

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

WUMEI LIN,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED IN
SCHEDULE “A” HERETO,

Defendants.

Case No. 1:25-cv-13723

**COMPLAINT FOR COPYRIGHT
INFRINGEMENT**

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, Wumei Lin, (“Plaintiff”), hereby files his Complaint for damages and injunction relief for copyright infringement against the Individuals, Corporations, Limited Liability Companies, Partnerships, and Unincorporated Associations identified on the Schedule “A” hereto on Exhibit 2 (“Defendants”) and in support of his claims states as follows:

NATURE OF THE ACTION

1. Plaintiff is a professional photographer who licenses his photographic works to clothing companies for commercial use in advertising and marketing.
2. Plaintiff is the owner of all rights, title, and interest in and to United States Copyright Registration [REDACTED] for a Group of Published Photographs, registration issued pursuant to 37 C.F.R. Section 202.4(i). (“Plaintiff’s Copyright Registration”). *Plaintiff’s Copyright Registration* attached hereto as **Exhibit 1**. This registration was issued for a specific group of photographic images published from March 25, 2024, to November 19, 2024 as part of his

Women's 2024 Tankini Swimwear Collection. *Id.* Plaintiff's Copyright Registration contains a group of photographs titled swimwear 2024 0307. *Id.*

3. In the case at bar, these Defendants are online storefronts ("Online Stores") operating on the TikTok Platform, who have infringed on Plaintiff's Copyright Registration by their unauthorized and unlicensed continuous use of Plaintiff's copyrighted Images from Plaintiff's Women's 2024 Tankini Swimwear Collection, without authorization to promote and sell competing and/or knockoff products ("Plaintiff's Copyrighted Images", the "Copyrighted Images"). Plaintiff's Photographic Infringement Evidence attached hereto as **Exhibit 3**.

4. Plaintiff has never licensed to any of these Defendants for any use of the Plaintiff's Copyrighted Images, nor are these Defendants otherwise authorized to display the images.

5. These Defendants' unlawful use of Plaintiff's Copyrighted Images on the TikTok Platform deprives Plaintiff of licensing revenue, undermines his ability to issue exclusive licenses, and causes irreparable harm to his livelihood and reputation.

6. These Defendants, acting together in concert, cause mass harm to Plaintiff, an individual, by causing him to lose his source of income and control over his lawfully owned Copyrighted Images.

JURISDICTION AND VENUE

7. 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. § 101, et seq., 28 U.S.C. § 1338(a)–(b) and 28 U.S.C. § 1331.

8. This Court may exercise personal jurisdiction over each of these Defendants because each Defendant directly targets business activities towards consumers specifically in Illinois, through their systematic and continuous use of Plaintiff's Copyrighted Image on their fully

interactive commercial Online Stores on the TikTok Platform, identified in Schedule “A.” **Exhibit 2.**

9. These Defendants have targeted sales to the United States by operating these e-commerce stores, which cater to United States consumers, offer shipping to the United States, including specifically here Illinois, accept payment in U.S. dollars, and sell products using unauthorized and unlicensed copies Plaintiff’s Copyrighted Images.

10. In this case, these Defendants copy and display Plaintiff’s Copyrighted Images without license or authorization specifically to residents of Illinois through the TikTok Platform.

11. Each of these Defendants is a foreign entity with sufficient contacts with this forum state, as they have systematically and continuously used Plaintiff’s Copyrighted Images for commercial purposes in this judicial district. This systematic and continuous unauthorized and unlicensed use of Plaintiff’s Copyrighted Images throughout the United States, and in our case Illinois, for commercial purposes makes it reasonably foreseeable that each and every one of these Defendants would be hauled in a court in Illinois. The exercise of jurisdiction in this Court complies with due process.

12. Venue is proper in this district under 28 U.S.C. § 1391 because these Defendants are subject to this Court’s personal jurisdiction and none of these Defendants, based on a pre-suit investigation, are residents of the United States. Each of these Defendants are engaging in infringing activities and causing harm within the Northern District of Illinois by displaying Plaintiff’s Copyrighted Images for commercial purposes within the district, and advertising, offering to sell, selling, and/or shipping products to consumers in this district.

THE PARTIES

Plaintiff

13. Plaintiff is the owner of the Copyrighted Images, attached as Exhibit 3.
14. Plaintiff owns all rights, including, without limitation, the rights to reproduce the Copyrighted Images in copies, prepare derivative works based upon the copyrighted works, and distribute copies of the Copyrighted Images to the public by sale or other transfer of ownership, or by rental, lease, or lending the Copyrighted Images. *See Exhibit 1.*
15. Plaintiff licenses his Copyrighted Images to clothing suppliers so they can use them to market their products.
16. Plaintiff earns his livelihood by licensing his works, through the exclusive licenses to fashion brands.
17. Plaintiff has issued exclusive licenses over his Copyrighted Images involved in this suit.
18. Loss of exclusivity and control over these Copyrighted Images creates serious harm to Plaintiff, who relies on limiting the availability of the Copyrighted Images to sustain their value.
19. Unauthorized use by these Defendants destroys exclusivity, devalues Plaintiff's Copyrighted Images, and diminishes future licensing opportunities.
20. Plaintiff has neither licensed nor authorized these Defendants to use the Copyrighted Images.
21. Plaintiff's focus in his Copyrighted Images is the photographing of models wearing the attire that the licensees distribute.

22. If Plaintiff were to allow the continued distribution of the competing and/or knockoff product through the use Plaintiff's Copyrighted Images, and not enforce its licensing, Plaintiff's artwork would become devalued in that:

- a. it prevents Plaintiff's Copyrighted Images from being exclusively used by the licensees of these images to make their high-quality products appear distinct; and
- b. it shows future licensees that buying a license from Plaintiff comes with no guarantee of exclusivity.

23. Plaintiff's livelihood depends on the ability to control the exclusivity of the licensing of his Copyrighted Images, which the swarm of illicit actors makes incredibly difficult, while simultaneously devaluing Plaintiff's Copyrighted Images every day Plaintiff lacks control over them.

24. The damage to Plaintiff and Plaintiff's Copyright Registration from these Defendants' systematic use of Plaintiff's Copyrighted Images and their profiting from the sale of competing and/or knockoff production through their continuous use of and infringement on Plaintiff's Copyrighted Images is imminent, irreparable, and unquantifiable.

Defendants

25. Defendants are individuals and business entities who operate one or more of the Online Stores on the Platform as identified on Schedule "A". *See Exhibit 2.*

26. It is believed these Defendants reside and/or operate in foreign jurisdictions outside the United States.

27. These Defendants conduct business across the United States, including in this judicial district of Illinois, through their systematic and continuous use of Plaintiff's Copyrighted Images within the operation of their Online Stores listed in Schedule "A". *See Exhibit 2.* These

Defendants have offered to sell and have sold products using illicit copies of Plaintiff's original Copyrighted Images without permission. *See Exhibit 3* for links to infringing uses of the copyrights on each of the Defendants' Online Stores.

28. Many third-party online marketplace platforms, like the TikTok Platform in this case, do not verify new sellers or confirm their identities. This allows numerous infringers to use fake or inaccurate names, business details, and addresses when creating their online stores. These platforms also typically do not require sellers to reveal their actual business entities, enabling infringers to set up multiple profiles and stores that seem unrelated but are actually controlled by the same individual.

DEFENDANTS' UNLAWFUL CONDUCT

29. The quality of Plaintiff's work and the brands he licenses his work to have attracted many illicit infringers who copy and display unauthorized and unlicensed copies of Plaintiff's Copyrighted Images to sell competing and/or knockoff products of the clothing depicted in Plaintiff's Copyrighted Images. *See Exhibit 3*.

30. Upon information and belief, all of these Defendants are a connected group of infringers working together to knowingly and willfully using Plaintiff's Copyrighted Images without authorization and without a license to manufacture, import, distribute, offer for sale, and sell the products depicted within Plaintiff's Copyrighted Images.

31. Upon information and belief, these Defendants have full knowledge or should have known of Plaintiff's ownership and authorship of the Copyrighted Images lawfully registered to Plaintiff under the registration number VA0002441336. *See Exhibit 1*.

32. Plaintiff seeks to shut down these Defendants' Online Stores, where these Defendants display copies, they made of Plaintiff's Copyrighted Images without permission.

33. Fraudulent seller alias registration patterns are among the common tactics used by Internet store operators, such as these Defendants, to conceal their identities and the full extent of their illicit activities, and to avoid shutdown.

34. These Defendants operate under various seller aliases creating the impression that these Defendants are multiple, separate entities when listed on a Schedule “A” enforcement action. By making these seller aliases appear as unrelated entities, These Defendants recognize they may cause a joinder issue in any multi-defendant enforcement case, thereby further avoiding liability.

35. These Defendants’ intentionally use this gamesmanship tactic of hiding behind multiple seller aliases to obstruct enforcement aimed to stop their ongoing infringement activities.

36. Without joinder of each of these Defendants, the Defendants’ illicit strategy to dodge liability will succeed because individual lawsuits could be costly, time consuming, and burdensome for the Plaintiff and the courts.

37. In our case, each of these Defendants is properly joined because the nature of the infringement and the clothing product are identical to each other *See Exhibit 3*. Upon information and belief, Defendants are collaborating with one and another and are not separate entities. Further, upon information and belief, these Defendants are listed separately only to continue their illegal activities without liability.

38. These Defendants use Plaintiff’s Copyrighted Images to sell the same Women’s 2024 Tankini Swimwear Collection, which they must produce on a larger scale to in order to compete with Plaintiff’s authentic product within the market. It is unlikely that any single Defendant could sustain manufacturing at such a large scale alone.

39. Many defendants, similar to these Defendants, operated under mass identities in order for them to easily disappear and open new stores, making enforcement of Plaintiff's copyright registrations against the mass infringers to be impracticable.

40. Moreover, numerous Defendants, similar to these Defendants, operate multiple credit card merchant accounts and third-party accounts, hidden behind layers of payment gateways, enabling defendants to continue their operations despite the pending enforcement actions.

41. Upon information and belief, these Defendants maintain offshore bank accounts and regularly transfer funds from their Online Stores and the associated accounts to offshore banks outside this Court's jurisdiction.

42. Notable features stand out to these Defendants' Online Stores includes a lack of contact information, the identical or nearly identical copy of Plaintiff's Copyrighted Images containing the Women's 2024 Tankini Swimwear Collection is displayed throughout each Online Store, the tankini products are identically or similarly priced, each webpage contains similar sales discounts, and they all share the same hosting service.

43. These Defendants' use of Plaintiff's Copyrighted Images devalues Plaintiff's Copyright Registration by eliminating and diluting the exclusiveness of the copyrights Plaintiff has been lawfully issued by the U.S. Copyright Office and continues to hold the rights of the same today. *See Exhibit 1.*

44. These Defendants, unless restrained temporarily, preliminarily, and permanently enjoined by this Court, their ongoing and continuous infringement of Plaintiff's Copyrighted Images for commercial purposes will continue to cause irreparable harm to Plaintiff and Plaintiff's Copyright Registration.

COUNT I
COPYRIGHT INFRINGEMENT (17 U.S.C. § 101, et seq.)

45. Plaintiff repeats, realleges, and incorporates by reference herein its allegations contained in paragraphs 1 through 44, above.

46. Plaintiff's Copyrighted Images have substantial value and were produced and created at significant expense.

47. Plaintiff owns all exclusive rights, including the rights to reproduce the images, license the Copyrighted Images for copies, create derivative works based on copyright registrations, and to distribute the Copyrighted Images to the public through sale, transfer of ownership, rental, lease, or lending. *See Exhibit 1.*

48. These Defendants systematically and continually use Plaintiff's Copyrighted Images to sell their goods for commercial purposes throughout the United States, and specifically here into Illinois.

49. These Defendants' unauthorized use of Plaintiff's Copyrighted Images, for commercial purposes, on their Online Stores, constitutes copyright infringement.

50. Plaintiff is entitled to receive the profits made by these Defendants from their wrongful acts, under 17 U.S.C. § 504(b). Each Defendant should be required to provide an itemized financial account for all sales, gains, profits, and advantages derived by each of these Defendant from their copyright infringement.

51. Plaintiff is entitled to and may elect to choose injunctive relief under 17 U.S.C. § 502, enjoining any use or exploitation of the Copyright Images by these Defendants.

52. Plaintiff had to hire and agree to compensate at a reasonable rate the undersigned firm; therefore, Plaintiff seeks and is also entitled to recover reasonable attorneys' fees and costs of suit under 17 U.S.C. § 505.

53. Plaintiff has no adequate remedy at law, and, if these Defendants' actions are not enjoined, Plaintiff will continue to suffer immediate and irreparable harm to his reputation and Plaintiff's Copyrighted Images due to this loss of exclusivity which will devalue his portfolio and future ability to license his work.

54. Reputational damage and the devaluation of one's future works cannot be remedied by monetary damages. Instead, they are irreparable injuries lacking adequate remedies at law, without an injunction.

55. Under 17 U.S.C. §§502 and 503, Plaintiff is entitled to injunctive relief prohibiting each of these Defendants from further displaying Plaintiff's Copyrighted Images, ordering that each of these Defendant destroy all unauthorized copies, Defendants' copies, plates, and other embodiments of the copyrighted works from which copies can be reproduced, if any, should be impounded and forfeited to Plaintiff as instruments of infringement, and all infringing copies created by Defendants should be impounded and forfeited to Plaintiff, under 17 U.S.C §503.

56. In addition to actual damages, Plaintiff is entitled to and may elect to choose statutory damages under 17 U.S.C. § 504(c), which should be enhanced by 17 U.S.C. § 504(c)(2) because of these Defendants' willful copyright infringement.

57. On information and belief, these Defendants' infringing acts are willful, deliberate, and committed with prior notice and knowledge of Plaintiff's Copyrighted Images.

58. Each Defendant either knew, or should have known, that Plaintiff's Copyrighted Images were registered with the Copyright Office, as they did not create them independently and should have reasonably discovered ownership before displaying them. *See Exhibit 1.*

59. As a direct and proximate result of these Defendants' unauthorized and infringing conduct, these Defendants have obtained and continue to gain sales profits and other benefits

rightfully belonging to Plaintiff, which these Defendants would not otherwise have but for their ongoing infringement of Plaintiff's Copyrighted Images.

60. These acts by these Defendants are willful, intentional, ongoing and continuous. Plaintiff. Therefore, these Defendants should be held jointly and severally liable for their infringement actions on Plaintiff's Copyrighted Registrations.

61. Accordingly, Plaintiff seeks an award of damages under 17 U.S.C. § 504 U.S.C. § 504(c), which should be enhanced by 17 U.S.C. § 504(c)(2).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against these Defendants as follows:

1. These Defendants, any additional affiliates, their 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 Copyrighted Images 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 authorized by Plaintiff to be sold in connection with Plaintiff's Copyrighted Images under Plaintiff's Copyright Registration;

b. further infringing on the Plaintiff's Copyright Registration and damaging Plaintiff's reputation and goodwill;

c. using, linking to, transferring, selling, exercising control over, or otherwise owning these Defendants' stores on the Defendants' Online Stores or the TikTok Platform, or any other domain name or online marketplace account that is being used to sell or is the means by which these Defendants could continue to conduct commercial activity using Plaintiff's

Copyrighted Images; and

d. operating and/or hosting websites at these Defendants' Online stores and any other domain names registered or operated by these Defendants that are involved with the distribution, marketing, advertising, offering for sale, or sale of any product through the unauthorized use of the Plaintiff's Copyrighted Images.

2. That these Defendants, within fourteen (14) days after service of judgment with notice of entry thereof upon them, be required to file with the Court and serve upon Plaintiff a written report under oath setting forth in detail the manner and form in which these Defendants have complied with paragraph 1 above.

3. Entry of an Order that, upon Plaintiff's request, those in privity with these Defendants and those with notice of the injunction, including in our case here the TikTok Platform, as well as AliExpress, Walmart, Amazon, DHgate, eBay, Temu, and Wish, social media platforms such as Facebook, YouTube, Instagram, TikTok, LinkedIn, X, Internet search engines such as Google, Bing and Yahoo, web hosts for these Defendants' Online Stores, and domain name registrars ("Third Party Providers"), shall:

a. disable and cease providing services for any accounts through which these Defendants engage in commercial activity using Plaintiff's Copyrighted Images, including any accounts associated with these Defendants listed on Schedule "A";

b. disable and cease displaying any advertisements used by or associated with Defendants that display Plaintiff's Copyrighted Images; and

c. take all necessary steps to prevent links to these Defendants' Online Stores identified on Schedule "A" from displaying in search results, including, but not limited to, removing links to these Defendants' domain names from any search index.

4. That these Defendants account for and pay to Plaintiff all profits realized by them through the unauthorized use of Plaintiff's Copyrighted Images;

5. In the addition to actual damages, Plaintiff be awarded statutory damages of not less than \$750 and not more than \$30,000 for every infringement of the Copyrights under 17 U.S.C. § 504(c), which should be enhanced to a sum of not more than \$150,000 by 17 U.S.C. § 504(c)(2) because of these Defendants' willful copyright infringement.

6. Plaintiff be awarded its reasonable attorneys' fees and costs.

7. Award any and all other relief that this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff also demands a trial by jury of all issues so triable pursuant to Federal Rule of Civil Procedure 38.

Dated: November 7, 2025

Respectfully Submitted,

By: /s/ Katherine M. Kuhn
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