

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

Shenzhenshi Jingyida Trading Co., Ltd)	
Plaintiff)	Case No.:
vs.)	
)	
The Partnerships and Unincorporated Associations Identified)	
in Schedule "A")	
Defendants)	
)	
)	
)	

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiff, Shenzhenshi Jingyida Trading Co., Ltd ("Shenzhenshi Jingyida Trading Co., Ltd" or "Plaintiff"), by its undersigned counsel, hereby complains of the Partnerships and Unincorporated Associations identified in Schedule A (included herewith, and accompanying a motion to file under seal), and this Complaint hereby alleges as follows:

NATURE OF THE ACTION

1. This is an action for copyright infringement brought against Defendants for unauthorized and infringing uses of Plaintiff's copyrighted photograph.
2. Plaintiff seeks damages and other relief related to Defendants' knowing and willful infringement of Plaintiff's copyrights in the original photographic work identified herein and that are the subject of this action.

PARTIES

3. Plaintiffs is a marketer of fashionable online products, including backpacks. As part of the

marketing campaign for Plaintiff's products, Plaintiff has photographs of the products created for distribution on various online retail platforms such as Amazon. One such product is SPORTS DRAWSTRING BACKPACK , for which Plaintiff created a photograph thereof as shown in EXHIBIT B. Plaintiff pursued and obtained federal copyright protection for said photograph (EXHIBIT A). Exhibit B points out key highlights in the staging of the product that is the subject of the photograph, all highlights which have been copied by the defendants in the product image on their webstore pages (EXHIBIT C (sealed)). Significant funding was devoted by Plaintiff in the staging of the product.

4. Plaintiff is the sole rights holder of the photograph work at issue in this action.

5. Each Defendant in this action conducts significant business in Illinois and in this Judicial District through the marketing of products within Illinois, whereby the marketed products relied upon Plaintiff's copyrighted image to attract consumers to the product. Based upon information and belief, Defendants have been using Plaintiff's copyrighted image since at least 2024.

JURISDICTION AND VENUE

6. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Federal Copyright Act, 17 U.S.C. sec. 101, et seq.

7. This Court has personal jurisdiction over each Defendant in that each Defendant conducts significant business in Illinois through marketing to Illinois-based residents utilizing the copyrighted image that is the subject of this matter. Defendants have sold and delivered products to consumers in the State of Illinois.

8. The venue is proper in this Court pursuant to 28 U.S.C. section 1391, and this Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets consumers in the United States, including Illinois, through at least fully interactive commercial Internet stores. Defendants are

reaching out to do business with Illinois residents by operating one or more commercial, interactive Internet stores by marketing products using the copyrighted image. 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.

FACTUAL ALLEGATIONS

9. Plaintiff employed a photography team that specializes in creating consumer-goods photographic image.
10. Plaintiff's photographic image is primarily used to advertise and exhibit product on Internet stores and platforms.
11. Plaintiff is the exclusive owner of all copyright in and to the photograph identified in Exhibit A, attached hereto.
12. On information and belief, Defendants have advertised, displayed, sold, and/or distributed hundreds of products featuring unauthorized copies of Plaintiff's photograph.
13. The Defendants have offered to sale and sold infringing products through third-party web platforms, including Amazon.com.
14. By copying, displaying, and selling products utilizing Plaintiff's copyrighted image, Defendants have profited from the unauthorized and illegal use of the photo.
15. Defendants did not seek permission from Plaintiff to copy, display, distribute, and/or sell products featuring Plaintiff's photo.
16. Plaintiff has not been compensated for any of the sales of products featuring his copyrighted image by any of the Defendants and has no record of any licenses to any of the Defendants.
17. Plaintiff has not been given proper credit for products offered for sale and displayed by Defendants.
18. Because information regarding the full scope of the use of Plaintiff's photograph by the Defendants

remains in Defendants' possession, the full scope of Defendants' infringement has not yet been ascertained.

19. The SPORTS DRAWSTRING BACKPACK photograph federal registration is as follows:

U.S. Copyright Reg. No.	Copyright (Type)	Publication Date	Reg. Date
VA 2-423-081	Photograph	April 29, 2022	November 25, 2024

COUNT 1

DIRECT COPYRIGHT INFRINGEMENT

20. Plaintiff repeats and re-alleges each allegation set forth above as if set forth fully herein:
21. Plaintiff is the registered copyright owner of the creative works identified in Exhibit A.
22. Plaintiff has registered the copyright of the subject photograph with the U.S. Copyright Office.
23. Defendants copied, displayed, distributed, and/or sold Plaintiff's creative works without license or permission, in violation of Plaintiff's exclusive right under 17 U.S.C. sect. 106.
24. Defendants' infringements were willful, intentional, and/or reckless.
25. By copying, distributing, displaying, publishing, and otherwise exploiting Plaintiff's copyrighted works, Defendants infringed Plaintiff's copyrights in the works and caused Plaintiff significant injuries, damages, and losses in amounts to be determined at trial.
26. Plaintiff is an individual who has the copyright of the SPORTS DRAWSTRING BACKPACK photograph.
27. Defendants have used the SPORTS DRAWSTRING BACKPACK photograph on their websites and online stores and sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products on their websites and online stores in connection with the SPORTS DRAWSTRING BACKPACK photograph without Plaintiff's permission. Upon information and belief, Defendants' acts have been willful, intentional, or in reckless disregard of Plaintiff's rights in the SPORTS DRAWSTRING BACKPACK photograph.
28. The United States Registration for the SPORTS DRAWSTRING BACKPACK photograph (EX. 1) is in full force and effect. Defendants' activities constitute willful copyright

infringement and counterfeiting under 17 U.S.C. § 501.

PRAYER FOR RELIEF

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

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

a. making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use any products containing Plaintiff's SPORTS DRAWSTRING BACKPACK photograph not authorized by Plaintiff and that includes any reproduction, copy or imitation of the SPORTS DRAWSTRING BACKPACK photograph;

b. passing off, inducing, or enabling others to sell or pass off any product using Plaintiff's SPORTS DRAWSTRING BACKPACK photograph or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for use or reproduction of the SPORTS DRAWSTRING BACKPACK photograph;

c. committing any acts calculated to cause consumers to believe that Defendants' use of the SPORTS DRAWSTRING BACKPACK photograph is under the authorization, control, or supervision of Plaintiff or is sponsored by, approved by, or otherwise connected with Plaintiff;

d. further infringing the SPORTS DRAWSTRING BACKPACK photograph and damaging Plaintiff's goodwill;

e. aiding, abetting, contributing to, or otherwise assisting anyone in infringing upon the SPORTS DRAWSTRING BACKPACK photograph;

f. otherwise competing unfairly with Plaintiff in any manner;

2. A trial of all claims and issues so triable;

3. A preliminary injunction against Defendants from copying, displaying, distributing, advertising, promoting, and/or exploiting in any manner the copyrighted work identified herein.

4. All allowable damages under the Copyright Act, including statutory damages.

5. Plaintiff's full costs and attorneys' fees incurred in pursuing and litigating this matter;

For such other and further relief as the Court deems just and proper.

DATED: June 11, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. DeWitty", is written over a horizontal line.

Robert M. DEWITTY
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