

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

GENERAL MOTORS LLC,

Plaintiff,

v.

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

Defendants.

Case No. 23-cv-03171

**COMPLAINT**

Plaintiff General Motors LLC (hereinafter, “GM” or “Plaintiff”) hereby brings the present action against the Partnerships and Unincorporated Associations identified on Schedule A attached hereto (collectively, the “Defendants”) and alleges as follows:

**I. JURISDICTION AND VENUE**

1. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051, *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 properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive e-commerce stores operating under the seller aliases identified in 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 using one or more Seller Aliases, offer shipping to the United States, including Illinois,

accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on information and belief, have sold products using infringing and counterfeit versions of GM's federally registered trademarks to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused GM substantial injury in the State of Illinois.

## **II. INTRODUCTION**

3. This action has been filed by GM to combat e-commerce store operators who trade upon GM's reputation and goodwill by offering for sale and/or selling unauthorized and unlicensed products, including automotive accessories, key chains, apparel, and home decor products using infringing and counterfeit versions of GM's federally registered trademarks (the "Counterfeit Chevrolet Products"). Defendants create e-commerce stores operating under one or more Seller Aliases that are advertising, offering for sale, and selling Counterfeit Chevrolet Products to unknowing consumers. E-commerce stores operating under the Seller Aliases share unique identifiers establishing a logical relationship between them and that Defendants' counterfeiting operation arises out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid and mitigate liability by operating under one or more Seller Aliases to conceal both their identities and the full scope and interworking of their counterfeiting operation. GM is forced to file this action to combat Defendants' counterfeiting of its registered trademarks, as well as to protect unknowing consumers from purchasing Counterfeit Chevrolet Products over the Internet. GM has been and continues to be irreparably damaged through consumer confusion, dilution, and tarnishment of its valuable trademarks as a result of Defendants' actions and seeks injunctive and monetary relief.

### III. THE PARTIES

#### Plaintiff

4. Plaintiff General Motors LLC is a limited liability company of the State of Delaware, having its principal place of business at 300 Renaissance Center, Detroit, Michigan 48265-3000.

5. GM, one of the most preeminent automotive brands in the world, was founded in 1908 as a separate and successor company to the already famous Durant-Dort Carriage Company, which had been the largest manufacturer of horse drawn vehicles prior to the explosion of automobiles. From its founding in 1908 to present day, GM has remained at the forefront of the automotive industry. For more than 75 years, GM has been one of the largest producers of automotive vehicles in the world, with more than 7 million vehicles sold to consumers yearly, resulting in more than 130 billion dollars in revenue.

6. Chevrolet was founded in 1911 with the backing of GM Co-Founder William C. Durant. Chevrolet is associated with some of the most famous and storied brands in the automotive industry, including Chevy, Corvette, Camaro, El Camino, Silverado, and Impala. In 2020, over 1.5 million automobiles were sold in the United States under the Chevrolet brand.

7. Propelled by its reputation and recognizable trademarks, which are carefully curated and monitored, consumers recognize GM and its Chevrolet brand as a source of reliable and quality vehicles, vehicle parts and accessories, miniature vehicles and toys, and various other lifestyle products (collectively, the “Chevrolet Products”). GM has registered many of its trademarks with the United States Patent and Trademark Office. Chevrolet Products typically include at least one of GM’s registered trademarks. GM uses its trademarks in connection with the

marketing of its Chevrolet Products, including the following marks which are collectively referred to as the “Chevrolet Trademarks.”

| Registration No. | Trademark | Class | Goods and Services  |
|------------------|-----------|-------|---|
| 647,235          | CHEVROLET | 037   | Maintenance and repair service for automotive vehicles, parts, and accessories  |
| 1,471,518        | CHEVROLET | 028   | Toys and playthings, namely, toy vehicles, toy cars, toy model hobbycraft kits  |
| 1,661,627        | CHEVROLET | 012   | Motor land vehicles, namely, automobiles, passenger vans, cargo vans, sport utility vehicles, pick-up trucks, commercial land vehicles, namely, automobiles, trucks, vans, sport utility vehicles, chassis for the foregoing and any combination thereof and structural parts therefor, engines therefor, and structural parts thereof; cabs and chassis for trucks; chassis for vans |
| 1,667,108        | CHEVROLET | 042   | Automobile and truck dealership services  |
| 1,708,169        | CHEVROLET | 016   | Printed materials, namely, manuals, brochures, and catalogs pertaining  |

|           |                  |     |   |
|-----------|------------------|-----|---|
|           |                  |     | to the features and controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles  |
| 2,309,369 | CHEVROLET        | 024 | Cloth banners, cloth flags and bed blankets   |
| 2,311,214 | CHEVROLET        | 006 | Metal license plates  |
| 2,348,249 | CHEVROLET        | 025 | Shirts, sweaters, jackets, hats, clothing ties, pants and shorts  |
| 2,522,861 | CHEVROLET        | 028 | Christmas tree ornaments, collectible toy cars, die cast vehicle models, golf bags, golf balls, peddle cars, plastic toy vehicle model hobbycraft kits, plastic toy model kit cars, radio controlled cars |
| 2,563,091 | CHEVROLET        | 006 | Metal money clips, metal knobs, non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs, metal key rings, metal license plates                                    |
| 2,469,555 | CHEVROLET RACING | 016 | Pressure sensitive graphics, namely, decals, stickers, bumper stickers  |
| 4,321,360 | CHEVROLET SPARK  | 012 | Motor land vehicles, namely, automobiles  |
| 2,313,769 | CHEVROLET USA-1  | 006 | Metal license plates  |
| 3,506,116 | CHEVROLETOR      | 028 | Toy vehicles  |

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|-----------|--------------|-----|---|
| 2,357,128 | CHEVY        | 016 | Pressure sensitive graphics for application to automobiles and automobile dealership windows, decals, stickers, bumper stickers, calendars                                  |
| 2,308,986 | CHEVY        | 025 | Shirts, sweaters, jackets, hats, shorts   |
| 1,494,385 | CHEVY        | 028 | Toys and playthings; namely, toy vehicles, toy cars, toy model battery-operated remote and radio-controlled toy vehicles, friction powered toy vehicles and hobbycraft kits |
| 2,543,117 | CHEVY TRUCKS | 021 | Can wraps, mugs   |
| 2,609,931 | CHEVY TRUCKS | 025 | Clothing, namely, caps, coat, hats, jackets, and t-shirts   |
| 2,649,537 | CHEVY TRUCKS | 020 | Chairs, non-metal license plates  |
| 2,313,756 | CAMARO       | 006 | Metal license plates  |
| 2,356,823 | CAMARO       | 025 | Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits, pants and shorts  |
| 2,654,526 | CAMARO       | 020 | Non-metal license plates, pillows, plastic flags, seat cushions, stools   |
| 3,126,223 | CAMARO       | 012 | Automobile bumpers, automotive windshield shade screens, fitted   |

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|-----------|-------------|-----|---|
|           |             |     | covers for vehicles, vehicle seat covers  |
| 3,628,953 | CAMARO      | 012 | Motor land vehicles, namely, automobiles, engines therefor and structural parts thereof   |
| 4,246,081 | CAMARO      | 028 | Toy vehicles  |
| 4,246,082 | CAMARO      | 009 | Video game software   |
| 1,470,779 | CAMARO Z-28 | 028 | Toys and playthings, namely, toy vehicles, toy cars, toy model hobbycraft kits  |
| 2,866,966 | AVALANCHE   | 012 | Motor land vehicles, namely automobiles, trucks, sport utility vehicles, vans, engines therefor and structural parts thereof excluding railcars or parts thereof  |
| 5,751,576 | BLAZER      | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks and vans   |
| 1,711,664 | BLAZER      | 016 | Printed materials; namely, manuals, brochures, and catalogs pertaining to the features and controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles |
| 2,656,665 | BLAZER      | 020 | Non-metal license plates  |
| 2,561,229 | BEL AIR     | 006 | Non-luminous and non-mechanical   |

|           |          |                                     |   |
|-----------|----------|-------------------------------------|---|
|           |          |                                     | metal street signs, non-luminous and non-mechanical parking signs, non-luminous and non-mechanical tin signs, metal key rings, and metal license plates   |
| 4,394,946 | BEL AIR  | 012                                 | Exterior and interior badges for motor land vehicles  |
| 2,059,324 | BEL AIR  | 028                                 | Scale models of automobiles   |
| 3,185,665 | C6       | 006;<br>016;<br>021;<br>024;<br>025 | Metal key chains<br><br>Pens<br><br>Mugs, beverage glassware, and thermal-insulated containers for food or beverages<br><br>Fleece blankets<br><br>Clothing, namely, jackets, shirts, sweatshirts, and t-shirts |
| 4,646,598 | CANYON   | 012                                 | Motor land vehicles, namely, trucks   |
| 2,311,794 | CHEVELLE | 006                                 | Metal license plates  |
| 4,431,312 | CHEVELLE | 012                                 | Exterior badges for vehicles  |
| 4,431,313 | CHEVELLE | 025                                 | Clothing, namely, t-shirts, hats, sweatshirts   |
| 4,431,314 | CHEVELLE | 028                                 | Toy vehicles  |
| 4,431,315 | CHEVELLE | 027                                 | Floor mats for vehicles   |





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|-----------|-----------------|-----|--|
| 4,646,599 | COLORADO        | 012 | Motor land vehicles, namely, trucks  |
| 5,350,973 | COMMERCIAL LINK | 009 | Software application which allows subscribers to obtain vehicle information                          |
| 5,138,021 | COOL SHIELD     | 002 | Corrosion-inhibiting coating sold as a component ingredient of brake rotors for land vehicles        |
| 3,970,828 | COPO            | 012 | Automobile engines and structural parts  |
| 4,151,421 | COPO            | 012 | Automobiles  |
| 5,726,814 | COPO            | 025 | Shirts and short-sleeved shirts, polo shirts, sweat shirts, jackets, baseball caps and hats, beanies |
| 1,467,522 | CORVETTE        | 028 | Toys and playthings, namely, toy vehicles, toy cars, toy model hobbycraft kits                       |
| 1,494,171 | CORVETTE        | 014 | Jewelry; namely, quartz watches  |
| 1,494,980 | CORVETTE        | 009 | Eyeglasses   |
| 1,495,033 | CORVETTE        | 012 | Motor vehicles; namely, automobiles, engines therefor, and structural parts thereof                  |
| 1,792,602 | CORVETTE        | 016 | Printed materials; namely, manuals, brochures, and catalogs pertaining to the features and           |







|           |               |     |   |
|-----------|---------------|-----|---|
|           |               |     | controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles  |
| 2,311,215 | CORVETTE      | 006 | Metal license plates  |
| 2,314,485 | CORVETTE      | 025 | Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits and shorts   |
| 2,463,898 | CORVETTE      | 006 | Metal money clips, metal gear shift knobs, non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs, metal key rings, metal license plates |
| 3,147,782 | CORVETTE C6   | 025 | Clothing, namely, shirts, sweatshirts and t-shirts  |
| 5,643,759 | CRUZE PREMIER | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks, vans, engines therefor and structural parts thereof   |
| 4,382,628 | EL CAMINO     | 012 | Upholstery for motor land vehicles; exterior and interior badges for motor land vehicles  |
| 2,854,854 | EQUINOX       | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks, vans, engines therefor  |





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|           |                   |     | and structural parts thereof  |
| 2,757,501 | EXPRESS ACCESS    | 012 | Motor land vehicles, namely, vans, engines therefor, and structural parts thereof   |
| 2,308,987 | GENUINE CHEVROLET | 006 | Metal license plates  |
| 2,538,435 | GENUINE CHEVROLET | 021 | Beverage glassware, coasters, cups  |
| 2,678,108 | GENUINE CHEVROLET | 009 | Neon signs  |
| 4,444,192 | HIGH COUNTRY      | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks and vans   |
| 661,322   | IMPALA            | 012 | Automobiles   |
| 2,311,798 | IMPALA            | 006 | Metal license plates  |
| 2,669,222 | IMPALA            | 020 | non-metal license plates, stools  |
| 4,275,949 | L88               | 016 | Decals  |
| 4,275,878 | L88               | 012 | Exterior and interior badges for motor land vehicles  |
| 4,382,776 | LT-1              | 016 | Decals  |
| 4,713,011 | LT1               | 012 | Engines for automobiles, sport utility vehicles, trucks and vans  |
| 2,092,090 | MALIBU            | 012 | Motor vehicles, namely, automobiles, engines therefor and structural parts thereof  |
| 2,663,321 | MALIBU            | 020 | Desk ornaments made of bone, ivory, plaster, plastic, wax, wood, china, crystal, glass and porcelain, non-metal key chains, |


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|           |                |     | non-metal key fobs, non-metal key holders, non-metal key rings, nonmetal key tags, non-metal license plates, mirrors, non-metal money clips, picture frames, seat cushions and stools |
| 5,675,518 | MALIBU PREMIER | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks, vans, engines therefor and structural parts thereof   |
| 2,430,738 | MONTE CARLO    | 006 | Metal license plates  |
| 2,681,174 | MONTE CARLO    | 020 | Non-metal license plates  |
| 2,637,279 | ROADRESPONSE   | 012 | Struts and shock absorbers for land motor vehicle suspensions   |
| 1,039,220 | SILVERADO      | 012 | Motor vehicles; namely, trucks  |
| 1,519,946 | STINGRAY       | 028 | Toys and playthings; namely, toy vehicles, toy cars, battery-operated remote and radio-controlled toy vehicles, and toy model hobbycraft kits   |
| 1,750,042 | STINGRAY       | 012 | Nameplates for motor land vehicles  |
| 4,436,811 | STINGRAY       | 012 | Motor land vehicles, namely, automobiles  |
| 1,490,090 | SUBURBAN       | 012 | Motor vehicles, namely, trucks, engines thereof and   |





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|-----------|------------|-----|---|
|           |            |     | structural parts therefor   |
| 2,652,035 | SUBURBAN   | 020 | Non-metal license plates  |
| 1,880,529 | TAHOE      | 012 | Motor vehicles, namely trucks, engines therefor, and structural parts thereof   |
| 2,652,036 | TAHOE      | 020 | Non-metal license plates  |
| 3,537,570 | TRAVERSE   | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks, vans, engines therefor and structural parts thereof |
| 4,704,309 | TRAX       | 012 | Motor land vehicles, namely, automobiles, sport utility vehicles, trucks, vans, engines therefor and structural parts thereof |
| 4,275,899 | TURBO-FIRE | 016 | Decals  |
| 4,275,896 | TURBO-JET  | 012 | Exterior and interior badges for motor land vehicles  |
| 4,275,897 | TURBO-JET  | 016 | Decals  |
| 2,316,536 | Z/28       | 025 | Shirts, Jackets, Hats   |
| 2,008,406 | Z71        | 012 | Modified off road chassis sold as components of trucks  |
| 2,308,988 | Z71        | 025 | Shirts, jackets, hats   |
| 2,654,527 | Z71        | 020 | Non-metal license plates  |
| 4,279,992 | ZR2        | 016 | Decals  |
| 5,566,056 | ZR2        | 012 | Motor land vehicles, namely, automobiles, sport   |






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|           |   |     | utility vehicles, trucks, vans, engines therefor and structural parts thereof  |
| 4,172,493 | ZL1   | 012 | Motor land vehicles, namely, automobiles   |
| 4,117,179 | ZL1   | 007 | Automotive engine blocks   |
| 216,070   | CHEVROLET   | 012 | Automobiles  |
| 1,540,658 |    | 028 | Toys and playthings; namely, toy vehicles, toy cars, battery-operated remote and radio-controlled toy vehicles, friction-powered toy vehicles, and toy model hobbycraft kits |
| 647,236   |  | 037 | Maintenance and repair service for automotive vehicles, parts, and accessories   |
| 2,311,397 |  | 025 | Shirts, jackets, hats, clothing ties and shorts  |
| 2,563,092 |  | 006 | Non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs  |



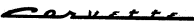

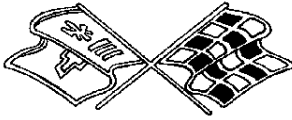
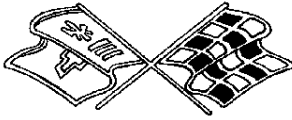


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| 2,678,153 |    | 020 | Non-metal license plates, stools   |
| 1,540,884 |    | 037 | Maintenance and repair services for motor vehicles, parts and accessories  |
| 2,311,791 |    | 006 | Metal license plates   |
| 2,311,792 |   | 025 | Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits, pants and shorts   |
| 2,311,918 |  | 024 | Cloth banners, cloth flags, and bed blankets   |
| 2,538,436 |  | 021 | Beverage glassware, bottle openers, can wraps, coasters, coolers, cups, mugs, ornament replicas of vehicles made of glass, crystal and ceramic |



|           |   |     |   |
|-----------|---|-----|---|
| 2,550,170 |    | 028 | Christmas tree ornaments, collectible toy cars, diecast vehicle models, peddle cars, plastic vehicle kits, plastic vehicle models, radio controlled cars  |
| 2,562,025 |    | 014 | Charms, clocks, cuff-links, earrings, lapel pins, money clips, pendants, rings, watches   |
| 2,578,898 |    | 025 | Gloves, headbands, rainwear, scarves, sleepwear, socks, sweaters, and vests   |
| 2,734,714 |  | 009 | Binoculars; calculators; photographic cameras; directional compasses; computer mouse pads; computer mice; computer game software for use in arcade games, hand held electronic games and video games; computer screen saver software; electric signs; eyeglass cases; eyeglasses; computer and video game cartridges; |









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|           |   |     | <p>video game<br/>interactive hand<br/>held remote<br/>controls for playing<br/>electronics games;<br/>hand held joy stick<br/>units for playing<br/>video games;<br/>graduated rulers;<br/>interactive video<br/>games of virtual<br/>reality comprised<br/>of computer<br/>software and<br/>hardware;<br/>decorative<br/>magnets;<br/>magnifying glasses;<br/>neon signs;<br/>prerecorded<br/>videotapes<br/>featuring<br/>information on<br/>automobiles; radio<br/>antennas; radios;<br/>sunglasses; tape<br/>measures;<br/>telephones;<br/>thermometers not<br/>for medical use;<br/>tire pressure<br/>gauges; video<br/>rewinders; yard<br/>sticks</p> |
| 2,736,654 |  | 020 | <p>Chairs, non-metal<br/>license plates,<br/>mirrors, picture<br/>frames, pillows,<br/>plastic flags, stools</p>   |










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| 2,779,456 |    | 006 | Metal banks, metal decorative boxes, ingots of common metal, metal key chains, metal key fobs, metal key rings, metal keys, license plates made of metal, non-luminous and non-mechanical metal signs, money clips made of metal, ornamental replicas of vehicles made of metal, non-luminous and non-mechanical parking signs made of metal, non-luminous and non-mechanical street signs made of metal, metal tool boxes |
| 95,398    |  | 012 | Automobiles, motor-vehicles, and parts thereof   |
| 1,519,942 |  | 028 | Toys and play-things; namely, toy vehicles, toy cars, battery-operated remote and radio-controlled toy vehicles, friction-powered toy vehicles, and toy model hobbycraft kits  |
| 1,530,792 |  | 014 | Clocks   |


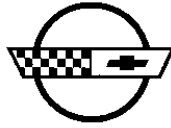

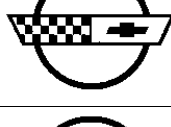



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|-----------|---|-----|---|
| 1,661,628 |    | 012 | Motor land vehicles, namely, automobiles, passenger vans, cargo vans, sport utility vehicles, pick-up trucks, commercial land vehicles, namely, automobiles, trucks, vans, sport utility vehicles, chassis for the foregoing and any combination thereof and structural parts therefor, engines therefor, and structural parts thereof; cabs and chassis for trucks; chassis for vans |
| 1,668,924 |  | 042 | Automobile and truck dealership services  |
| 2,555,071 |  | 006 | Metal license plates  |
| 2,463,897 |  | 006 | Non-mechanical metal street signs, non-mechanical metal parking signs, non-mechanical tin signs, metal license plates.  |
| 2,311,398 |  | 025 | Shirts, jackets, hats   |







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|-----------|---|-----|--|
| 2,314,496 |    | 006 | Metal license plates   |
| 2,349,821 |    | 016 | Pressure sensitive graphics for application to automobiles, decals, stickers, bumper stickers and calendars  |
| 579,485   |    | 012 | Automobiles  |
| 2,311,399 |    | 025 | Shirts, jackets, hats, clothing ties, sweat suits  |
| 2,631,880 |   | 016 | Automotive books, bank checks, calendars, decals, pictures, posters  |
| 2,654,528 |  | 020 | Chairs, non-metal license plates, plastic flags, stools  |
| 2,750,257 |  | 020 | Desk ornaments made of plastic, and wood, jewelry boxes not of metal, non-metal key chains, non-metal key fobs, non-metal key holders, non-metal key rings, non-metal key tags, non-metal novelty license plates, non-metal money clips, picture frames, plaques |
| 2,232,346 |  | 016 | Printed materials; namely, manuals, brochures, and catalogs pertaining to the features and   |







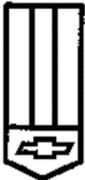

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|           |   |   | controls, operation, maintenance, service and repair, and technical facts and specifications of motor vehicles   |
| 2,242,877 |   | 009,<br>014,<br>016,<br>018,<br>021,<br>025 | Sunglasses, eyeglass cases and computer peripheral mouse pads<br><br>Jewelry, namely, tie tacks, lapel pins, watches and charms<br><br>Note pads, playing cards, posters<br><br>Umbrellas, luggage, gym bags, leather key fobs, briefcase-type portfolios, attache cases and wallets<br><br>Mugs, portable coolers, coasters not of paper and not being table linen and beverage glassware<br><br>Shirts, sweaters, jackets, hats, clothing ties, sweat suits and shorts |
| 2,683,719 |  | 020   | Chairs, non-metal license plates, picture frames, pillows, stools  |









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| 3,739,089 |    | 009 | Sunglasses, sunglass cases, computer mouse, laptop carrying cases, CD cases, neon signs                              |
| 3,739,090 |    | 012 | Fitted dashboard covers for vehicles, vehicle tire valve stem caps, fitted covers for vehicles, license plate frames |
| 3,739,092 |    | 018 | Wallets, duffle bags, backpacks, umbrellas, trunks   |
| 3,739,093 |   | 020 | Stools   |
| 3,739,094 |  | 021 | Beverage glassware, mugs, travel insulated beverage containers   |
| 3,739,096 |  | 025 | Clothing, namely, t-shirts, hats, jackets, shirts, sweatshirts, coats, bandanas                                      |
| 3,739,097 |  | 027 | Floor mats for vehicles  |
| 3,739,098 |  | 028 | Toy vehicles   |









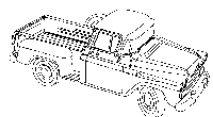
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| 4,482,475 |    | 012 | Motor land vehicles, namely, automobiles, engines therefor and structural parts thereof  |
| 4,597,263 |    | 028 | Toy vehicles, ride-on toy vehicles, remote controlled toy vehicles                       |
| 4,601,524 |    | 014 | Lapel pins, watches  |
| 4,601,525 |    | 016 | Posters, pens, calendars, blank journal books  |
| 4,601,526 |  | 021 | Mugs, travel mugs, drinking glasses, water bottles sold empty, portable beverage coolers |
| 4,601,527 |  | 025 | Shirts, hats, jackets, coats, pullovers  |
| 4,719,036 |  | 006 | Non-luminous and non-mechanical metal signs  |
| 4,719,043 |  | 018 | Duffel bags, leather credit card cases   |
| 1,491,293 |  | 028 | Toys and playthings; namely, toy vehicles, toy cars, toy model                           |


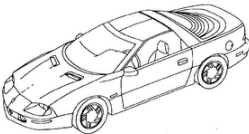
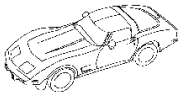
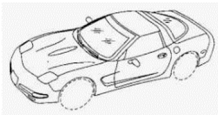
|           |   |   |   |
|-----------|---|---|---|
|           |   |   | hobbycraft kits, battery-operated remote and radio-controlled toy vehicles; and friction powered toy vehicles   |
| 1,494,172 |    | 014   | Jewelry; namely quartz watches and gold rings   |
| 2,311,917 |    | 025   | Shirts, sweaters, jackets, blazers, hats, clothing ties, sweat suits, pants and shorts  |
| 2,545,133 |    | 016   | Decals  |
| 2,578,899 |   | 025   | Sleepwear   |
| 2,666,595 |  | 020   | Chairs, non-metal license plates, plastic flags, stools   |
| 6,190,715 |  | 012   | Motor land vehicles, namely, automobiles, engines therefor and structural parts thereof   |
| 6,639,689 |  | 006,<br>014,<br>016,<br>018,<br>021,<br>025,<br>028 | Non-luminous and non-mechanical metal signs<br><br>Lapel pins, watches<br><br>Posters, pens, calendars, blank journal books<br><br>Duffel bags, leather credit card cases |

|           |   |     |   |
|-----------|---|-----|---|
|           |   |     | <p>Mugs, travel mugs, drinking glasses, water bottles sold empty, non-electric portable beverage coolers</p> <p>Shirts, hats, jackets, coats, pullovers</p> <p>Toy vehicles, remote controlled toy vehicles</p> |
| 6,433,801 |    | 012 | Vehicle windshields; vehicle windows  |
| 3,650,649 |   | 006 | Metal holiday ornaments; sculptures made of metal   |
| 3,650,651 |  | 016 | Posters, decals, pressure sensitive graphics for application to automobiles, desktop business card holders  |
| 3,650,654 |  | 021 | Beverage glassware  |
| 3,650,657 |  | 022 | Lanyards for holding badges and passes  |
| 4,514,976 |  | 012 | Motor land vehicles, namely, automobiles  |

|           |   |     |  |
|-----------|---|-----|--|
| 4,597,272 |    | 021 | Mugs, travel mugs  |
| 4,597,273 |    | 025 | Shirts, hats   |
| 4,597,275 |    | 028 | Toy vehicles, ride-on toy vehicles, remote controlled toy vehicles |
| 4,597,292 |    | 006 | Non-luminous and non-mechanical metal signs                        |
| 4,601,531 |  | 014 | Lapel pins   |
| 4,601,532 |  | 016 | Pens, posters, blank journal books                                 |
| 2,700,379 |  | 020 | Chairs, non-metal license plates                                   |
| 4,863,379 |  | 025 | Clothing, namely, hats and shirts                                  |

|           |   |     |  |
|-----------|---|-----|--|
| 4,863,380 |    | 014 | Lapel pins   |
| 4,863,381 |    | 006 | Non-luminous and non-mechanical metal signs  |
| 4,863,382 |    | 016 | Posters, calendars   |
| 4,863,383 |    | 020 | Decorative mirror  |
| 4,863,384 |   | 021 | Stone coasters   |
| 5,004,543 |  | 012 | Motor land vehicles, namely, automobiles   |
| 1,506,101 |  | 028 | Toys and playthings; namely, toy vehicles, toy cars, battery-operated remote and radio-controlled toy vehicles, friction-powered toy vehicles, and toy model hobbycraft kits |
| 2,346,738 |  | 025 | Shirts, jackets, and hats  |

|           |   |     |  |
|-----------|---|-----|--|
| 1,898,835 |    | 012 | Motor vehicles, namely automobiles, engines therefor, and structural parts thereof   |
| 2,346,737 |    | 025 | Shirts, jackets, hats, pants   |
| 2,346,904 |    | 016 | Stickers and calendars   |
| 2,349,761 |    | 006 | Metal license plates   |
| 2,756,065 |  | 020 | Non-metal key chains, non-metal key fobs, non-metal key holders, non-metal key rings, non-metal key tags, non-metal novelty license plates |
| 2,721,375 |  | 020 | Key fobs, key tags, key chains and key rings not made of metal; non-metal license plates   |
| 6,364,458 |  | 012 | Vehicle windshields; vehicle windows   |
| 2,705,700 |  | 028 | Toy vehicles   |
| 2,705,698 |  | 028 | Toy vehicles   |

|           |   |     |   |
|-----------|---|-----|---|
| 2,705,697 |  | 028 | Toy vehicles  |
| 2,705,702 |  | 028 | Toy vehicles  |
| 2,708,261 |  | 028 | Toy vehicles  |
| 3,161,525 |  | 028 | Miniature models of vehicles, toy vehicles, toy model hobby kits for the construction of toy vehicles, collectable toy cars |

8. The above U.S. registrations for the Chevrolet Trademarks are valid, subsisting, in full force and effect, and many are incontestable pursuant to 15 U.S.C. § 1065. The registrations for the Chevrolet Trademarks constitute *prima facie* evidence of their validity and of GM's exclusive right to use the Chevrolet Trademarks pursuant to 15 U.S.C. § 1057(b). True and correct copies of the United States Registration Certificates for the above-listed Chevrolet Trademarks are attached hereto as **Exhibit 1**.

9. The Chevrolet Trademarks are distinctive when applied to the Chevrolet Products, signifying to the purchaser that the products come from GM and are manufactured to GM's quality standards. Whether GM manufactures the products itself or contracts with others to do so, GM has ensured that products bearing the Chevrolet Trademarks are manufactured to the highest quality standards.

10. The Chevrolet Trademarks are famous marks, as that term is used in 15 U.S.C. § 1125(c)(1), and have been used by GM for many years. The innovative marketing and product

designs of the Chevrolet Products have enabled the Chevrolet brand to achieve widespread recognition and fame and have made the Chevrolet Trademarks some of the most well-known marks in the industry. The widespread fame, outstanding reputation, and significant goodwill associated with the Chevrolet brand have made the Chevrolet Trademarks valuable assets of GM.

11. GM has expended substantial time, money, and other resources in developing, advertising and otherwise promoting the Chevrolet Trademarks. In fact, GM has expended millions of dollars annually in advertising, promoting, and marketing featuring the Chevrolet Trademarks. Chevrolet Products have also been the subject of extensive unsolicited publicity resulting from their high quality, performance, and innovative design. As a result, products bearing the Chevrolet Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being high-quality products sourced from GM. Chevrolet Products have become among the most popular of their kind in the U.S. and the world. The Chevrolet Trademarks have achieved tremendous fame and recognition which has only added to the distinctiveness of the marks. As such, the goodwill associated with the Chevrolet Trademarks is of incalculable and inestimable value to GM.

12. Chevrolet Products are sold online via the chevrolet.com website and through authorized dealers and licensees, including several in the Chicago area. Sales of Chevrolet Products via the chevrolet.com website are significant. The chevrolet.com website features proprietary content, images, and designs exclusive to the Chevrolet brand.

### **The Defendants**

13. Defendants are individuals and business entities of unknown makeup who own and/or operate one or more of the e-commerce stores under at least 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 the People's Republic of China or other foreign jurisdictions, or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

14. 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 operations make it virtually impossible for Plaintiff to learn Defendants' true identities and the exact interworking of their counterfeit network. If Defendants provide additional credible information regarding their identities, Plaintiff will take appropriate steps to amend the Complaint.

#### IV. DEFENDANTS' UNLAWFUL CONDUCT

15. The success of the Chevrolet brand has resulted in significant counterfeiting of the Chevrolet Trademarks. Consequently, GM has a worldwide anti-counterfeiting program and regularly investigates suspicious e-commerce stores identified in proactive Internet sweeps and reported by consumers. In recent years, GM has identified many fully interactive, e-commerce stores offering Counterfeit Chevrolet Products on online marketplace platforms such as Amazon, eBay, AliExpress, Alibaba, Walmart, Wish.com, Etsy, and DHgate, 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 U.S. Customs and Border Protection (CBP) report, in 2021, CBP made over 27,000 seizures of goods with intellectual property rights (IPR) violations totaling over \$3.3 billion, an increase of \$2.0 billion from 2020. *Intellectual Property Rights Seizure Statistics, Fiscal Year 2021*, U.S. Customs and Border Protection (**Exhibit 2**). Of the 27,000 in total IPR seizures, over 24,000 came through international mail and express

courier services (as opposed to containers), most of which originated from China and Hong Kong. *Id.*

16. Third party service providers like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing counterfeiters to “routinely use false or inaccurate names and addresses when registering with these e-commerce platforms.” **Exhibit 3**, 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 4** and finding that on “at least some e-commerce platforms, little identifying information is necessary for a counterfeiter to begin selling” and recommending that “[s]ignificantly enhanced vetting of third-party sellers” is necessary. Counterfeiters hedge against the risk of being caught and having their websites taken down from an e-commerce platform by preemptively establishing multiple virtual store-fronts. **Exhibit 4** at 22. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, counterfeiters can have many different profiles that can appear unrelated even though they are commonly owned and operated. **Exhibit 4** at 39. Further, “E-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of counterfeits and counterfeiters.” **Exhibit 3** at 186-187.

17. 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, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on information and belief, have sold Counterfeit Chevrolet Products to residents of Illinois.

18. Defendants concurrently employ and benefit from substantially similar advertising and marketing strategies. For example, Defendants facilitate sales of Counterfeit Chevrolet Products 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 and/or funds from U.S. bank accounts 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 such stores from an authorized retailer. On information and belief, Plaintiff has not licensed or authorized Defendants to use any of the Chevrolet Trademarks, and none of the Defendants are authorized retailers of genuine Chevrolet Products.

19. Many Defendants also deceive unknowing consumers by using one or more Chevrolet Trademarks without authorization within the content, text, and/or meta-tags of their e-commerce stores to attract various search engines crawling the Internet looking for websites relevant to consumer searches for Chevrolet Products. Other e-commerce stores operating under Seller Aliases omit using Chevrolet 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 Chevrolet Products.

20. 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.

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

22. Even though Defendants operate under multiple fictitious aliases, the e-commerce stores operating under the Seller Aliases often share unique identifiers, such as templates with common design elements that intentionally omit any 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 notable common features such as use of the same 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, Counterfeit Chevrolet Products for sale by the Seller Aliases bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Counterfeit Chevrolet Products were manufactured by and come from a common source and that Defendants are interrelated.

23. E-commerce store operators like Defendants are in constant communication with each other and regularly participate in QQ.com chat rooms and through websites such as sellerdefense.cn, kaidianyo.com and kuajingvs.com regarding tactics for operating multiple accounts, evading detection, pending litigation, and potential new lawsuits.

24. Counterfeiters such as Defendants typically operate under multiple seller aliases and payment accounts so that they can continue operation in spite of GM's 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 GM. Indeed, analysis of financial account transaction logs from previous similar cases indicates that off-shore counterfeiters regularly move funds from U.S.-based financial accounts to off-shore accounts outside the jurisdiction of this Court.

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

26. Defendants' unauthorized use of the Chevrolet Trademarks in connection with the advertising, distribution, offering for sale, and sale of Counterfeit Chevrolet Products, including the sale of Counterfeit Chevrolet 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 GM.

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

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

28. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of the federally registered Chevrolet Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. The Chevrolet Trademarks are highly distinctive marks. Consumers have come

to expect the highest quality from Chevrolet Products sold or marketed under the Chevrolet Trademarks.

29. 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 the Chevrolet Trademarks without GM's permission.

30. GM is the exclusive owner of the Chevrolet Trademarks. GM's United States Registrations for the Chevrolet Trademarks (**Exhibit 1**) are in full force and effect. On information and belief, Defendants have knowledge of GM's rights in the Chevrolet Trademarks and are willfully infringing and intentionally using counterfeits of the Chevrolet Trademarks. Defendants' willful, intentional, and unauthorized use of the Chevrolet Trademarks is likely to cause and is causing confusion, mistake, and deception as to the origin and quality of the Counterfeit Chevrolet Products among the general public.

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

32. GM has no adequate remedy at law and, if Defendants' actions are not enjoined, GM will continue to suffer irreparable harm to its reputation and the goodwill of its well-known Chevrolet Trademarks.

33. The injuries and damages sustained by GM have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offering to sell, and sale of Counterfeit Chevrolet Products.

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

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

35. Defendants' promotion, marketing, offering for sale, and sale of Counterfeit Chevrolet 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 GM or the origin, sponsorship, or approval of Defendants' Counterfeit Chevrolet Products by GM.

36. By using the Chevrolet Trademarks in connection with the sale of Counterfeit Chevrolet Products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the Counterfeit Chevrolet Products.

37. Defendants' false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the Counterfeit Chevrolet 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.

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

### **PRAYER FOR RELIEF**

WHEREFORE, GM 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 the Chevrolet Trademarks or any reproductions, counterfeit copies, or colorable imitations thereof in any manner in connection with the distribution, promotion, marketing, advertising, offering for sale, or sale of any product that is not a genuine

Chevrolet Product or is not authorized by GM to be sold in connection with the Chevrolet Trademarks;

- b. passing off, inducing, or enabling others to sell or pass off any products as genuine Chevrolet Products or any other products produced by GM that are not GM's, or not produced under the authorization, control, or supervision of GM and approved by GM for sale under the Chevrolet Trademarks;
  - c. committing any acts calculated to cause consumers to believe that Defendants' Counterfeit Chevrolet Products are those sold under the authorization, control, or supervision of GM, or are sponsored by, approved by, or otherwise connected with GM;
  - d. further infringing the Chevrolet Trademarks and damaging GM's goodwill; and
  - e. 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 GM, nor authorized by GM to be sold or offered for sale, and which bear any of GM's trademarks, including the Chevrolet Trademarks, or any reproductions, counterfeit copies, or colorable imitations thereof;
- 2) Entry of an Order that, upon GM's request, those with notice of the injunction, including, without limitation, any online marketplace platforms such as eBay, AliExpress, Alibaba, Amazon, Walmart, Wish.com, Etsy, and DHgate (collectively, the "Third Party Providers") shall disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the Chevrolet Trademarks;

- 3) That Defendants account for and pay to GM all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of the Chevrolet 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 GM 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 the Chevrolet Trademarks;
- 5) That GM be awarded its reasonable attorneys' fees and costs; and
- 6) Award any and all other relief that this Court deems just and proper.

Dated this 19th day of May 2023.

Respectfully submitted,

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