

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 12-62096-CIV-COHN

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

BAGS-WATCH-REPLICAS.ORG, *et al.*,

Defendants.

/

ORDER GRANTING APPLICATION FOR ENTRY OF PRELIMINARY INJUNCTION

THIS CAUSE is before the Court on Plaintiff's *Ex Parte* Application for Entry of a Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets Tied to the Counterfeiting Operation (the "Application for Preliminary Injunction") (DE 4), and upon the Preliminary Injunction Hearing held on November 2, 2012. The Court has carefully reviewed the Application for Preliminary Injunction, the entire court file and is otherwise fully advised in the premises.

By the instant Application (DE 4), Plaintiff Louis Vuitton Malletier, S.A., ("Plaintiff" or "Louis Vuitton"), moves for entry of a preliminary injunction against Defendants The Partnerships and Unincorporated Associations identified on Schedule "A" hereto (collectively, the "Defendants") pursuant to 15 U.S.C. § 1116 and Fed. R. Civ. P. 65, for alleged violations of the Lanham Act, 15 U.S.C. §§ 1114, and 1125(a) and (d).

The Court convened the hearing on November 2, 2012, at which only counsel for Plaintiff was present and available to present evidence supporting the Application for Preliminary Injunction (DE 4). Defendants have not responded to the Application for


Preliminary Injunction, nor made any filing in this case, nor have Defendants appeared in this matter either individually or through counsel.¹ Because Plaintiff has satisfied the requirements for the issuance of a preliminary injunction, the Court will grant Plaintiff's Application for Preliminary Injunction (DE 4).

I. Factual Background




The Court bases this Order on the following facts from Plaintiff's Complaint, Application for Preliminary Injunction, and supporting evidentiary submissions.

1. Plaintiff manufactures, promotes, distributes, and sells in interstate commerce, including within this judicial district, luxury goods under multiple federally registered trademarks. (See Declaration of Nikolay Livadkin in Support of Plaintiff's Application for Temporary Restraining Order ["Livadkin Decl."] ¶ 4.)


2. Plaintiff is the owner and/or exclusive licensee of the following trademarks on the Principal Register of the United States Patent and Trademark Office (collectively, the "Louis Vuitton Marks"):


Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	0,297,594	September 20, 1932	IC 18: trunks, valises, traveling bags, satchels, hat boxes and shoe boxes used for luggage, hand bags, and pocketbooks.
LOUIS VUITTON	1,045,932	August 10, 1976	IC 18: luggage and ladies' handbags.


¹ Defendant 17 (louisvuitton-hermes.com) responded via email in connection with the TRO and supporting documents served upon it. Plaintiff's counsel replied to the response and informed Defendant 17 of the upcoming hearing on November 2, 2012, and the requirement for a submission of a formal response and/or objection as detailed in the TRO. To date, Plaintiff's counsel has received no further communication nor any formal response to the TRO from Defendant 17. (See DE 8).


Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	1,519,828	January 10, 1989	IC 18: trunks, valises, traveling bags, satchels, hat boxes and shoe boxes used for luggage, hand bags, and pocketbooks.
	1,794,905	September 28, 1993	<p>IC 16: travel goods catalogs, stationery, pads of stationery, calendars, indexes for articles made for travellers, notebooks, envelopes; printed labels for luggage and other travel goods and leather holders therefor, sold as a unit; writing paper, paper bags for packaging, hat boxes, paper or cardboard boxes, photographs, adhesives for stationery, office requisites in the nature of writing pads, letter trays, paper cutters, letter openers, writing tablets, pencils, pencil holders, fountain pens, ballpoint pens, pen cases, pencil cases, lead holders, ballpoints for pens, nibs, nibs of gold, inkwells, inkstands, and playing cards.</p> <p>IC 25: clothing for men and women; namely belts, shawls, sashes, scarves; footwear, and headgear.</p>
	1,938,808	November 28, 1995	IC 14: jewelry, watches, and straps for wrist watches.


Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
LOUIS VUITTON	1,990,760	August 6, 1996	<p>IC 14: watches and straps for wrist watches.</p> <p>IC 16: catalogues featuring luggage and travel accessories, bags, small leather goods, and garments; notebooks, anthologies, and pamphlets referring to travel; calendars; telephone indexes; fountain pens, ballpoint pens, nibs, covers for pocket and desk diaries, and checkbook holders.</p> <p>IC 18: trunks; traveling trunks; suitcases; traveling bags; luggage; garment bags for travel; hat boxes for travel; shoe bags for travel; umbrellas; animal carriers; rucksacks; haversacks; leather or textile shopping bags; beach bags; handbags; vanity cases sold empty; attache cases; tote bags, travel satchels; clutch bags; briefcases; wallets; pocket wallets; credit card cases; business card cases; bill and card holders; checkbook holders; key cases; change purses; briefcase-type portfolios.</p> <p>IC 24: travel blankets</p> <p>IC 25: shirts; sweatshirts; polo shirts; T-shirts; headwear; jackets; ties; belts; shawls; scarves.</p>




Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	2,177,828	August 4, 1998	<p>IC 14: goods made of precious metals, namely, shoe ornaments, ornamental pins; jewelry, namely, rings, ear rings, cufflinks, bracelets, charms, necklaces; horological instruments, straps for watches, watches and wrist-watches, and cases for watches.</p> <p>IC 18: goods made of leather or imitations of leather are not included in other classes, namely, boxes made from leather; trunks, valises, traveling bags, luggage for travel, garment bags for travel, vanity cases sold empty, rucksacks, hand bags, beach bags, shopping bags, shoulder bags, attache cases, briefcases, and fine leather goods, namely, pocket wallets, purses, leather key holders, business card cases, calling card cases, and credit card cases, and umbrellas.</p> <p>IC 25: clothing and underwear, namely, sweaters, shirts, suits, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, sashes for wear, scarves, neckties, pocket squares, gloves, belts, socks, bath robes, shoes, boots, and sandals.</p>

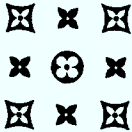
Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	2,181,753	August 18, 1998	<p>IC 014: goods made of precious metals, namely, shoe ornaments, ornamental pins, jewelry, namely, rings, belt buckles, ear rings, cufflinks, bracelets, charms, necklaces, horological instruments, straps for watches, watches, and wrist-watches, and cases for watches.</p> <p>IC 18: goods made of leather or imitations of leather are not included in other classes, namely, boxes made from leather; trunks, valises, traveling bags, luggage for travel, garment bags for travel, vanity cases sold empty, rucksacks, hand bags, beach bags, shopping bags, shoulder bags, attache cases, briefcases, and fine leather goods, namely, pocket wallets, purses, leather key holders, business card cases, calling card cases, credit card cases, and umbrellas.</p> <p>IC 25: clothing and underwear, namely, sweaters, shirts, suits, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, sashes for wear, scarves, neckties, pocket squares, gloves, belts, socks, bath robes, shoes, boots, and sandals.</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
LOUIS VUITTON PARIS	2,346,373	May 2, 2000	<p>IC 14: jewelry, namely, rings, belt buckles, ear rings, cufflinks, bracelets, charms, brooches, necklaces, horological instruments, watches, and cases for watches.</p> <p>IC 18: Goods made of leather or of imitations of leather not included in other classes, namely, boxes of leather used for travel purposes, hat boxes for travel; trunks, valises, travelling bags, traveling sets for containing cosmetics, garment bags for travel, rucksacks, handbags, beach bags, shopping bags, shoulder bags, briefcases, pouches; fine leather goods, namely, pocket wallets, purses, key cases, card holders, checkbook holders; umbrellas.</p> <p>IC 25: Clothing and underwear, namely, sweaters, shirts, suits, waistcoats, skirts, coats, pullovers, trousers, dresses, clothing jackets, shawls, stoles, scarves, neckties, clothing belts, bathing suits, footwear; head wear and waterproof clothing, namely, raincoats.</p>
	2,361,695	June 27, 2000	<p>IC 25: Clothing, namely, sweaters, shirts, sweatshirts, polo shirts, t-shirts, suits, waistcoats, raincoats, skirts, coats, pullovers, trousers, dresses, jackets, shawls, stoles, scarves, neckties, pocket squares, pocket handkerchief squares for wear, gloves, ties, belts, bathing suits, shoes, boots and sandals, and hats.</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
 LOUIS VUITTON PARIS	2,378,388	August 22, 2000	IC 18: goods made of leather or imitations of leather not included in other classes, namely, boxes of leather principally used for travel purposes, trunks, valises, traveling bags, traveling sets for containing cosmetics and jewelry, rucksacks, handbags, beach bags, shopping bags, shoulder bags, brief cases, pouches, fine leather goods namely, pocket wallets, purses, key cases, business card cases, credit card cases, and calling card cases.

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	2,773,107	October 14, 2003	<p>IC 14: Jewelry including rings, belt buckles of precious metals, earrings, cuff links, bracelets, charms, brooches, necklaces, tie pins, ornamental pins, and medallions; horological and chronometric instruments and apparatus, namely, watches, watch cases and clocks; nutcrackers of precious metals; candlesticks of precious metals, jewelry boxes of precious metals.</p> <p>IC 18: Travel bags, travel bags made of leather; luggage trunks and valises, garment bags for travel, vanity-cases sold empty; rucksacks, shoulder bags, handbags; attache-cases, briefcases, drawstring pouches, pocket wallets, purses, umbrellas, business card cases made of leather or of imitation leather, credit card cases made of leather or of imitation leather; calling card cases made of leather or of imitation leather; key holders made of leather or of imitation leather.</p> <p>IC 25: Clothing, namely, underwear, sweaters, shirts, T-shirts, suits, hosiery, belts, scarves, neck ties, shawls, waistcoats, skirts, raincoats, overcoats, suspenders, trousers, jeans, pullovers, frocks, jackets, winter gloves, dress gloves, tights, socks, bathing suits, bath robes, pajamas, night dresses, shorts, pocket squares; highheeled shoes, low-heeled shoes, sandals, boots, and slippers.</p>

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
	3,021,231	November 29, 2005	IC 09: Spectacles, sunglasses, and spectacle cases.
	3,023,930	December 6, 2005	IC 09: Spectacles, sunglasses, and spectacle cases.
	3,051,235	January 24, 2006	IC 09: Spectacles, sunglasses, and spectacle cases.

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
 <p data-bbox="259 1087 406 1155">FLOWER PATTERN</p>	3,107,072	June 20, 2006	<p data-bbox="950 321 1453 394">IC 09: Spectacles, sunglasses, and spectacle cases.</p> <p data-bbox="950 436 1461 835">IC 14: Jewelry, namely, rings, key rings of precious metal, earrings and ear clips, cuff links, bracelets, charms, brooches, necklaces, tie pins, ornaments of precious metal, medallions; horological and chronometric apparatus and instruments, namely watches, watch cases, alarm clocks; jewelry boxes of precious metal, their alloys or coated therewith.</p> <p data-bbox="950 877 1461 1318">IC 18: Leather and imitation leather products, namely, traveling bags, traveling sets comprised of bags or luggage, trunks and suitcases, garment bags for travel purposes; vanity cases sold empty, rucksacks, shoulder bags, handbags, attaché cases, document wallets and briefcases made of leather, pouches made of leather, wallets, purses, key cases, business card cases, credit card cases; umbrellas.</p> <p data-bbox="950 1360 1461 1791">IC 25: Clothing and undergarments, namely, sweaters, shirts, tee-shirts, belts, scarves, neckties, shawls, waistcoats, skirts, raincoats, overcoats, suspenders, trousers, denim trousers, pullovers, dresses, jackets, sashes for wear, gloves, tights, bathing suits, bath robes, pajamas, nightgowns, shorts, pocket squares; shoes, boots, slippers; headgear, namely, hats and caps; underwear.</p>

The Louis Vuitton Marks are used in connection with the manufacture and distribution of goods in the categories identified above. (See Livadkin Decl. ¶ 5; see also United States Trademark Registrations of the Louis Vuitton Marks at issue attached as Composite Exhibit A to the Livadkin Decl.)

3. Defendants, through the Internet websites operating under the domain names identified on Schedule "A" hereto (the "Subject Domain Names"), have advertised, promoted, offered for sale, and/or sold, at least, handbags, wallets, luggage, key holders, belts, shirts, shoes, scarves, neckties, watches, jewelry, and sunglasses bearing what Plaintiff has determined to be counterfeits, infringements, reproductions, and/or colorable imitations of the Louis Vuitton Marks. (See Livadkin Decl. ¶¶ 9-14; Declaration of Stephen M. Gaffigan in Support of Plaintiff's Application for Temporary Restraining Order ["Gaffigan Decl.,"] ¶ 2 and Composite Exhibit A to the Gaffigan Decl.)²

4. Although each Defendant may not copy and infringe each Louis Vuitton Mark for each category of goods protected, Plaintiff has submitted sufficient evidence showing each Defendant has infringed, at least, one or more of the Louis Vuitton Marks. (See Livadkin Decl. ¶¶ 11-14.) Defendants are not now, nor have they ever been,

² The Internet websites operating under the Subject Domain Names, louisvuitton-bags-onlineshop.com, louisvuittonoutletjust.com, and louisvuittonusd.com were operational at the time Rosaler accessed these websites to place his orders. However, at the time Plaintiff's counsel accessed the Internet websites operating under these domain names, the websites were no longer online. Accordingly, there are no downloaded captures for the louisvuitton-bags-onlineshop.com, louisvuittonoutletjust.com, and louisvuittonusd.com websites included in Composite Exhibit "A" to the Declaration of Stephen M. Gaffigan in Support of Plaintiff's Application for TRO. However, Plaintiff has submitted evidence demonstrating that each of these Defendants has incorporated at least one of Louis Vuitton's trademarks in its corresponding domain name without Louis Vuitton's authorization and has used money transfer services with PayPal via its corresponding website at issue for commercial gain, in violation of 15 U.S.C. § 1125(d). (See Livadkin Decl. n.1 at ¶ 12; Rosaler Decl. ¶¶ 22, 29, 30 and Exhibits S, Z, and AA thereto.)

authorized or licensed to use, reproduce, or make counterfeits, reproductions, and/or colorable imitations of the Louis Vuitton Marks. (See Livadkin Decl. ¶ 9.)

5. Plaintiff retained AED Investigations, Inc., a licensed private investigative firm, to investigate the sale of counterfeit versions of Plaintiff's products by Defendants. (See Livadkin Decl. ¶ 10; Declaration of Eric Rosaler in Support of Plaintiff's Application for Temporary Restraining Order ["Rosaler Decl.,"] ¶ 3; Gaffigan Decl. ¶ 4.)

6. In September 2012, Eric Rosaler ("Rosaler"), an officer of AED Investigations, Inc., placed an order for the purchase of (i) a wallet bearing at least one of the Louis Vuitton Marks at issue in this action through the Internet website operating under the Subject Domain Name **bags-watch-replicas.org**; (ii) a key holder bearing at least one of the Louis Vuitton Marks at issue in this action through the Internet website operating under the Subject Domain Name **fakelouisvuittonhandbag.com**; and (iii) a belt bearing at least one of the Louis Vuitton Marks at issue in this action through the Internet website operating under the Subject Domain Name **replica-louisvuitton-bags.org**. (See Rosaler Decl. ¶¶ 4-9.) Rosaler finalized payment for the Louis Vuitton-branded wallet purchased through **bags-watch-replicas.org** via PayPal to the PayPal account, pingjuly@hotmail.com. (See Rosaler Decl. ¶ 4 and Composite Exhibit A attached thereto.) Rosaler finalized payment for the Louis Vuitton-branded key holder purchased through **fakelouisvuittonhandbag.com** via PayPal to the PayPal account, okshop2009@hotmail.com. (See Rosaler Decl. ¶ 6 and Composite Exhibit C attached thereto.) Rosaler finalized payment for the Louis Vuitton-branded belt purchased through **replica-louisvuitton-bags.org** via PayPal to the PayPal account, christopherada121@gmail.com. (See Rosaler Decl. ¶ 8 and Composite Exhibit E

attached thereto.) Rosaler received the Louis Vuitton branded wallet, key holder, and belt purchased via the bags-watch-replicas.org, fakelouisvuittonhandbag.com, and replica-louisvuitton-bags.org websites, respectively, each of which were shipped to his address in the Southern District of Florida. (See Rosaler Decl. ¶¶ 5, 7, 9 and Composite Exhibits B, D, and F attached thereto.)

7. Additionally, Rosaler accessed Internet websites operating under the Subject Domain Names identified in the table below, and went through the purchasing process³ for various products, most of which bore counterfeits of, at least, one of the Louis Vuitton Marks at issue in this action.⁴ (Id. at ¶¶ 10-44 and Composite Exhibits G through OO thereto.) Following submission of his orders, Rosaler received information for finalizing payment for each of the items ordered via PayPal to Defendants' respective PayPal accounts, as follows:

Subject Domain Name	PayPal Account
bestreplicawatches.us	goodbuyline@gmail.com
brandapparelstore.com	well5063@yahoo.com
cheaplouisvuittonhandbagsreplica.com	2496711347@qq.com

³ Rosaler was instructed to not finalize his purchases via the Internet websites so as to avoid contributing additional funds to the Defendants' coffers. (See Gaffigan Decl. ¶ 4.)

⁴ Although all of the websites operating under the Subject Domain Names offer for sale Louis Vuitton branded items (see Gaffigan Decl. ¶ 2 and Composite Exhibit A thereto), Rosaler intentionally purchased non-Louis Vuitton-branded merchandise from some of the websites operating under the Subject Domain Names as part of his investigative process. (See Gaffigan Decl. ¶ 4.) Making purchases of mixed brands is a technique commonly used by investigators to avoid inadvertently tipping off the target as to which brand owner is conducting the investigation. (Id.)

cheaplouisvuittonsaleoutlet.com	usahandbagsoutlet@gmail.com ⁵
louisvuittonpursesoutletonlines.com	
chinawholesale123.com	xiang7793@hotmail.com
cnwholesalebiz.com	yzhqtrade@hotmail.com
ebaylvoutlet.com	zl9622688@163.com
goodsabc.com	xiao8313@gmail.com
happychinatrade.com	yelijung1986@163.com
inchinashoes.com	1677576386@qq.com
ineasybiz.com	oilpainting1986@hotmail.com
louisvuitton-bags-onlineshop.com	garra37472006@hotmail.com
louisvuittondesignershop.com	274697833@qq.com
louis-vuittonhandbagsonsale.com	brantatrice769@gmail.com
louisvuitton-hermes.com	annabeauty84@yahoo.com
louisvuittonimitationhandbags.com	1786291408@qq.com
louis-vuittonnordstrom.com	allisondick152@gmail.com
louisvuittonoutlet2.net	annachen1897@gmail.com
louisvuittonoutletjust.com	businesshonor@yahoo.com
louisvuittonusd.com	kentyfang@hotmail.com
luxurybeltsoutlets.com	wumengjie2012@hotmail.com
lvbagsoutlet002.com	sjkjc@163.com
monogrambagsonline.com	paypalfang@ymail.com
netebuy.net	aitaobaobao2008@sina.cn
newfashiontrade.com	vipshop999@gmail.com
replicabags-jerseys.com	michaelhzt@qq.com
replica-louisvuitton-bags.org	angeladennis168@gmail.com ⁶
louisvuitton-neverfullmm.info	
repicalouisvuittonluggageoutlets.com	zhengjf@gmail.com
repicalouisvuittonpurses.org	davidcassandra168@gmail.com
shopvoguebags.com	fashionbagsuk@yahoo.com

⁵ Rosaler received identical PayPal account information from the cheaplouisvuittonsaleoutlet.com and louisvuittonpursesoutletonlines.com websites during his purchasing process. (See Rosaler Decl. ¶¶ 13-14 and Comp. Exs. J and K thereto.)

⁶ Rosaler received identical PayPal account information from the replica-louisvuitton-bags.org and louisvuitton-neverfullmm.info websites during his purchasing process. (See Rosaler Decl. ¶¶ 37-38 and Comp. Exs. HH and II thereto.)

superqualityfashion.net	rufusd52@yahoo.com
womenspursestore.com	chenyaoyin2012@gmail.com
worldluxurytrade.com	worldluxurytrade@hotmail.com

(See Rosaler Decl. ¶¶ 10-44 and Composite Exhibits G through OO thereto.)

8. Thereafter, Plaintiff's representative reviewed and visually inspected the photographs and web page listings, including images, for the items bearing Plaintiff's trademarks purchased and received by Rosaler and determined the items to be non-genuine versions of Plaintiff's products. (See Livadkin Decl. ¶ 11.) Additionally, Plaintiff's representative reviewed and visually inspected the items bearing Plaintiff's trademarks offered for sale through the Internet websites operating under the Subject Domain Names and determined the products to be unauthorized, non-genuine versions of Plaintiff's products. (See Livadkin Decl. ¶¶ 12-14.)

9. On August 24, Plaintiff filed its Complaint (DE 1) against Defendants for federal trademark counterfeiting and infringement, false designation of origin, and cyberpiracy. Also, on August 24, 2012, Plaintiff filed its *Ex Parte* Application for Entry of a Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets Tied to the Counterfeiting Operation (DE 4). On October 24, 2012, this Court entered an Order Granting Plaintiff's *Ex Parte* Application for a Temporary Restraining Order, Preliminary Injunction and Order Restraining Transfer of Assets Tied to the Counterfeiting Operation (DE 5) and, among other things, temporarily restrained Defendants from infringing the Louis Vuitton Marks at issue. Pursuant to the Court's October 24, 2012 Order (DE 5), Plaintiff properly served the Defendants with Plaintiff's

Application, the Complaint, the Court's October 24, 2012 Order, and all other documents in connection with this matter.⁷

II. LEGAL STANDARD

In order to obtain a preliminary injunction, a party must demonstrate "(1) [there is] a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that the entry of the relief would serve the public interest." Schiavo ex. rel Schindler v. Schiavo, 403 F.3d 1223, 1225–26 (11th Cir. 2005); see also Levi Strauss & Co. v. Sunrise Int'l. Trading Inc., 51 F. 3d 982, 985 (11th Cir. 1995) (applying the test to a preliminary injunction in a Lanham Act case).

III. ANALYSIS

The declarations Plaintiff submitted in support of its Application for Preliminary Injunction support the following conclusions of law:

A. Plaintiff has a very strong probability of proving at trial that consumers are likely to be confused by Defendants' advertisement, promotion, sale, offer for sale, and/or distribution of handbags, wallets, luggage, key holders, belts, shirts, shoes, scarves, neckties, watches, jewelry, and sunglasses bearing counterfeits, reproductions, and/or colorable imitations of the Louis Vuitton Marks, and that the products Defendants are selling and promoting are copies of Plaintiff's products that

⁷ As of the date of preliminary injunction hearing conducted on November 2, 2012, the redirection of the Subject Domain Names to the serving site, <http://servingnotice.com/lvpp3/index.html>, has not been finalized. Although all Defendants have received notice of the Court's October 24, 2012 Order and the November 2, 2012 hearing via the electronic notification methods authorized by the Court.

bear copies of the Louis Vuitton Marks on handbags, wallets, luggage, key holders, belts, shirts, shoes, scarves, neckties, watches, jewelry, and sunglasses.

B. Because of the infringement of the Louis Vuitton Marks, Plaintiff is likely to suffer immediate and irreparable injury if a preliminary injunction is not granted. It clearly appears from the following specific facts, as set forth in Plaintiff's Complaint, Application for Temporary Restraining Order, and accompanying declarations on file, that immediate and irreparable loss, damage, and injury will result to Plaintiff and to consumers because it is more likely true than not that:

1. Defendants own or control Internet website businesses which advertise, promote, offer for sale, and sell, at least handbags, wallets, luggage, key holders, belts, shirts, shoes, scarves, neckties, watches, jewelry, and sunglasses bearing counterfeit and infringing trademarks in violation of Plaintiff's rights;

2. There is good cause to believe that more counterfeit and infringing products bearing Plaintiff's trademarks will appear in the marketplace; that consumers are likely to be misled, confused, and disappointed by the quality of these products; and that Plaintiff may suffer loss of sales for its genuine products;

C. The balance of potential harm to Defendants in restraining their trade in counterfeit and infringing branded goods if a preliminary injunction is issued is far outweighed by the potential harm to Plaintiff, its reputation and goodwill as a manufacturer and distributor of quality products, if such relief is not issued; and

D. The public interest favors issuance of the preliminary injunction in order to protect Plaintiff's trademark interests and protect the public from being defrauded by the palming off of counterfeit goods as genuine goods of Plaintiff.

E. Under 15 U.S.C. § 1117(a), Plaintiff may be entitled to recover, as an equitable remedy, the illegal profits gained through Defendants' distribution and sales of handbags, wallets, luggage, key holders, belts, shirts, shoes, scarves, neckties, watches, jewelry, and sunglasses bearing counterfeits and infringements of the Louis Vuitton Marks. See Reebok Int'l, Ltd. v. Marnatech Enters., Inc., 970 F.2d 552, 559 (9th Cir. 1992) (quoting Fuller Brush Products Co. v. Fuller Brush Co., 299 F.2d 772, 777 (7th Cir. 1962) ("An accounting of profits under § 1117(a) is not synonymous with an award of monetary damages: '[a]n accounting for profits . . . is an equitable remedy subject to the principles of equity.'")

F. Requesting equitable relief "invokes the district court's inherent equitable powers to order preliminary relief, including an asset freeze, in order to assure the availability of permanent relief." Levi Strauss & Co. v. Sunrise Int'l Trading Inc., 51 F.3d 982, 987 (11th Cir. 1995) (citing Federal Trade Commission v. United States Oil and Gas Corp., 748 F.2d 1431, 1433-34 (11th Cir. 1984)).

G. In light of the inherently deceptive nature of the counterfeiting business, and Defendants' blatant violation of the federal trademark laws, Plaintiff has good reason to believe Defendants will hide or transfer their ill-gotten assets beyond the jurisdiction of this Court unless those assets are restrained.

IV. CONCLUSION

For the foregoing reasons, it is

ORDERED AND ADJUDGED that Plaintiff's Application for Preliminary Injunction is hereby **GRANTED** [DE 4] as follows:

(1) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order are hereby restrained and enjoined:

- a. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing the Louis Vuitton Marks, or any confusingly similar trademarks, other than those actually manufactured or distributed by Plaintiff; and
- b. From secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products, not manufactured or distributed by Plaintiff, bearing the Louis Vuitton Marks, or any confusingly similar trademarks; or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing the Louis Vuitton Marks, or any confusingly similar trademarks.

(2) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order from this Court, the use of the Louis Vuitton Marks or any confusingly similar trademarks, on or in connection with all Internet websites owned and operated, or controlled by them including the Internet websites operating under the Subject Domain Names;

(3) Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order from this Court, the use of the Louis Vuitton Marks, or any confusingly similar trademarks within domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), any advertising links to other websites, from search engines' databases or cache memory, and any other form of use of such terms which is visible to a computer user or serves to direct computer searches

to websites registered by, owned, or operated by each Defendant, including the Internet websites operating under the Subject Domain Names;

(4) Each Defendant shall not transfer ownership of the Subject Domain Names during the pendency of this Action, or until further Order of the Court;

(5) The domain name Registrars for the Subject Domain Names are directed, to the extent not already done, to transfer to Plaintiff's counsel, for deposit with this Court, domain name certificates for the Subject Domain Names;

(6) The domain name Registrars for the Subject Domain Names shall, to the extent not already done, immediately assist in changing the Registrar of record for the Subject Domain Names, excepting any such domain names which such Registrars have been notified in writing by Plaintiff have been or will be dismissed from this action, to a holding account with a Registrar of Plaintiff's choosing (the "New Registrar"). To the extent the Registrars do not assist in changing the Registrars of Record for the domains under their respective control within one (1) business day of receipt of this Order, the top-level domain (TLD) Registries (or their administrators) for the Subject Domain Names, within five (5) business days of receipt of this Order, shall, change or assist in changing, the Registrar of record for the Subject Domain Names, excepting any such domain names which such Registries have been notified in writing by Plaintiff have been or will be dismissed from this action, to a holding account with the New Registrar. As a matter of law, this Order shall no longer apply to any Defendant or associated domain name dismissed from this action. Upon the change of the Registrar of record for the Subject Domain Names, the New Registrar will maintain access to the Subject Domain Names in trust for the Court during the pendency of this action. Additionally, the

New Registrar shall immediately institute a temporary 302 domain name redirection which will automatically redirect any visitor to the Subject Domain Names to the following Uniform Resource Locator ("URL") <http://servingnotice.com/lvpp3/index.html> whereon copies of the Complaint and all other documents on file in this action are displayed. Alternatively, the New Registrar may update the Domain Name System ("DNS") data it maintains for the Subject Domain Names, which link the domain names to the IP addresses where their associated websites are hosted, to NS1.MEDIATEMPLE.NET and NS2.MEDIATEMPLE.NET, which will cause the domain names to resolve to the website where copies of the Complaint, this Order, and all other documents on file in this action are displayed. After the New Registrar has effected this change, the Subject Domain Names shall be placed on Lock status, preventing the modification or deletion of the domains by the New Registrar or Defendants;

(7) Upon Plaintiff's request, the privacy protection service for any Subject Domain Names for which the Registrant uses such privacy protection service to conceal the Registrant's identity and contact information are ordered, to the extent not already done, to disclose to Plaintiff the true identities and contact information of those Registrants;

(8) Plaintiff may enter, and continue to enter, the Subject Domain Names into Google's Webmaster Tools and cancel any redirection of the domains that have been entered there by Defendants which redirect traffic to the counterfeit operations to a new domain name or website and thereby evade the provisions of this Order;

(9) Each Defendant shall preserve, and continue to preserve, copies of all computer files relating to the use of any of the Subject Domain Names and shall take all steps necessary to retrieve computer files relating to the use of the Subject Domain Names that may have been deleted before the entry of this Order;

(10) Upon receipt of notice of this Order, PayPal, Inc. ("PayPal") and its related companies and affiliates shall, to the extent not already done, immediately freeze all funds, as opposed to ongoing account activity, in or which hereafter are transmitted into the PayPal accounts related to the PayPal account recipients:

pingjuly@hotmail.com
okshop2009@hotmail.com
christopherada121@gmail.com
goodbuyline@gmail.com <input type="checkbox"/>
well5063@yahoo.com <input type="checkbox"/>
2496711347@qq.com <input type="checkbox"/>
usahandbagsoutlet@gmail.com <input type="checkbox"/>
xiang7793@hotmail.com <input type="checkbox"/>
yzhqtrade@hotmail.com <input type="checkbox"/>
zi9622688@163.com <input type="checkbox"/>
xiao8313@gmail.com <input type="checkbox"/>
yelijung1986@163.com <input type="checkbox"/>
1677576386@qq.com <input type="checkbox"/>
oilpainting1986@hotmail.com <input type="checkbox"/>
garra37472006@hotmail.com <input type="checkbox"/>
274697833@qq.com <input type="checkbox"/>
brantatrice769@gmail.com <input type="checkbox"/>
annabeauty84@yahoo.com <input type="checkbox"/>
1786291408@qq.com <input type="checkbox"/>
allisondick152@gmail.com <input type="checkbox"/>

annachen1897@gmail.com□
businesshonor@yahoo.com□
kentyfang@hotmail.com□
wumengjie2012@hotmail.com□
sjkjc@163.com□
paypalfang@ymail.com□
aitaobaobao2008@sina.cn□
vipshop999@gmail.com□
michaelhzt@qq.com□
angeladennis168@gmail.com□
zhengjf@gmail.com□
davidcassandra168@gmail.com□
fashionbagsuk@yahoo.com□
rufusd52@yahoo.com□
chenyaoyin2012@gmail.com□
worldluxurytrade@hotmail.com□

as well as all funds in or which are transmitted into (i) any other related accounts of the same customer(s), (ii) any other accounts which transfer funds into the same financial institution account(s), and/or any of the other PayPal accounts subject to this Order; and (iii) any other PayPal accounts tied to or used by any of the Subject Domain Names identified on Schedule "A" hereto;

(11) PayPal shall also immediately, to the extent not already done, divert to a holding account for the trust of the Court all funds in all PayPal accounts related to the PayPal account recipients:

pingjuly@hotmail.com
okshop2009@hotmail.com
christopherada121@gmail.com
goodbuyline@gmail.com□
well5063@yahoo.com□

2496711347@qq.com
usahandbagsoutlet@gmail.com
xiang7793@hotmail.com
yzhqtrade@hotmail.com
zl9622688@163.com
xiao8313@gmail.com
yelijung1986@163.com
1677576386@qq.com
oilpainting1986@hotmail.com
garra37472006@hotmail.com
274697833@qq.com
brantatrice769@gmail.com
annabeauty84@yahoo.com
1786291408@qq.com
allisondick152@gmail.com
annachen1897@gmail.com
businesshonor@yahoo.com
kentyfang@hotmail.com
wumengjie2012@hotmail.com
sjkjc@163.com
paypalfang@ymail.com
aitaobaobao2008@sina.cn
vipshop999@gmail.com
michaelhzt@qq.com
angeladennis168@gmail.com
zhengjf@gmail.com
davidcassandra168@gmail.com
fashionbagsuk@yahoo.com
rufusd52@yahoo.com
chenyaoyin2012@gmail.com
worldluxurytrade@hotmail.com

and any other related accounts of the same customer(s) subject to this Order;

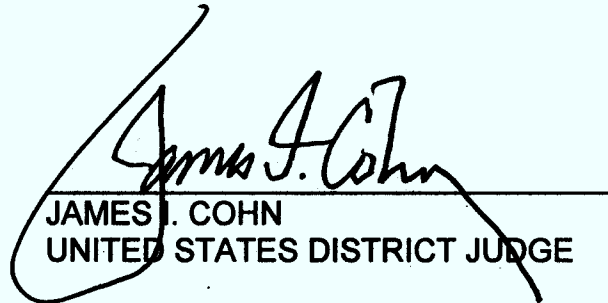
(12) PayPal shall further, to the extent not already done, within five business days of receiving this Order, provide Plaintiff's counsel with all data which details (i) an accounting of the total funds restrained and identifies the PayPal account(s) which the restrained funds are related too, and (ii) the account transactions related to all funds

transmitted into the PayPal account(s) which have been restrained. Such restraining of the funds and the disclosure of the related financial institution account information shall be made without notice to the account owners or the financial institutions until further order of this Court. PayPal shall receive and maintain this Order and its contents as confidential until further order of this Court;

(13) Plaintiff shall maintain its bond in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00), as payment of damages to which Defendants may be entitled for a wrongful injunction or restraint during the pendency of this action, or until further Order of the Court. In the Court's discretion, the bond may be subject to increase should an application be made in the interest of justice;

(14) This Preliminary Injunction shall remain in effect during the pendency of this action, or until such further date as set by the Court or stipulated to by the parties.

DONE AND ORDERED in chambers in Fort Lauderdale, Florida, this 2nd day of November, 2012.


JAMES J. COHN
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record

SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAMES

Defendant Number	Defendant / Subject Domain Name(s)
Defendant 1	bags-watch-replicas.org bags-watch-replicas.biz bags-watch-replicas.net
Defendant 2	bestreplicawatches.us
Defendant 3	brandapparelstore.com
Defendant 4	cheaplouisvuittonhandbagsreplica.com
Defendant 5	cheaplouisvuittonsaleoutlet.com louisvuittonpursesoutletonlines.com
Defendant 6	chinawholesale123.com
Defendant 7	cnwholesalebiz.com cnwholesalebiz.net
Defendant 8	ebaylvoutlet.com
Defendant 9	fakelouisvuittonhandbag.com
Defendant 10	goodsabc.com
Defendant 11	happychinatrade.com chinatradeok.com
Defendant 12	inchinashoes.com
Defendant 13	ineasybiz.com ineasybiz.net
Defendant 14	louisvuitton-bags-onlineshop.com
Defendant 15	louisvuittondesignershop.com
Defendant 16	louis-vuittonhandbagsonsale.com
Defendant 17	louisvuitton-hermes.com
Defendant 18	louisvuittonimitationhandbags.com
Defendant 19	louis-vuittonnordstrom.com
Defendant 20	louisvuittonoutlet2.net

Defendant Number	Defendant / Subject Domain Name(s)
Defendant 21	louisvuittonoutletjust.com
Defendant 22	louisvuittonusd.com
Defendant 23	luxurybeltsoutlets.com
Defendant 24	lvbagsoutlet002.com
Defendant 25	monogrambagsonline.com
Defendant 26	netebuy.net
Defendant 27	newfashiontrade.com
Defendant 28	replicabags-jerseys.com
Defendant 29	replica-louisvuitton-bags.org replica-louisvuittonbags.org louisvuitton-neverfullmm.info
Defendant 30	repicalouisvuittonluggageoutlets.com repicalouisvuittonluggageoutlet.com
Defendant 31	repicalouisvuittonpurses.org
Defendant 32	shopvoguebags.com
Defendant 33	superqualityfashion.net
Defendant 34	womenspursestore.com
Defendant 35	worldluxurytrade.com

SCHEDULE "B"
DEFENDANT PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS
BY SUBJECT DOMAIN NAME AND ASSOCIATED E-MAIL ADDRESSES

No.	Domain Name	E-Mail Addresses
1	bags-watch-replicas.org	pingjuly@hotmail.com
	bags-watch-replicas.biz	bagswatchescom@gmail.com
	bags-watch-replicas.net	good11111@163.com
2	bestreplicawatches.us	goodbuyline@gmail.com alibabawatches@gmail.com service@bestreplicawatches.us fjqianlong@163.com
3	brandapparelstore.com	well5063@yahoo.com vipshoesclothing@hotmail.com vipshoesclothing@gmail.com cheaplaza@hotmail.com
4	cheaplouisvuittonhandbagsreplica.com	2496711347@qq.com eluxury-discount@hotmail.com eluxury_discount@yahoo.com repicalouisvuittonhandbags2012@hotmail.com eluxury-vipcustomerservice06@hotmail.com
5	cheaplouisvuittonsaleoutlet.com	usahandbagsoutlet@gmail.com tctrademall@gmail.com
	louisvuittonpursesoutletonlines.com	louisvuittonoutletwebsite@hotmail.com 82328285@qq.com
6	chinawholesale123.com	xiang7793@hotmail.com cai080501@hotmail.com cai080501@yahoo.cn jordanshoesell@yaoo.cn
7	cnwholesalebiz.com	yzhqtrade@hotmail.com cnwholesalebiz@hotmail.com
	cnwholesalebiz.net	398230209@qq.com domain@diyworld.com
8	ebaylvoutlet.com	zi9622688@163.com Ebaybagshop@gmail.com servicemallstroe@gmail.com j0ih5pr4fbbb7d2d3f6a@t02cduv4f7f99a255f64. privatewhois.net
9	fakelouisvuittonhandbag.com	okshop2009@hotmail.com service2u01@hotmail.com wangfeng1102@hotmail.com

No.	Domain Name	E-Mail Addresses
10	goodsabc.com	xiao8313@gmail.com nikewww@hotmail.com cn_hengwei@yahoo.com.cn
11	happychinatrade.com	yelijung1986@163.com ceotrade1@hotmail.com ceotrade1@yahoo.com
	chinatradeok.com	inchinatrade@hotmail.com shunxingtrade@yahoo.cn domain@diyworld.com
12	inchinashoes.com	1677576386@qq.com alice-lee1986@hotmail.com alicealice58@yahoo.cn domain@diyworld.com
13	ineasybiz.com	oilpainting1986@hotmail.com ineasybiz@hotmail.com ineasybiz01@gmail.com
	ineasybiz.net	ineasybiz@yahoo.cn ayuzhiyong@163.com domain@diyworld.com
14	louisvuitton-bags-onlineshop.com	garra37472006@hotmail.com designerbagsshop@gmail.com weree@163.com
15	louisvuittondesignershop.com	274697833@qq.com customerservice@mr-bryant.com lishaoyang365@126.com
16	louis-vuittonhandbagsonsale.com	brantatrice769@gmail.com lv.customeronline@gmail.com sdate89@163.com
17	louisvuitton-hermes.com	annabeauty84@yahoo.com 348490619@qq.com
18	louisvuittonimitationhandbags.com	1786291408@qq.com eluxury-discount@hotmail.com eluxury_discount@yahoo.com repicalouisvuittonhandbags2012@hotmail.com eluxury-vipcustomerservice-h18@hotmail.com
19	louis-vuittonnordstrom.com	allisondick152@gmail.com customerservice55.lv@gmail.com dhvndbb@163.com
20	louisvuittonoutlet2.net	annachen1897@gmail.com

No.	Domain Name	E-Mail Addresses
21	louisvuittonoutletjust.com	businesshonor@yahoo.com service_center-1@hotmail.com 501e7de6u0bm1miu@t02cduv4f7f99a255f64.p rivatewhois.net
22	louisvuittonusd.com	kentyfang@hotmail.com louisvuittonusd@hotmail.com 48977068@qq.com
23	luxurybeltsoutlets.com	wumengjie2012@hotmail.com luxurybeltsoutlets@yahoo.com orderservice4you@hotmail.com hookhot2010@126.com
24	lvbagsoutlet002.com	sjkjsc@163.com lee336600@gmail.com lvbagsoutlet001@gmail.com overseastrade@126.com
25	monogrambagsonline.com	paypalfang@ymail.com superchinacart@gmail.com frank2006044@126.com
26	netebuy.net	aitaobaobao2008@sina.cn netebuy2008@gmail.com netebuy_net@yahoo.com.cn qq550367@hotmail.com
27	newfashiontrade.com	vipshop999@gmail.com millionmerchant@hotmail.com domain@diyworld.com
28	replicabags-jerseys.com	michaelhzt@qq.com chinatown_11@hotmail.com domain@diyworld.com
29	replica-louisvuitton-bags.org	christopherada121@gmail.com angeladennis168@gmail.com
	replica-louisvuittonbags.org	lv.customeronline@gmail.com lv.onlinecustomer@gmail.com
	louisvuitton-neverfullmm.info	edstanton24@hotmail.com tammysue76o@hotmail.com cliffaice@hotmail.com
30	repicalouisvuittonluggageoutlets.com	zhengjf@gmail.com
	repicaslouisvuittonluggageoutlet.com	liaozheng666@gmail.com worktrade@163.com
31	repicalouisvuittonpurses.org	davidcassandra168@gmail.com lv.customeronline@gmail.com joanevelyn@163.com

No.	Domain Name	E-Mail Addresses
32	shopvoguebags.com	fashionbagsuk@yahoo.com shopvoguebagssale@gmail.com shopvogueuks@yahoo.com
33	superqualityfashion.net	rufusd52@yahoo.com info@superqualityfashion.net superqualityfashion.net@contactprivacy.com
34	womenspursestore.com	chenaoyin2012@gmail.com womenspursestore@hotmail.com
35	worldluxurytrade.com	worldluxurytrade@hotmail.com copyoriginals@hotmail.com angeliangjing@hotmail.com