iconic, driven by Plaintiff's quality standards and innovative designs. Among the purchasing public, Plaintiff's Products are instantly recognizable as such. The Peppa Pig brand ("Peppa Pig Brand") has become a global success and Plaintiff's Products are among the most recognizable in the world. Plaintiff's Products are distributed and sold to consumers through retailers throughout the United States and through the official website, www.peppapig.com.

11. Plaintiff has used the PEPPA PIG trademarks, and other trademarks, for many years and has continuously sold products under its trademarks (collectively, "Plaintiff's Trademarks"). As a result of this long-standing use, strong common law trademark rights have amassed in Plaintiff's Trademarks. Plaintiff's use of the marks has also built substantial goodwill in Plaintiff's Trademarks. Plaintiff's Trademarks are famous marks and valuable assets of Plaintiff. Plaintiff's Products typically include at least one of Plaintiff's Trademarks and/or Plaintiff's Copyrighted Works.

12. Plaintiff's Trademarks are registered with the United States Patent and Trademark Office, a non-exclusive list of which is included below.

Registration Number	Trademark	Registration Date	Goods and Services
3,663,706	PEPPA PIG	Aug. 4, 2009	For: Computer game software and programs; DVDs, multi-media software, all featuring pre-school aged children's educational and entertainment matter, games, music, images, and animated cartoons; sunglasses in class 009. For: Printed publications, namely, books, booklets, drawing and coloring books, magazines, activity books, all in the field of pre-school aged children's education and

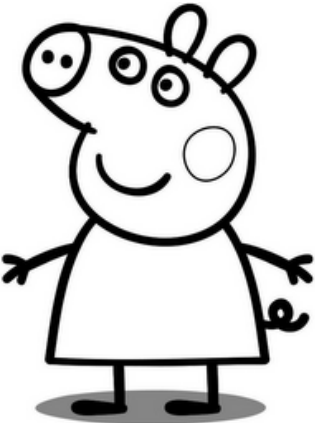
			<p>entertainment; stationery, notebooks and writing pads, calendars, pens, pencils and crayons, pen and pencil cases; arts and craft finger paint kits; modeling compounds; re-usable and air-drying compounds for modeling; printed instructional and teaching material in the field of pre-school aged children's education and entertainment; printed paper napkins; printed paper tablecloths and printed paper mats; printed stickers and iron-on and plastic transfers; printed postcards and printed greetings cards in class 016.</p> <p>For: Clothing and headgear, namely, shirts, pants, sweaters, jackets, coats, shorts, t-shirts, sweatshirts, sweatpants, undershirts, underwear, socks, pajamas, caps, hats, scarves, gloves; footwear, namely, shoes, slippers, and athletic shoes in class 025.</p> <p>For: Games, travel games, handheld games, tabletop games, activity games, and playthings, namely, board games, role playing games, chess games, card games, yo-yos, action skill games, dice games, hand held games with liquid crystal displays; electronic and non-electronic puzzles and puzzle games, hand-held, tabletop, and travel-size jigsaw puzzles; balloons; playground balls for games; dolls and toys, namely, articulated and non-articulated dolls, toy figures, modeled plastic toy figurines, bendable toys and action figures; stuffed, plush, bean-bag and cloth toys; puppets;</p>
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			<p>corrugated playhouses; playing cards; roller-skates; toy scooters; scale model toy vehicles; wooden toy vehicles in class 028.</p> <p>For: Entertainment in the nature of stage shows for pre-school aged children; television entertainment in the nature of a series of television shows in the field of pre-school aged children's entertainment; children's entertainment and amusement centers, namely, amusement parks and play areas; production of motion picture films and radio and television programs for pre-school aged children; publication of text and graphic works of others online featuring cartoon characters in class 041.</p>
3,506,452		Sep. 23, 2008	For: DVDs featuring pre-school aged children's educational and entertainment matter, games, music, images, and animated cartoons in class 009.
6,232,936	PEPPA PIG	Dec. 29, 2020	<p>For: Electric warmers for feeding bottles; Electric food warmers for babies; Electric beverage heaters for milk; Electric beverages warmers for hot drinks; Beverages cooling apparatus, namely, cooling installations for liquids; Electric beverage warmers; Electric hot plates; Electric kettles; Electric food warmers; Electric hobs; Hot plates; Electric kettles; Milk coolers in the nature of beverage cooling apparatuses; Refrigerated dispensing units for beverages; Refrigerated beverage dispensing units; USB-powered cup heaters; Electric waffle irons; Grill accessories, namely, warming trays; Book lights; Bicycle</p>

			<p>reflectors; Bedside lamps; Accent lights for indoor use; Electric camping lanterns; Candle lamps; Ceiling fans with integrated lights; Ceiling lights; Electric Chinese lanterns; Decorative electric lighting in the nature of electrically-illuminated figurines, lanterns, lamps; Decorative lighting in the nature of electrically-illuminated figurines, lanterns, lamps; Desk lamps; Electric torches for lighting; Electronic candles, namely, battery operated electric candles; Fairy lights for festive decorations; Hanging lamps; Head torches; Lamp shades; Lanterns for lighting; LED lamps; LED mood lights; Light shades; Lights, electric, for Christmas trees; Luminaries; Mural lamps being wall lamps; Oil lanterns; Electric pocket torches for lighting; Portable headlamps; Blankets, electric, not for medical purposes; Fan heaters in the nature of convection heaters; Hair driers; Hot air blowers; Hot water bottles; Non-electric hot water bottles; Socks, electrically heated; Travel hair dryers in class 011.</p> <p>For: Hair bands; Hair bows; Hair buckles; Hair clips; Elasticated hair bands; Decorative articles for the hair, namely, hair clips; Hair ornaments, namely, hair clips; Hair pins; Pins for the hair; Decorative charms for cellular phones; Decorative charms for eyewear; Belt clasp; Belt buckles; Braids; Buckles for clothing; Buttons; Clasps for clothing; Clips for clothing in the nature of clothing accessories, namely, plastic clips</p>
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			<p>that attach to the lower hem of shirts and blouses that allows the user to tighten the hem; Clothing buckles; Cords for clothing, namely, trimmings for clothing; Decorative ribbons, namely, haberdashery ribbons; Embroidered badges, namely, ornamental novelty badges; Elastic ribbons; Embroidered emblems; Embroidered patches for clothing; Embroidered patches for clothing; Embroidery; Embroidery for garments; Lace; Ornamental cloth patches; Ornamental adhesive patches for jackets; Ornamental novelty badges; Ornamental novelty buttons; Ornamental ribbons made of textiles; Patches for clothing made of cloth; Patches for repairing textile articles; Ribbons, namely, for the hair; Scarf clips not being jewelry in class 026.</p>
4,872,348	PEPPA PIG	Dec. 22, 2015	<p>For: Soaps; hair lotions; bath gels lotions for skin, hair, face, and baby, bubble bath; hair shampoo; soaps for the hand; lip balm; liquid soaps; nail care preparations; nail polish in class 003.</p> <p>For: Materials for dressings, namely, gauze; medical plasters; portable filled medicine cases, namely, first aid kits; disinfectants for hygiene purposes in class 005.</p> <p>For: Tableware, namely, knives, forks and spoons; cutlery, namely, knives, forks and spoons in class 008.</p> <p>For: Bicycles; scooters in class 012.</p>

			<p>For: Precious metals and their alloys and goods of precious metals or coated therewith, namely, boxes, charms, key rings, holiday ornaments, bracelets; pendants; clocks; necklaces; ornamental pins; wall clocks; watches; jewelry boxes not of metal in class 014.</p> <p>For: Trunks and travelling bags; umbrellas, rucksacks; wallets in class 018.</p> <p>For: Furniture, chairs; desks; hand-held mirrors; decorative wall plaques made of plastic or wood; plastic name badges being decorative articles; plastic cake decorations; toy boxes in class 020.</p> <p>For: Household or kitchen utensils and containers, not of precious metal or coated therewith, namely, lunch boxes, cups and mugs in class 021.</p> <p>For: Textiles and textile goods, namely, banners, bed covers; blanket throws; children's blankets; towels; pillowcases; textile place mats in class 024.</p> <p>For: Rugs; bath mats in class 027.</p> <p>For: Flour and preparations made from cereals, namely, cereal bars, cereal based snack food, ready-to-eat cereals; confectionery made of sugar in class 030.</p>
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4,783,931		<p>For: Soaps; perfumery, cosmetics, hair lotions; dentifrices; baby oil; baby wipes; bath gels; bath powder; body creams, lotions, and powders; hair conditioners; hair shampoo; hand lotions; soaps for the hand; lip balm; lip gloss; liquid soaps; non-medicated mouthwash; eaux de toilette; sun blocking preparations; non-medicated sun care preparations in class 003.</p> <p>For: DVDs featuring pre-school aged children's educational and entertainment matter, games, music, images, and animated cartoons and programs; sound recordings featuring children's educational and entertainment matter, games, music; audio recordings featuring music; video recordings featuring children's educational and entertainment matter, games, music, images, and animated cartoons; downloadable ring tones, music, mp3 files featuring music, graphics and video files featuring children's educational and entertainment matter, games, music, images, and animated cartoons, all for wireless communications devices; computer game programs; video game software; computer game programs downloadable via the Internet; computer software for children's educational and entertainment matter, games, music, images, and animated cartoons; downloadable computer programs for children's educational and entertainment matter, games, music, images, and animated cartoons; magic lanterns; sunglasses, spectacle frames; phonograph records featuring children's educational and</p>
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		<p>entertainment matter, games, music in class 009.</p> <p>For: Paper; cardboard; goods made from paper or cardboard, namely, books, booklets, drawing and coloring books, comic books, magazines, activity books and song books, all in the field of pre-school aged children's education and entertainment; stationery, notebooks and writing pads, calendars; photographic products, namely, photographic prints; printed matter, namely, printed paper napkins, printed paper tablecloths and printed paper mats, printed stickers and iron-on and plastic transfers printed postcards and printed greetings cards; pamphlets, books, magazines, brochures, catalogues and promotional pamphlets, all in the field of children's education and entertainment; sheet music; photographs; pictures; graphic representations; printed instructional and teaching material in the field of pre-school aged children's education and entertainment; posters; greeting cards; postcards; picture cards; transfers and stickers; photograph albums; stationery products, namely, envelopes; artists' materials, namely, pens, pencils and crayons, pen and pencil cases; molds for modeling clays; drawing, painting and modelling goods, namely, modeling compounds; re-usable and air-drying compounds for modeling, arts and craft finger paint kits; drawing and painting implements, namely, square rulers; paintbrushes; office requisites,</p>
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			<p>namely, rubber bands; printed instructional and teaching material in the field of literacy and math; diaries; calendars; bookmarks; kitchen towels of paper; paper towels; address stamps; paper napkins; paper and cardboard containers; paper and cardboard pouches for packaging; paper and cardboard bags for packaging; absorbent sheets of paper for foodstuff packaging; plastic bags, film, foil for packaging in class 016.</p> <p>For: Trunks and travelling bags; leather shoulder belts; all-purpose carrying, duffel, book, sports, diaper, key, school and wheeled bags; purses; umbrellas; parasols; rucksacks; luggage; luggage tags; overnight bags; change purses; satchels; tote bags; waist pouches; wallets in class 018.</p> <p>For: Household or kitchen utensils, namely, pots, pans, lids for pots and pans, cups, pot and pan scrapers, household and kitchen containers; beverage glassware; goods of porcelain and earthenware, namely, pots, pans, mugs; ceramics for household purposes, namely, vases, vessels, bowls, plates and pots; tea pots; hair brushes; candlesticks not of precious metal in class 021.</p> <p>For: Textiles and textile goods, namely, coasters, labels for identifying clothing, quilts, hang tags, wall hangings; bed covers; table covers, namely, textile and plastic tablecloths; afghans; bath linen; bed, sofa and children's blankets; bed canopies; bed linen;</p>
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			<p>bed sheets; bed skirts; bed spreads; blanket throws; calico; children's blankets; cloth coasters; cloth doilies; cloth flags; cloth pennants; duvets; curtains; fabric flags; felt pennants; towels; handkerchiefs; hooded towels; household linen; kitchen towels; pillowcases; quilts; baby blankets; silk blankets; table linen; textile table napkins; textile place mats; table napkins of textile; face cloths; banners and flags of textile in class 024.</p> <p>For: Clothing, namely, shirts, ties, pants, sweaters, jackets, coats, shorts, t-shirts, sweatshirts, sweatpants, undershirts, underwear, socks, pajamas, belts, caps, hats, vests, scarves, gloves; footwear; headwear; leather belts in class 025.</p> <p>For: Games, playthings and toys, namely, travel board games, handheld non-electronic skill games, tabletop games, travel size electronic games for the teaching of children, children's multiple activity toys, role playing games, trivia and question and answer games played with cards and game components, chess games, card games, yo-yos, action skill games, dice games, target games, hand held unit for playing electronic games, hand held unit for playing video games, hand held games with liquid crystal displays; electronic and non-electronic puzzles and puzzle games; hand-held, tabletop, and travel-size jigsaw puzzles; playground balls for games; dolls and toys, namely, articulated and non-articulated dolls, toy figures, modeled plastic</p>
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			<p>toy figurines, bendable toys and action figures; stuffed and plush toys; toy bean bags; and cloth toys, namely, dolls; toy costume masks; puppets; corrugated playhouses; roller-skates; toy scooters; scale model toy vehicles; wooden toy vehicles; diecast toy vehicles; playing cards and card games; gymnastic and sporting articles, namely, horizontal bars; decorations for Christmas trees, except illumination articles and confectionery; action skill games; action figures and accessories therefor; board games; card games; children's multiple activity toys; badminton sets; balloons; basketballs; bath toys; baseballs; beach balls; bean bag dolls; toy building blocks; bowling balls; chess sets; Christmas stockings; collectable toy figures; crib mobiles; crib toys; tossing disc toys; dolls; doll clothing; accessories for dolls; doll playsets; electric action toys; equipment sold as a unit for playing card games; fishing tackle; golf balls; golf gloves; golf ball markers; hand held unit for playing electronic games; hockey pucks; inflatable toys; puzzles; jump ropes; kites; magic tricks; marbles; manipulative games; mechanical toys; music box toys; musical toys; parlor games; party games; soft sculpture toys; puppets; roller skates; rubber action balls; skateboards; soccer balls; spinning tops; squeeze toys; stuffed toys; target games; teddy bears; toy action figures; toy bucket and shovel sets; toy mobiles; toy vehicles; toy scooters; toy cars; toy model hobbycraft kits; toy figures;</p>
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			<p>toy banks; toy trucks; toy watches; wind up toys; yo-yos; water-wings; swimming belts; video game machines for use with external display screens or monitors only; children's play cosmetics in class 028.</p> <p>For: Preparations made from cereals, namely, bread; pastry; confectionery, namely, candy; edible, flavored ices; honey; treacle in class 030.</p> <p>For: Education services, namely, providing courses of instruction at the pre-school level; training services in the field of instruction at the pre-school level; entertainment in the nature of circuses and stage shows for pre-school aged children; television entertainment in the nature of a series of television shows in the field of pre-school aged children's entertainment; children's entertainment and amusement centers, namely, amusement parks and play areas; organizing community sporting and cultural events; editing and production of film and television, radio and multimedia programs; entertainment services, namely, providing an ongoing radio program for pre-school aged children; organizing live exhibitions and conferences in the fields of culture, sports and entertainment for non-business and non-commercial purposes; entertainment services in the nature of live musical performances; arranging of concerts; photography services;</p>
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			providing recreation facilities in class 041.
6,243,543		Jan. 12, 2021	<p>For: Electric warmers for feeding bottles; Electric food warmers for babies; Electric beverage heaters for milk; Electric beverage warmers for hot drinks; Beverages cooling apparatus, namely, cooling installations for liquids; Electric beverage warmers; Electric hot plates; Electric kettles; Electric food warmers; Electric hobs; Hot plates; Electric kettles; Milk coolers in the nature of beverage cooling apparatuses; Refrigerated dispensing units for beverages; Refrigerated beverage dispensing units; USB-powered cup heaters; Electric waffle irons; Grill accessories, namely, warming trays; Book lights; Bicycle reflectors; Bedside lamps; Accent lights for indoor use; Electric camping lanterns; Candle lamps; Ceiling fans with integrated lights; Ceiling lights; Electric Chinese lanterns; Decorative electric lighting in the nature of electrically-illuminated figurines, lanterns, lamps; Desk lamps; Electric torches for lighting; Electronic candles, namely, battery operated electric candles; Fairy lights for festive decorations; Hanging lamps; Head torches; Lamp shades; Lanterns for lighting; LED lamps; LED mood lights; Light shades; Lights, electric, for Christmas trees; Luminaries; Mural lamps being wall lamps; Oil lanterns; Electric pocket torches for lighting; Portable headlamps; Blankets, electric, not for medical purposes; Fan heaters in the nature of</p>

			<p>convection heaters; Hair driers; Hot air blowers; Hot water bottles; Non-electric hot water bottles; Socks, electrically heated; Travel hair dryers in class 011.</p> <p>For: Precious metals and their alloys; Jewellery, precious stones; Horological and chronometric instruments; Alarm clocks; Bracelets; Busts of precious metal; Pendants; Clocks; Earrings; Jewel cases of precious metal; Jewelry chains; Key rings of precious metal; Lapel pins; Necklaces; Necktie fasteners; Non-monetary coins; Ornamental lapel pins; Rings; Stopwatches; Tie clips; Tie pins; Wall clocks; Watch straps; Watch cases being parts of watches; Watch chains; Watches; Wedding bands; Jewelry boxes not of metal; Decorative key fobs not of metal in class 014.</p> <p>For: Hair bands; Hair bows; Hair buckles; Hair clips; Elasticated hair bands; Decorative articles for the hair, namely, hair clips; Hair ornaments namely, hair clips; Hair pins; Pins for the hair; Decorative charms for cellular phones; Decorative charms for eyewear; Belt clasp; Belt buckles; Braids; Buckles for clothing; Buttons; Clasps for clothing; Clips for clothing in the nature of clothing accessories, namely, plastic clips that attach to the lower hem of shirts and blouses that allows the user to tighten the hem; Clothing buckles; Cords for clothing, namely, trimmings for clothing; Decorative ribbons, namely, haberdashery ribbons; Embroidered badges, namely,</p>
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			<p>ornamental novelty badges; Elastic ribbons; Embroidered emblems; Embroidered patches for clothing; Embroidered patches for clothing; Embroidery; Embroidery for garments; Lace; Ornamental cloth patches; Ornamental adhesive patches for jackets; Ornamental novelty badges; Ornamental novelty buttons; Ornamental ribbons made of textiles; Patches for clothing made of cloth; Patches for repairing textile articles; Ribbons, namely, for the hair; Scarf clips not being jewelry in class 026.</p> <p>For: Product merchandising for others; Sales promotion, for others, in particular marketing and promotion of goods and services of all kinds, including via online portals; On-line retail store services in the field of preschool children's entertainment featuring pre-recorded audiovisual, musical, multimedia and video content and associated merchandise; Computerized on-line retail store services in the field of entertainment featuring pre-recorded audiovisual, musical, multimedia and video content and associated merchandise in class 035.</p>
6,264,758	GEORGE PIG	Feb. 9, 2021	<p>For: Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking supervision and teaching apparatus and instruments, namely, microscopes, cameras, video cameras, scales, graduated rulers for filming, recording, photographing, weighing and measuring; apparatus for recording, transmission or</p>

		<p>reproduction of sound or images; blank magnetic data carriers; blank recording discs; data processing equipment, namely, data processors and computers; sound, music and video recordings featuring music, children's entertainment, television programs for children; downloadable ring tones, music, mp3, graphic and video files featuring music, children's entertainment, television programs for children for wireless communications devices; downloadable computer games programs; downloadable video games software; computer games programmes downloaded via the internet; recorded video game programs stored on cartridges, floppy discs, cd-roms, cassettes, tapes and mini discs; compact disc players; compact discs featuring music, children's entertainment, television programs for children; dvd players; recorded computer software for wireless transmission of data and images; downloadable computer programs for wireless transmission of data and images; exposed slide films; cassette players; magic lanterns; optical goods, namely, eyeglasses, sunglasses; gramophone records featuring music; sound carriers, namely, cds, dvds, and mp3 files, featuring music, children's entertainment, television programs for children; portable personal stereos; videotapes featuring music, children's entertainment, television programs for children; blank video cassettes; video recorders; downloadable video games programs adapted for use with external screens or monitors</p>
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		<p>only; video game cartridges in class 009.</p> <p>For: Paper; cardboard; Photographic products and printed matter, namely, pamphlets, Books, Newspapers, Periodicals, Magazines, Brochures, Catalogues, Promotional literature in the nature of informational flyers, all in the field of children's literature; Book binding materials; Printed sheet music; Pictures, Graphic representations, Posters, Greeting cards, Postcards, Picture cards, Stickers and transfers; Stationery; Adhesive plastic films for wrapping and packaging and for mounting images; Adhesive tapes for stationery or household decorative use; Artists' materials, namely, paint brushes; Drawing, painting and modelling goods and drawing and painting implements, namely, paint brushes; Paintbrushes; Adhesives and adhesive strips in the nature of tapes for stationery or household purposes; Diaries; Calendars, bookmarks, kitchen towels of paper and other paper towels; Geographical maps, Maps, Beer mats being coasters of paper, Address stamps, Loose-leaf binders for office use, Jackets for papers; Paper napkins; Protective covers of paper or cellulose for books and stationery use; Filter paper; Packaging material, namely, packaging containers of paper, paper pouches, paper cones, plastic or paper bags for merchandise packaging, sheets of paper or cardboard, and foam foils of plastic being plastic bubble packs; Plastic materials for packaging,</p>
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			<p>namely, plastic film for use as wrapping and packaging material for gift wrapping; Printers' type; Printing blocks; Adhesive tapes for stationery or household purposes in class 016.</p> <p>For: Clothing and headwear, namely, shirts, ties as clothing, pants, sweaters, jackets, coats, shorts, t-shirts, sweatshirts, sweatpants, undershirts, underwear, socks, pajamas, belts, caps being headwear, hats, vests, scarves, gloves; footwear, namely, shoes, slippers, flip-flops, and athletic shoes; belts of leather in class 025.</p> <p>For: Games and playthings, namely, role playing games, trivia and question and answer games played with cards and game components, card games, dice games, hand held unit for playing video games, hand held games with liquid crystal displays; electronic and non-electronic puzzles and puzzle games, hand-held, tabletop, and travel-size jigsaw puzzles; playground balls for games; toys, namely, articulated and non-articulated dolls, toy figures, modeled plastic toy figurines, bendable toys and action figures; stuffed bean-bag and cloth toys, namely, stuffed toys; toy costume masks; puppets; corrugated playhouses; playing cards; roller-skates; toy scooters; scale model toy vehicles; wooden toy vehicles; diecast toy vehicles; game cards; decorations for christmas trees; action skill games; action figures and accessories therefor; board games; children's</p>
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		<p>multiple activity toys; badminton sets; balloons; basketballs; bath toys; baseballs; beach balls; bean bag dolls; toy building blocks; bowling balls; chess sets; toy imitation cosmetics; christmas stockings; collectable toy figures; crib mobiles; crib toys; tossing disc toys; dolls; doll clothing; accessories for dolls; doll playsets; electric action toys; equipment sold as a unit for playing card games; golf balls; golf gloves; golf ball markers; hand held unit for playing electronic games; hockey pucks; inflatable toys; puzzles; kites; magic tricks; marbles; manipulative games; mechanical toys; music box toys; musical toys; parlor games; party games; soft sculpture plush toys; rubber action balls; skateboards; soccer balls; spinning tops; squeeze toys; stuffed toys; table tennis tables; target games; teddy bears; tennis balls; toy action figures; sand toys, namely, toy bucket and shovel sets; toy mobiles; toy vehicles; toy cars; toy model hobby craft kits for constructing toy model buildings, namely, toy model buildings; toy banks; toy trucks; toy watches; wind-up toys; spinning fidget toys; amusement apparatus adapted for use with television receivers only in class 028.</p> <p>For: Amusement park services; providing recreation facilities; providing amusement arcade services; presentation of circus performances; presentation of live show performances; presentation of variety shows; entertainment in the nature of theatre productions; entertainment, namely, production</p>
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			of live show performances; organisation of shows for cultural purposes; holiday camp services; entertainment services, namely, live appearances by a professional entertainer; education, namely, providing courses of instruction at the pre-school level; organising community sporting and cultural events in class 041.
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13. The above U.S. registrations for Plaintiff's Trademarks are valid, subsisting, and in full force and effect, and some are incontestable pursuant to 15 U.S.C. § 1065. The registrations for Plaintiff's Trademarks constitute *prima facie* evidence of their validity and of Plaintiff's exclusive right to use its Trademarks pursuant to 15 U.S.C. § 1057(b). True and correct copies of the United States Registration Certificates for Plaintiff's Trademarks are attached hereto as **Exhibit 1**.

14. Plaintiff's Trademarks are exclusive to Plaintiff and are displayed extensively on Plaintiff's Products and in marketing and promotional materials. Plaintiff's Trademarks are also distinctive when applied to Plaintiff's Products, signifying to the purchaser the products come from Plaintiff and are manufactured to Plaintiff's quality standards. Whether Plaintiff manufactures the products itself or contracts with others to do so, Plaintiff has ensured that products bearing its Trademarks are manufactured to the highest quality standards.

15. Plaintiff's Trademarks are famous marks, as that term is used in 15 U.S.C. § 1125(c)(1), and have been continuously used and never abandoned. The innovative marketing and product designs of Plaintiff's Products have enabled the Peppa Pig Brand to achieve widespread recognition and fame and have made Plaintiff's Trademarks some of the most well-known marks in the entertainment industry. The widespread fame, outstanding reputation, and significant

goodwill associated with the Peppa Pig Brand have made Plaintiff's Trademarks valuable assets of Plaintiff.

16. Plaintiff's Trademarks have been the subject of substantial and continuous marketing and promotion by Plaintiff. Plaintiff has and continues to market and promote its Trademarks in the industry and to consumers through traditional print media, Plaintiff's website www.peppapig.com, social media sites, and point of sale material.

17. Plaintiff has expended substantial time, money, and other resources in advertising and promoting its Trademarks. Specifically, Plaintiff has expended substantial resources in advertising, promoting, and marketing featuring its Trademarks. Plaintiff's Products have also been the subject of extensive unsolicited publicity resulting from their high-quality, innovative designs. As a result, products bearing Plaintiff's Trademarks are widely recognized and exclusively associated by consumers as being high-quality products sourced from Plaintiff. Plaintiff's Products have become among the most popular of their kind in the world. Plaintiff's Trademarks have achieved tremendous fame and recognition, adding to the inherent distinctiveness of the marks. As such, the goodwill associated with Plaintiff's Trademarks is of immeasurable value to Plaintiff.

18. Plaintiff's Products are only sold through authorized retail channels and are recognized by the public as being exclusively associated with Plaintiff and the Peppa Pig Brand.

19. Plaintiff's Copyrighted Works are registered with the United States Copyright Office. The registrations include, but are not limited to: "Peppa pig." (U.S. Copyright Registration No. VA0001329059), issued by the Register of Copyrights on August 19, 2005; "Mummy pig." (U.S. Copyright Registration No. VA0001329058), issued by the Register of Copyrights on August 19, 2005; "George pig." (U.S. Copyright Registration No. VA0001329056), issued by the

Register of Copyrights on July, 16 2016; and “Daddy pig.” (U.S. Copyright Registration No. VA0001329057), issued by the Register of Copyrights on August 19, 2005. A true and correct copy of the record from the U.S. Copyright Office website for Plaintiff’s Copyrighted Works is attached hereto as **Exhibit 2**. The Plaintiff’s Copyrighted Works embody the distinctive characters found in paragraph 7 above.

20. Among the exclusive rights granted to Plaintiff under the U.S. Copyright Act are the exclusive rights to reproduce, prepare derivative works of, distribute copies of, and display its Copyrighted Works to the public.

21. Since first publication, Plaintiff’s Copyrighted Works have been used on Plaintiff’s Products and are featured on Plaintiff’s official website, www.peppapig.com.

22. Defendants are unknown individuals and business entities who own and/or operate one or more of the e-commerce stores under the Seller Aliases identified on Schedule A and/or other seller aliases not yet known to Plaintiff. On information and belief, Defendants reside and/or operate in foreign jurisdictions and redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rules of Civil Procedure 17(b).

23. On information and belief, Defendants, either individually or jointly, operate one or more e-commerce stores under the Seller Aliases listed in Schedule A attached hereto. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Plaintiff to learn Defendants’ true identities and the exact interworking of their network. If Defendants provide additional credible information regarding their identities, Plaintiff will take appropriate steps to amend the Complaint.

IV. DEFENDANT’S UNLAWFUL CONDUCT

24. The success of the Peppa Pig franchise has resulted in significant counterfeiting of Plaintiff’s Trademarks and infringement of Plaintiff’s Copyrighted Works. Because of this, Plaintiff has implemented a brand protection program by investigating suspicious websites and online marketplace listings identified in proactive Internet sweeps. Recently, Plaintiff has identified many fully interactive e-commerce stores offering Unauthorized Products on online marketplace platforms such as AliExpress.com (“AliExpress”), Alibaba Group Holding Limited (“Alibaba”), Amazon.com, Inc. (“Amazon”), Dhgate.com (“DHgate”), eBay, Inc. (“eBay”), Etsy, Inc. (“Etsy”), Fruugo.com Limited (“Fruugo”), ContextLogic, Inc. d/b/a Wish.com (“Wish”), and Walmart, Inc. (“Walmart”), including the e-commerce stores operating under the Seller Aliases. The Seller Aliases target consumers in this Judicial District and throughout the United States. According to a report prepared for The Buy Safe America Coalition, most infringing products now come through international mail and express courier services because of increased sales from foreign online infringers. *The Counterfeit Silk Road: Impact of Counterfeit Consumer Products Smuggled Into the United States*, prepared by John Dunham & Associates (**Exhibit 3**).

25. Because the infringing products sold by offshore online infringers do not enter normal retail distribution channels, the US economy lost an estimated 300,000 or more full-time jobs in the wholesale and retail sectors alone in 2020. *Id.* When accounting for lost jobs from suppliers that would serve these retail and wholesale establishments, and the lost jobs that would have been induced by employees re-spending their wages in the economy, the total economic impact resulting from the sale of infringing products was estimated to cost the United States economy over 650,000 full-time jobs that would have paid over \$33.6 billion in wages and benefits. *Id.* Additionally, it is estimated that the importation of infringing goods cost the United

States government nearly \$7.2 billion in personal and business tax revenues in the same period. *Id.*

26. Online marketplace platforms like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing infringers to “routinely use false or inaccurate names and addresses when registering with these e-commerce platforms.” **Exhibit 4**, Daniel C.K. Chow, *Alibaba, Amazon, and Counterfeiting in the Age of the Internet*, 40 NW. J. INT’L L. & BUS. 157, 186 (2020); *see also* report on “Combating Trafficking in Counterfeit and Pirated Goods” prepared by the U.S. Department of Homeland Security’s Office of Strategy, Policy, and Plans (Jan. 24, 2020), attached as **Exhibit 5**, and finding that on “at least some e-commerce platforms, little identifying information is necessary for a counterfeiter to begin selling” and that “[t]he ability to rapidly proliferate third-party online marketplaces greatly complicates enforcement efforts, especially for intellectual property rights holders”. Infringers hedge against the risk of being caught and having their websites taken down from an e-commerce platform by establishing multiple virtual storefronts. **Exhibit 5** at p. 22. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, infringers can have many different profiles that can appear unrelated even though they are commonly owned and operated. **Exhibit 5** at p. 39. Further, “[e]-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of [infringing products] and [infringers].” **Exhibit 4** at 186-187. Specifically, brand owners are forced to “suffer through a long and convoluted notice and takedown procedure only [for the infringer] to reappear under a new false name and address in short order”. *Id.* at p. 161.

27. Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases; offering

shipping to the United States, including Illinois; accepting payment in U.S. dollars; and, on information and belief, selling and/or offering for sale Unauthorized Products to residents of Illinois.

28. Defendants concurrently employ and benefit from substantially similar advertising and marketing strategies. For example, Defendants facilitate sales by designing the e-commerce stores operating under the Seller Aliases so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers. E-commerce stores operating under the Seller Aliases appear sophisticated and accept payment in U.S. dollars in multiple ways, including via credit cards, Alipay, Amazon Pay, and/or PayPal. E-commerce stores operating under the Seller Aliases often include content and images that make it very difficult for consumers to distinguish their stores from an authorized retailer. Plaintiff has not licensed or authorized Defendants to use any of its Trademarks or copy or distribute its Copyrighted Works, and none of the Defendants are authorized retailers of Plaintiff's Products.

29. Many Defendants also deceive unknowing consumers by using Plaintiff's Trademarks within the content, text, and/or meta tags of their e-commerce stores to attract consumers using search engines to find websites relevant to Plaintiff's Products. Other e-commerce stores operating under the Seller Aliases omit using Plaintiff's Trademarks in the item title to evade enforcement efforts while using strategic item titles and descriptions that will trigger their listings when consumers are searching for Plaintiff's Products.

30. E-commerce store operators like Defendants commonly engage in fraudulent conduct when registering the Seller Aliases by providing false, misleading, and/or incomplete information to e-commerce platforms to prevent discovery of their true identities and the scope of their e-commerce operation.

31. E-commerce store operators like Defendants regularly register or acquire new seller aliases for the purpose of offering for sale and selling Unauthorized Products. Such seller alias registration patterns are one of many common tactics used by e-commerce store operators like Defendants to conceal their identities and the full scope and interworking of their counterfeiting operation, and to avoid being shut down.

32. Even though Defendants operate under multiple fictitious aliases, the e-commerce stores operating under the Seller Aliases often share identifiers, such as templates with common design elements that intentionally omit contact information or other information for identifying Defendants or other Seller Aliases they operate or use. E-commerce stores operating under the Seller Aliases include other common features, such as registration patterns, accepted payment methods, check-out methods, keywords, advertising tactics, similarities in price and quantities, the same incorrect grammar and misspellings, and/or the use of the same text and images. Additionally, Unauthorized Products for sale by the Seller Aliases bear similar irregularities and indicia of being unauthorized to one another, suggesting that the Unauthorized Products were manufactured by and come from a common source and that Defendants are interrelated.

33. E-commerce store operators like Defendants communicate with each other through QQ.com chat rooms and through websites such as sellerdefense.cn, ikjzd.com, kaidianyo.com, and kuajingvs.com. These websites provide tactics for operating multiple online marketplace accounts and evading detection by brand owners. The websites also tip off e-commerce store operators like Defendants of new intellectual property infringement lawsuits filed by brand owners, such as Plaintiff, and recommend that e-commerce operators cease their infringing activity, liquidate their associated financial accounts, and change the payment processors that they currently use to accept payments in their online stores.

34. Infringers, such as Defendants, typically operate under multiple seller aliases and payment accounts so that they can continue operation despite plaintiffs' enforcement. E-commerce store operators like Defendants maintain off-shore bank accounts and regularly move funds from their financial accounts to off-shore accounts outside the jurisdiction of this Court to avoid payment of any monetary judgment awarded to plaintiffs. Analysis of financial transaction logs from previous similar cases indicates that off-shore infringers regularly move funds from U.S.-based financial accounts to off-shore accounts outside the jurisdiction of this Court.

35. Defendants are working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Unauthorized Products in the same transaction, occurrence, or series of transactions or occurrences. Defendants, without any authorization or license from Plaintiff, have jointly and severally, knowingly and willfully used and continue to use Plaintiff's Trademarks and/or copies of Plaintiff's Copyrighted Works in connection with the advertisement, distribution, offering for sale, and sale of Unauthorized Products into the United States and Illinois over the Internet.

36. Defendants' unauthorized use of Plaintiff's Trademarks in connection with the advertising, distribution, offering for sale, and sale of Unauthorized Products, including the sale of Unauthorized Products into the United States, including Illinois, is likely to cause, and has caused, confusion, mistake, and deception by and among consumers and is irreparably harming Plaintiff.

COUNT I
TRADEMARK INFRINGEMENT AND COUNTERFEITING (15 U.S.C. § 1114)

37. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

38. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of Plaintiff's Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of Unauthorized Products. Plaintiff's Trademarks are highly distinctive marks. Consumers have come to expect the highest quality from Plaintiff's Products offered, sold, or marketed under Plaintiff's Trademarks.

39. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products using counterfeit reproductions of Plaintiff's Trademarks without Plaintiff's permission.

40. Plaintiff's United States registrations for Plaintiff's Trademarks are in full force and effect. Upon information and belief, Defendants have knowledge of Plaintiff's rights in Plaintiff's Trademarks and are willfully infringing and intentionally using infringing and counterfeit versions of Plaintiff's Trademarks. Defendants' willful, intentional, and unauthorized use of Plaintiff's Trademarks is likely to cause, and is causing, confusion, mistake, and deception as to the origin and quality of the Unauthorized Products among the general public.

41. Defendants' activities constitute willful trademark infringement and counterfeiting under Section 32 of the Lanham Act, 15 U.S.C. § 1114.

42. Plaintiff has no adequate remedy at law, and if Defendants' actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its Trademarks.

43. The injuries and damages sustained by Plaintiff have been directly and proximately caused by Defendants' wrongful reproduction, use of advertisement, promotion, offering to sell, and/or sale of Unauthorized Products.

COUNT II
FALSE DESIGNATION OF ORIGIN (15 U.S.C. § 1125(a))

44. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

45. Defendants' promotion, marketing, offering for sale, and sale of Unauthorized Products has created and is creating a likelihood of confusion, mistake, and deception among the general public as to the affiliation, connection, or association with Plaintiff or the origin, sponsorship, or approval of the Unauthorized Products by Plaintiff.

46. By using Plaintiff's Trademarks in connection with the offering for sale and/or sale of Unauthorized Products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the Unauthorized Products.

47. Defendants' false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the Unauthorized Products to the general public involves the use of counterfeit marks and is a willful violation of Section 43 of the Lanham Act, 15 U.S.C. § 1125.

48. Plaintiff has no remedy at law and will continue to suffer irreparable harm to its reputation and the associated goodwill of the Peppa Pig Brand if Defendants' actions are not enjoined.

COUNT III
COPYRIGHT INFRINGEMENT OF UNITED STATES COPYRIGHT
REGISTRATIONS (17 U.S.C. §§ 106 and 501)

49. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

50. Plaintiff's Copyrighted Works constitute original works and copyrightable subject matter pursuant to the Copyright Act, 17 U.S.C. § 101, *et seq.*

51. Plaintiff is the owner of its Copyrighted Works. Plaintiff has complied with the registration requirements of 17 U.S.C. § 411(a) for its Copyrighted Works. Plaintiff's Copyrighted Works are protected by copyright registration numbers which were duly issued to Plaintiff by the United States Copyright Office. At all relevant times, Plaintiff has been, and still is, the owner of all rights, title, and interest in its Copyrighted Works, which have never been assigned, licensed, or otherwise transferred to Defendants.

52. Plaintiff's Copyrighted Works are published on the Internet and available to Defendants online. As such, Defendants had access to Plaintiff's Copyrighted Works via the Internet.

53. Without authorization from Plaintiff, or any right under the law, Defendants have deliberately copied, displayed, distributed, reproduced, and/or made derivative works incorporating Plaintiff's Copyrighted Works on e-commerce stores operating under the Seller Aliases and the corresponding Unauthorized Products. Defendants' derivative works are virtually identical to and/or are substantially similar to the look and feel of Plaintiff's Copyrighted Works. Such conduct infringes and continues to infringe Plaintiff's Copyrighted Works in violation of 17 U.S.C. § 501(a) and 17 U.S.C. §§ 106(1)–(3), (5).

54. Defendants benefit from the unauthorized copying and distribution of Plaintiff's Copyrighted Works in the form of revenue and other profits through the sale of Unauthorized Products.

55. Defendants unlawfully appropriated Plaintiff's protectable expression by taking material of substance and value and creating Unauthorized Products that capture the total concept and feel of Plaintiff's Copyrighted Works.

56. On information and belief, Defendants' infringement has been willful, intentional, purposeful, and in disregard of and with indifference to Plaintiff's rights.

57. The Defendants, by their actions, have damaged Plaintiff in an amount to be determined at trial.

58. Defendants' conduct is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiff great and irreparable injury that cannot fully be compensated or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. § 502, Plaintiff is entitled to a preliminary and permanent injunction prohibiting further infringement of Plaintiff's Copyrighted Works.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants 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 Plaintiff's Trademarks or any reproductions, counterfeit 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 Plaintiff's Product or is not authorized by Plaintiff to be sold in connection with Plaintiff's Trademarks;
- b. reproducing, distributing copies of, making derivative works of, or publicly displaying Plaintiff's Copyrighted Works in any manner without the express authorization of Plaintiff;

- c. passing off, inducing, or enabling others to sell or pass off any products as Plaintiff's Product or any other product produced by Plaintiff, that is not Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under Plaintiff's Trademarks and/or Plaintiff's Copyrighted Works;
 - d. committing any acts calculated to cause consumers to believe that Defendants' Unauthorized Products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
 - e. further infringing Plaintiff's Trademarks and/or Plaintiff's Copyrighted Works and damaging Plaintiff's goodwill; and
 - f. manufacturing, shipping, delivering, holding for sale, transferring, or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear any of Plaintiff's Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof and/or which bear Plaintiff's Copyrighted Works;
- 2) Entry of an Order that, upon Plaintiff's request, those with notice of the injunction, including without limitation, any websites and/or online marketplace platforms such as AliExpress, Alibaba, Amazon, DHgate, eBay, Etsy, Fruugo, Wish, and Walmart shall disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using Plaintiff's Trademarks and/or Plaintiff's Copyrighted Works;

- 3) That Defendants account for and pay to Plaintiff all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of Plaintiff's Trademarks be increased by a sum not exceeding three times the amount thereof as provided by 15 U.S.C. § 1117;
- 4) In the alternative, that Plaintiff be awarded statutory damages for willful trademark counterfeiting pursuant to 15 U.S.C. § 1117(c)(2) of \$2,000,000 for each and every use of Plaintiff's Trademarks;
- 5) As a direct and proximate result of Defendants' infringement of Plaintiff's Copyrighted Works, Plaintiff is entitled to damages as well as Defendants' profits, pursuant to 17 U.S.C. § 504(b);
- 6) Alternatively, and at Plaintiff's election prior to any final judgment being entered, Plaintiff is entitled to the maximum amount of statutory damages provided by law, \$150,000 per work infringed pursuant to 17 U.S.C. § 504(c), or for any other such amount as may be proper pursuant to 17 U.S.C. § 504(c);
- 7) Plaintiff is further entitled to recover its attorney's fees and full costs for bringing this action pursuant to 17 U.S.C. § 505 and 17 U.S.C. § 1117(a); and
- 8) Award any and all other relief that this Court deems just and proper.

Dated this 9th day of March 2023.

Respectfully submitted,

/s/ Martin F. Trainor
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