

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

CASIO COMPUTER CO., LTD.,

Plaintiff,

v.

THE INDIVIDUAL, CORPORATION,
LIMITED LIABILITY COMPANY,
PARTNERSHIP AND UNINCORPORATED
ASSOCIATION IDENTIFIED ON SCHEDULE
A HERETO,

Defendant.

Case No. 25-cv-14379

Judge

COMPLAINT

Plaintiff CASIO COMPUTER CO., LTD. (“Plaintiff”), by and through its undersigned counsel, hereby complains of the Individual, Corporation, Limited Liability Company, Partnership, and Unincorporated Association identified in Schedule A attached hereto (“Defendant”), and for its Complaint hereby alleges as follows:

JURISDICTION AND VENUE

1. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of 15 U.S.C. § 1114; Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a); the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510; 28 U.S.C. § 1338(a) - (b), and 28 U.S.C. § 1331. This Court has jurisdiction over the claims in this action that arise under the laws of the State of Illinois pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal claims that they form part of the same case or controversy and derive from a common nucleus of operative facts.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendant since Defendant directly targets consumers in the United States, including Illinois, through at least the fully interactive commercial Internet store operating under the Defendant's Online Marketplace Account identified in Schedule A attached hereto ("Defendant's Internet Store"). Specifically, Defendant is reaching out to do business with Illinois residents by operating a commercial, interactive Internet Store through which Illinois residents can purchase products bearing counterfeit versions of Plaintiff's Trademarks. Defendant has targeted sales from Illinois residents by operating online stores that offer shipping to the United States, including Illinois, accepts payment in U.S. dollars and, on information and belief, has sold products bearing counterfeit versions of Plaintiff's federally registered Trademarks to residents of Illinois. Defendant is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois.

INTRODUCTION

3. This action has been filed by Plaintiff to combat e-commerce store operators who trade upon Plaintiff's reputation and goodwill by making, using, offering for sale, selling, and/or importing into the United States for subsequent sale or use the same unauthorized and unlicensed products, namely digital watches that infringe the CASIO Trademarks identified in Group Exhibit 1 (the "CASIO Trademarks") (collectively, the "Infringing Products").

4. Defendant created at least one Internet Store and designed it to appear to be selling genuine Plaintiff's products, while selling inferior imitations of Plaintiff's products. Defendant attempts to avoid liability by going to great lengths to conceal both its identity and the full scope and interworking of its illegal counterfeiting operation. Plaintiff is forced to file this action to combat Defendant's counterfeiting of Plaintiff's registered Trademarks, as well as to protect unknowing

consumers from purchasing unauthorized CASIO Products over the Internet. Plaintiff has been and continues to be irreparably damaged through consumer confusion, dilution, and tarnishment of its valuable Trademarks as a result of Defendant's actions and seeks injunctive and monetary relief.

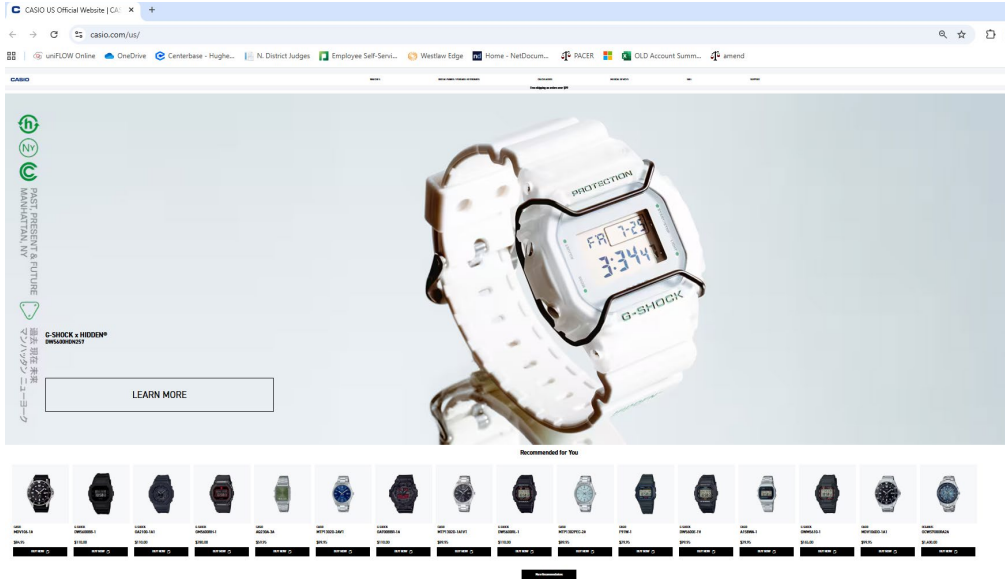
5. This Court has personal jurisdiction over Defendant, in that Defendant conducts significant business in Illinois and in this Judicial District, and the acts and events giving rise to this lawsuit of which Defendant stands accused were undertaken in Illinois and in this Judicial District. In addition, Defendant has offered to sell, sold, and shipped at least one infringing product into this Judicial District.

THE PLAINTIFF

6. Plaintiff CASIO COMPUTER CO., LTD. is a Japanese corporation with a place of business at 6-2, Hon-machi 1-chome, Shibuya-ku, Tokyo 151-8543, Japan.

7. CASIO COMPUTER CO. is in the business of developing, marketing, selling and distributing CASIO Products. CASIO is a Japanese multinational electronics manufacturing corporation. It was founded in 1946, and in 1983 introduced the world's first shock resistant digital watch. CASIO is best known for its electronic (including scientific) calculators, electronic musical instruments, and affordable digital watches incorporating innovative technology. Today, CASIO is most known for making durable and reliable electronic products. CASIO COMPUTER CO. is the official source of CASIO Products:



<https://www.casio.com/us/>



8. The CASIO Trademarks are and have been the subject of substantial and continuous marketing and promotion by Plaintiff. Plaintiff has and continues to widely market and promote the CASIO Trademarks in the industry and to consumers. Plaintiff's promotional efforts include — by way of example, but not limitation — a website, social media sites, and point of sale materials.

9. Among the purchasing public, genuine CASIO Products are instantly recognizable as such. In the United States and around the world, the CASIO brand has come to symbolize high quality, and CASIO Products are among the most recognizable digital watches in the world.

10. Plaintiff is the owner of U.S. Trademark Registration Nos. 4,061,998; 6,027,964; and 6,027,966 (hereinafter, the "CASIO Trademarks"). True and correct copies of the federal registration certificates are attached hereto as Group Exhibit 1.

Registration Numbers	Registered Trademarks	International Classes
4,061,998	“SHOCK RESIST” 	14
6,027,964	“PROTECTION”	9 and 14
6,027,966	“SHOCK RESIST” 	9

11. Plaintiff’s registrations are valid, subsisting, in full force and effect and incontestable pursuant to 15 U.S.C. § 1065.

12. The registrations for Plaintiff’s Trademarks constitute *prima facie* evidence of their validity and of Plaintiff’s exclusive right to use the CASIO Trademarks pursuant to 15 U.S.C. § 1057(b).

13. The CASIO Trademarks are distinctive and identify merchandise as goods from CASIO COMPUTER CO., LTD or its duly authorized licensees.

14. Plaintiff’s Trademarks qualify as famous marks, as used in 15 U.S.C. §1125 (c)(1), and have been continuously used and never abandoned.

15. Plaintiff has not granted a license or any other form of permission to Defendant with respect to the CASIO Trademarks.

16. Plaintiff’s Trademarks are distinctive when applied to Plaintiff’s Products, signifying to the purchaser that the products come from Plaintiff and are manufactured to Plaintiff’s quality standards. Whether Plaintiff manufactures the products itself or licenses others

to do so, Plaintiff has ensured that products bearing its Trademarks are manufactured to the highest quality standards. Plaintiff's Trademarks have achieved fame and recognition, which have only added to the inherent distinctiveness of the marks. As such, the goodwill associated with Plaintiff's Trademarks is incalculable and of inestimable value to Plaintiff.

17. Plaintiff has expended substantial time, money, and other resources in developing, advertising, and otherwise promoting its Trademarks. As a result, products bearing the Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being products sourced from Plaintiff. Plaintiff's Products have become famous worldwide.

THE DEFENDANT

18. Defendant is an individual and business entity who, upon information and belief, resides in the People's Republic of China or other foreign jurisdictions. Defendant conducts business throughout the United States, including within Illinois and in this Judicial District, through the operation of a fully interactive commercial website and online marketplace operating under the Defendant's Internet Store. Defendant targets the United States, including Illinois, and has offered to sell and, on information and belief, has sold and continues to sell counterfeit CASIO Products to consumers within the United States, including Illinois and in this Judicial District.

THE DEFENDANT'S UNLAWFUL CONDUCT

19. The success of the CASIO brand has resulted in its counterfeiting. Plaintiff has identified numerous online marketplace accounts linked to fully interactive websites and marketplace listings on platforms such as Alibaba and Alipay, including the Defendant's Internet Store, which was offering for sale, selling, and importing counterfeit CASIO Products to consumers in this Judicial District and throughout the United States. Defendant has persisted in

creating its Internet Store. Internet websites like the Defendant's Internet Store are estimated to receive tens of millions of visits per year and generate over \$135 billion in annual online sales. According to an intellectual property rights seizures statistics report issued by Homeland Security, the manufacturer's suggested retail price (MSRP) of goods seized by the U.S. government in 2024 was over \$5.4 billion, up from \$2.8 billion in 2023. According to a 2021 study on the impact of the sale of fraudulent goods entitled "The Counterfeit Silk Road - Impact of Counterfeit Consumer Products Smuggled into the United States" (the 2021 study), Internet websites like the Defendant's Internet Store are also estimated to contribute to over 653,000 lost jobs for legitimate businesses and broader economic damages such as lost wages in an amount over \$36 billion and a loss of federal and state tax revenue of over \$13.5 billion every year.



20. Upon information and belief, Defendant facilitates sales by designing the Defendant's Internet Store so that it appears to unknowing consumers to be an authorized online retailer, outlet store, or wholesaler selling genuine CASIO Products. Defendant's Internet Store looks sophisticated and accepts payment in U.S. dollars via credit cards, Alibaba, and Alipay. Defendant's Internet Store includes images and design elements that make it very difficult for consumers to distinguish such counterfeit sites from an authorized website. Defendant further perpetuates the illusion of legitimacy by offering "Chat Now" customer service and using indicia of authenticity and security that consumers have come to associate with authorized retailers, including the Visa®, MasterCard®, and other logos seen below.



21. Plaintiff has not licensed or authorized Defendant to use the CASIO Trademarks, and Defendant is not an authorized retailer of genuine CASIO Products.

22. Despite this, Defendant is offering for sale, selling, and importing counterfeit products which utilize Plaintiff's CASIO Trademarks. See Defendant's Counterfeit Product in **Table 1-A: Unauthorized Use of Plaintiff's CASIO Trademarks**, below.

Table 1-A: Unauthorized Use of Plaintiff's CASIO Trademarks

(A)	(B)	(C)	(D)
Defendant's Infringing Product	Defendant's Product Title/ Advertisement	Plaintiff's Registered Trademark	As Seen on Plaintiff's Products
	<p>Wholesale custom watch case protection cover shockproof case for apple watch case cover for apple watch series 7 41mm 45mm</p>	<p>Nos. 4,061,998; 6,027,964; 6,027,966</p>	

23. Upon information and belief, Defendant also deceives unknowing consumers by using the CASIO Trademarks without authorization within the content, text, and/or meta tags of its website to attract various search engines crawling the Internet looking for websites relevant to consumer searches for CASIO Products. Additionally, upon information and belief, Defendant uses other unauthorized search engine optimization (SEO) tactics and social media spamming so that the Defendant's Internet Store listing shows up at or near the top of relevant search results and misdirect consumers searching for genuine CASIO Products. Further, Defendant utilizes similar illegitimate SEO tactics to propel new online marketplace accounts to the top of search results after others are shut down.

24. Defendant goes to great lengths to conceal its identity and often uses a fictitious name and address to register and operate its Internet Stores. Upon information and belief, Defendant regularly creates new websites and online marketplace accounts on various platforms using the identity listed in Schedule A to the Complaint, as well as other unknown fictitious names and addresses.

25. In addition to operating under a fictitious name, Defendant in this case and defendants in other similar cases against online counterfeiters use a variety of other common tactics to evade enforcement efforts. For example, when counterfeiters like Defendant receives notice of a lawsuit they will often register new online marketplace accounts under new aliases and move website hosting to rogue servers located outside the United States once notice of a lawsuit is received. Rogue servers are notorious for ignoring take down demands sent by brand owners. Counterfeiters also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection. The 2021 study indicated that the Internet has fueled explosive growth in the number of small packages of counterfeit goods shipped through the mail and express carriers. This growth closely correlates to the growth of the ecommerce industry which now makes up 16.3% of all retail transactions as reported by the Census Bureau of the U.S. Department of Commerce. According to the Department of Homeland Security's 2024 Intellectual Property Rights Seizures Report, the vast majority of Intellectual Property Rights seizures continue to take place within the express consignment and mail shipping methods. 97% of all cargo seizures were made in de minimis shipments.

26. Further, counterfeiters such as Defendant typically operate multiple credit card merchant accounts and Alibaba and Alipay accounts behind layers of payment gateways so that they can continue operation in spite of Plaintiff's enforcement efforts. Upon information and belief,

Defendant maintains off-shore bank accounts and regularly moves funds from its Alibaba and Alipay accounts to off-shore bank accounts outside the jurisdiction of this Court. Indeed, analysis of Alibaba and Alipay transaction logs from previous similar cases indicates that offshore counterfeiters regularly move funds from U.S.-based Alibaba and Alipay accounts to China-based bank accounts outside the jurisdiction of this Court.

27. Defendant, without any authorization or license from Plaintiff, has knowingly and willfully used and continues to use the CASIO Trademarks in connection with the advertisement, distribution, offering for sale, and sale of counterfeit CASIO Products into the United States and Illinois over the Internet. Defendant's Internet Store offers shipping to the United States, including Illinois and, on information and belief, Defendant has offered to sell counterfeit CASIO Products into the United States, including Illinois.

28. Defendant's use of the CASIO Trademarks in connection with the advertising, distribution, offering for sale, and sale of counterfeit CASIO Products, including the sale of counterfeit CASIO Products into 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)

29. Plaintiff repeats and incorporates by reference herein the allegations contained in paragraphs 1-28 of this Complaint.

30. This is a trademark infringement action against Defendant based on its unauthorized use in commerce of counterfeit imitations of Plaintiff's registered Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. Plaintiff's Trademarks are highly distinctive marks. Consumers have come to expect the highest quality from Plaintiff's products provided under its Trademarks.

31. Defendant has sold, offered to sell, marketed, distributed, and advertised, and is still selling, offering to sell, marketing, distributing, and advertising products in connection with Plaintiff's trademarks without Plaintiff's permission.

32. Plaintiff is the registered owner of the CASIO Trademarks (Group Exhibit 1). The United States Registrations for Plaintiff's Trademarks are in full force and effect. Upon information and belief, Defendant has knowledge of Plaintiff's rights in its Trademarks and is willfully infringing and intentionally using Plaintiff's Trademarks on counterfeit products. Defendant's 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 counterfeit products among the general public.

33. Defendant's activities constitute willful trademark infringement and counterfeiting under 15 U.S.C. §§ 1114, 1117.

34. The injuries and damages sustained by Plaintiff have been directly and proximately caused by Defendant's wrongful reproduction, use, advertisement, promotion, offering to sell, and sale of counterfeit Plaintiff's products.

35. Plaintiff has no adequate remedy at law, and, if Defendant's actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its well-known Trademarks.

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

36. Plaintiff repeats and incorporates by reference herein the allegations contained in paragraphs 1-35 of this Complaint.

37. Defendant's promotion, marketing, offering for sale, and sale of counterfeit 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 Defendant's counterfeit products by Plaintiff.

38. By using Plaintiff's Trademarks in connection with the sale of counterfeit products, Defendant creates a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the counterfeit products.

39. Defendant's conduct constitutes willful false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the counterfeit products to the general public under 15 U.S.C. §§ 1114, 1125.

40. Plaintiff has no adequate remedy at law, and, if Defendant's actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of its brand.

COUNT III
VIOLATION OF ILLINOIS UNIFORM DECEPTIVE TRADE PRACTICES ACT
(815 ILCS § 510/1, et seq.)

41. Plaintiff repeats and incorporates by reference herein the allegations contained in paragraphs 1-40 of this Complaint.

42. Defendant has engaged in acts violating Illinois law including, but not limited to, passing off its counterfeit products as those of Plaintiff, causing likelihood of confusion and/or misunderstanding as to the source of its goods, causing likelihood of confusion and/or misunderstanding as to an affiliation, connection, or association with genuine products, representing that its products have Plaintiff's approval when it does not, and engaging in other conduct which creates likelihood of confusion or misunderstanding among the public.

43. The foregoing Defendant's acts constitute a willful violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510/1 et seq.

44. Plaintiff has no adequate remedy at law, and Defendant's conduct has caused Plaintiff to suffer damage to his reputation and goodwill. Unless enjoined by the Court, Plaintiff will suffer future irreparable harm as a direct result of Defendant's unlawful activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1) That, pursuant to 15 U.S.C. § 1116(a), Defendant, its affiliates, officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with it be temporarily preliminarily, and permanently enjoined and restrained from:

- a. using the CASIO 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 products that are not genuine CASIO Products or is not authorized by Plaintiff to be sold in connection with the CASIO Trademarks;
- b. passing off, inducing, or enabling others to sell or pass off any products as genuine CASIO Products or any other products 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 the CASIO Trademarks;
- c. committing any acts calculated to cause consumers to believe that Defendant's counterfeit CASIO Products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;

- d. further infringing the CASIO Trademarks and damaging Plaintiff's goodwill;
- e. 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 trademarks of Plaintiff, including the CASIO Trademarks, or any reproductions, counterfeit copies, or colorable imitations thereof; and
- f. using, linking to, transferring, selling, exercising control over, or otherwise owning the Online Marketplace Account or any other online marketplace account that is being used to sell or is the means by which Defendant could continue to sell counterfeit CASIO Products;

2) That Defendant, within fourteen (14) days after service of judgment with notice of entry thereof upon it, 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 Defendant has complied with paragraph 1, a through f, above;

3) Entry of an Order that, upon Plaintiff's request, those in privity with Defendant and those with notice of the injunction, including any online marketplaces such as Alibaba and Alipay, social media platforms, Facebook, YouTube, LinkedIn, Twitter, Internet search engines such as Google, Bing and Yahoo, web hosts for the Defendant Online marketplace account, and domain name registrars, shall:

- a. disable and cease providing services for any accounts through which Defendant engages in the sale of counterfeit CASIO Products using the CASIO Trademarks and, including any accounts associated with Defendant listed in Schedule A;

- b. disable and cease displaying any advertisements used by or associated with Defendant in connection with the sale of counterfeit CASIO Products using the CASIO Trademarks; and

5) That Defendant accounts for and pays to Plaintiff all profits realized by Defendant by reason of Defendant's unlawful acts herein alleged, and that the amount of damages for infringement of Plaintiff's Trademarks are increased by a sum not exceeding three times the amount thereof as provided by 15 U.S.C. § 1117(a)-(b);

6) In the alternative, Plaintiff is awarded statutory damages pursuant to 15 U.S.C. § 1117(c) of not less than \$1,000 and not more than \$2,000,000 for each and every use of its Trademarks;

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

Respectfully submitted,

Dated: November 25, 2025

By: s/Michael A. Hierl
Michael A. Hierl
William B. Kalbac
Robert P. McMurray
John Wilson
Elizabeth A. Miller
Hughes Socol Piers Resnick & Dym, Ltd.
Three First National Plaza
70 W. Madison Street, Suite 4000
Chicago, Illinois 60602
(312) 580-0100 Telephone
mhierl@hsplegal.com

Attorneys for Plaintiff
CASIO COMPUTER CO., LTD.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing Complaint was filed electronically with the Clerk of the Court and served on all counsel of record and interested parties via the CM/ECF system on November 25, 2025.

s/Michael A. Hierl