

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 13-61470-CIV-ROSENBAUM

TIFFANY (NJ), LLC,

Plaintiff,

vs.

GU JIANFANG d/b/a AAA909.COM, *et al.*,

Defendants.

**ORDER GRANTING APPLICATION FOR ENTRY
OF PRELIMINARY INJUNCTION**

This matter is before the Court on Plaintiff's¹ *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction (the "Application for Preliminary Injunction") [D.E. 5], and upon the Preliminary Injunction Hearing held on July 22, 2013. The Court has carefully reviewed the Motion and the entire court file and is otherwise fully advised in the premises. By the instant Application, Plaintiff Tiffany (NJ), LLC, moves for entry of a preliminary injunction against Defendants² for alleged violations of the Lanham Act, 15 U.S.C. §§ 1114 and 1125(a) and (d).

The Court convened a hearing on July 22, 2013, which only counsel for Plaintiff attended. During the hearing, Plaintiff directed the Court to evidence supporting the Application for Preliminary Injunction. *See* D.E. 14. Defendants have not appropriately responded to the Application for Preliminary Injunction, nor have they made any filing in this case, nor have Defendants appeared in this matter either individually or through counsel.³ Because Plaintiff has

¹ Plaintiff is Tiffany (NJ), LLC.

² Defendants are the Partnerships and Unincorporated Associations identified on Schedule "A" hereto.

³ Defendant 24 (isjewelry365.com) responded to Plaintiff via email upon notification by Paypal of the account restraint imposed by the Temporary Restraining Order ("TRO") [D.E. 10]. *See*

satisfied the requirements for the issuance of a preliminary injunction, the Court grants Plaintiff's Application for Preliminary Injunction [D.E. 5].

I. FACTUAL BACKGROUND⁴





1. Plaintiff manufactures, promotes, distributes, and sells in interstate commerce, including within this judicial district, luxury goods under multiple federally registered trademarks. See D.E. 5-1 at ¶ 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 "Tiffany Marks"):

Trademark	Registration Number	Registration Date	Class of Goods	Relevant Goods
<i>TIFFANY & CO.</i>	0,023,573	September 5, 1893	IC 014	jewelry and watches.
TIFFANY	0,133,063	July 6, 1920	IC 014	jewelry for personal wear, not including watches.
TIFFANY & CO.	1,228,189	February 22, 1983	IC 014	jewelry.
TIFFANY	1,228,409	February 22, 1983	IC 014	jewelry.
TIFFANY & CO.	1,283,306	June 26, 1984	IC 014	Clothing Accessories-Namely, Money Clips, Cufflinks, Key Holders, Collar Clips, Collar Stays, Tie Bars; Tie Tacks; Tie Slides; Belt Buckles, and Studs.
ATLAS	1,605,467	July 10, 1990	IC 014	Watches.
T & CO.	1,669,365	December 24, 1991	IC 014	all types of jewelry made of, or in part of, precious metals and/or with precious or semi-precious stones.

D.E. 13. Plaintiff's counsel replied to the response and, among other things, informed Defendant 24 of the upcoming hearing on July 22, 2013, and the deadline for submitting a formal response or objection as detailed in the TRO. To date, however, Defendant 24 has not filed an appropriate response with the Court.

⁴ The factual background is taken from Plaintiff's Complaint, Application for Preliminary Injunction, and supporting evidentiary submissions.

	1,785,204	August 3, 1993	IC 014	jewelry; namely, earrings.
PERETTI	1,787,861	August 17, 1993	IC 014	jewelry; namely, earrings, necklaces, pendants, bracelets and rings made of precious metals.
ELSA PERETTI	1,799,272	October 19, 1993	IC 014	jewelry; namely, earrings, necklaces, pendants, bracelets and rings made of variety of materials including precious metals,
	1,804,353	November 16, 1993	IC 014	jewelry; namely, earrings, necklaces, bracelets, pendants, and rings.
TIFFANY & CO.	1,968,614	April 16, 1996	IC 014	all types of timepieces, including especially watches.
	2,184,128	August 25, 1998	IC 014	jewelry and watches.
			IC 021	boxes.
	2,359,351	June 20, 2000	IC 014	jewelry; watches.
			IC 021	decorative boxes.
TIFFANY	2,639,539	October 22, 2002	IC 014	watches.
ATLAS	2,886,655	September 21, 2004	IC 014	jewelry; rings; bracelets; earrings; necklaces; pendants.

The Tiffany Marks are used in connection with the manufacture and distribution of goods in the categories identified above. *See* D.E. 5-1 at ¶ 5; D.E. 5-2 (containing Certificates of Registrations for the Tiffany Marks).

3. Defendants, through the fully interactive, commercial Internet websites or commercial Internet auction stores operating under their partnership and unincorporated association names identified on Schedule “A” hereto (collectively the “Subject Domain Names and Auction Stores”), or both, have advertised, promoted, offered for sale, or sold, at least, jewelry, such as bracelets, necklaces, pendants, earrings and rings, watches, cufflinks and key

rings, and gift boxes, bearing what Plaintiff has determined to be counterfeits, infringements, reproductions, and/or colorable imitations of the Tiffany Marks. *See* D.E. 5-1 at ¶¶ 9-14.

4. Although each Defendant may not copy and infringe each Tiffany Mark for each category of goods protected, Plaintiff has submitted sufficient evidence showing that each Defendant has infringed at least one or more of the Tiffany Marks. *See* D.E. 5-1 at ¶¶ 11-14. Defendants are not now, nor have they ever been, authorized or licensed to use, reproduce, or make counterfeits, reproductions, and/or colorable imitations of the Tiffany Marks. *See* D.E. 5-1 at ¶¶ 9, 14.

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* D.E. 5-1 at ¶ 10; D.E. 5-14 at ¶ 3; D.E. 5-4 at ¶ 4.

6. Eric Rosaler ("Rosaler"), an officer of AED Investigations, Inc., placed an order for the purchase of (i) a bracelet bearing at least one of the Tiffany Marks at issue in this action through the Internet website operating under the Subject Domain Name **tiffanyjewelryoutletsale.org**; (ii) a bracelet bearing at least one of the Tiffany Marks at issue in this action through the Internet website operating under the Subject Domain Name **tiffanycoshop.net**; and (iii) a pendant bearing at least one of the Tiffany Marks at issue in this action through the Internet website operating under the Subject Domain Name **tiffanyoutlet4sale.com**. *See* D.E. 5-14 at ¶¶ 4-6. Rosaler finalized payment for the Tiffany-branded bracelet purchased through **tiffanyjewelryoutletsale.org** via PayPal to the PayPal account, paypal2614@yahoo.com, the Tiffany-branded bracelet purchased through **tiffanycoshop.net** via PayPal to the PayPal account, beadscenter@live.com, and the Tiffany-

branded pendant purchased through **tiffanyoutlet4sale.com** via PayPal to the PayPal account, sunny20101230@yahoo.com. See D.E. 5-14 at ¶¶ 4-6; D.E. 5-15 through D.E. 5-17.

7. Additionally, Rosaler accessed the commercial Internet websites operating under the Subject Domain Names identified on the table below, and went through the purchasing process⁵ for various products, most of which bore counterfeits of at least one of the Tiffany Marks at issue in this action.⁶ See D.E. 5-14 at ¶ 7. Following submission of his orders, Rosaler received information for finalizing payment for each of the items ordered via PayPal and/or bank transfer to Defendants’ respective PayPal and/or bank accounts, as follows:

Domain Name	Payment Method	Account⁷
aaa909.com	PayPal	fine9091314@gmail.com navybule2009@gmail.com 1029best@gmail.com
fine909.com	PayPal	fine9091314@sina.com
sale925.com	PayPal	judy-white@hotmail.com
365tradesmart.com	Bank Transfer	China Merchants Bank Account Name: Yong Jiang Account Number: *****8821 Swift Code: CMBCCNBS131
925crystalring.com	Bank Transfer	Bank of China Account Name: Yabin Zhuang Account Number: *****7685 Swift Code: BKCHCNBJ73B

⁵ Rosaler intentionally did not finalize his purchases from the Internet websites so as to avoid contributing funds to Defendants’ coffers. See D.E. 5-4 at ¶ 4.

⁶ Although all of the websites operating under the Subject Domain Names offer for sale Tiffany branded items (see D.E. 5-4 at ¶ 2), Rosaler intentionally did not order Tiffany branded merchandise from some of the websites operating under the Subject Domain Names as part of his investigative process. Making purchases of mixed brands is a technique commonly used by investigators to avoid inadvertently tipping off the target that a brand owner is conducting an investigation. See D.E. 5-14 at ¶ 7, n.1; D.E. 5-4 at ¶ 4.

⁷ The full account numbers of all financial-institution accounts identified herein have been redacted to avoid disclosure of private financial information, in compliance with Rule 5.2(a)(4), Fed. R. Civ. P.

aidejewelry.com	Bank Transfer	Agricultural Bank of China Account Name: Yuan Chen Account Number: *****3613 Swift Code: ABOCCNBJ110
axues.org	Bank Transfer	Bank of China Account Name: LinShunfang Account Number: *****5407 Swift Code: BKCHCNBJ45A
cheapbulks.com	Bank Transfer	Bank of China Account Name: XinHua Tang Account Number: *****1534 Swift Code: BKCHCNBJ73C
cheap-jordans-china.net	PayPal	mumuwell123@163.com
cheaptiffanyclub.co.uk	PayPal	david01yang@hotmail.com
hottiffany4u.com	PayPal	LeaderWutan@hotmail.com
cheaptiffanyrings.org cheaptiffanyjewelry.org	Bank Transfer	Agricultural Bank of China Account Name: Jian Bin Wang Account Number: *****7118 Swift Code: AEOCCNBJ130
copytiffanyco.com goodstiffanyoutlet.com onsalestiffany.com selltiffanyoutlet.com tiffanycheapstore.com tiffanyoutletpro.com	Bank Transfer	Bank of China Account Name: yuyongjun Account Number: *****0675 Swift Code: BKCH CN BJ300
etsjewelry.com	PayPal	newpayway@gmail.com
tiffanysreplica.com	PayPal	welltopay@gmail.com
fashionsmell.com	Bank Transfer	Bank of China Account Name: Xuefeng Wang Account Number: **** *3 599 Swift Code : BKCHCNBJ73C
giftjewelries.net	Bank Transfer	China Merchants Bank Account Name: Liu TianLiang Account Number: **** *2558 SWIFT Code: CMBCCNBS
groupbuyinguk.com	Bank Transfer	Bank of China Account Name: Dan Wang Account Number: *****_****_****262-7 Swift Code: BKCHCNBJ400
hotbrands4u.net	PayPal	zorrojane08@sina.com
	Bank Transfer	Agricultural Bank of China Account Name: Cai Jin Chuan Account Number: **** *1

		215 Swift Code: ABOCCNBJ400 China Merchants Bank Account Name: Cai Jin Chuan Account Number: **** * 9189 Swift Code: CMBCCNBS471
ilove925silver.com	PayPal	salesjewelmarks@outlook.com
	Bank Transfer	Industrial & Commercial Bank of China Account Name: Zhang Chunrong Account Number: *****5860 Swift Code: ICBKCNBJGDG
infashion2012.net	PayPal	hzz392@qq.com
isjewelry365.com	Bank Transfer	China Construction Bank Account Name : Lu Jiang Bo'L Share Ltd Account Number : *****1934 Swift Code: PCBCCNBJZJX
jewellerysalewholesale.com	Bank Transfer	Bank of China Account Name: Rongjiao Zhang Account Number: **** * 0 657 Swift Code: BKCHCNBJ73C
tiffanyclassicsale.com	Bank Transfer	Bank of China Account Name: Jinchun Huang Account Number: **** * 9 962 Swift Code: BKCHCNBJ73C
jewelrytiffanycouk.com tiffanyandcosales.co.uk	PayPal	zhousw10@hotmail.com
karenmilenoutletstore.com tiffanyonlineoutlet.us	Bank Transfer	Bank of China Account Name: Zhi Sheng Cai Account Number: *****1824 Swift Code: BKCHCNBJ73C
knockoff-tiffany.info	Bank Transfer	Bank of China Account Name: Lin Dexiong Account Number: **** * 0 668 Swift Code: BKCHCNBJ73C
landtmall.com	PayPal	supplieshotel@163.com
	Bank Transfer	Industrial and Commercial Bank Of China Account Name: Liu Cuiping Account Number: *****5 255

		Bank Swift Code: ICBKCNBJGDG
lovejewelryshop.com	Bank Transfer	Bank of China Account Name: Yang Dong Sheng Account Number: ****_****_****_***3-598 Swift Code: BKCHCNBJ400
lux-closet.com	Bank Transfer	Bank of China Account Name: Bin lin Account Number: *****4941 Swift Code: BKCHCNBJ940
morebulk.com	Bank Transfer	Bank of China Account Name: Zhengshang Zhao Account Number: *****
		0986 Swift Code: BKCHCNBJ73C
newangelshop.net	PayPal	fashionitemsfromsunny@gmail.com
tiffanybizuteriasklep.com tiffanyjewelrysupply.com	Bank Transfer	Bank of China Account Name: Yanzhen Shen Account Number: **** *9 Swift Code: BKCHCNBJ73C
perfectlife2012.com	PayPal	bestlife521@gmail.com
ppfactoryoutlet.com	PayPal	ppfyolt@gmail.com
readyforjerseys.com	Bank Transfer	Bank of China Account Name: Li Lin Account Number: *****3047 Swift Code: BKCH CNBJ73C
replica-relojes-shop.com	Bank Transfer	Industrial & Commercial Bank of China Account Name: Zhang JunKun Account Number: **** *2 Swift Code: ICBKCNBJGDG
tiffanysreplica.com	Bank Transfer	China Merchants Bank Account Name: Yan Ya Ping Account Number: **** *8567 Swift Code: CMBCCNBS471
tiffanyandcooutletsales.com	Bank Transfer	Bank of China Account Name: Shen Meiyun Account Number: **** *1 Swift Code: BKCH CN BJ 720
tiffanybox.net	PayPal	tcopayment@gmail.com

tiffanyc.com	Bank Transfer	Bank of China Account Name: Dan Wang Account Number: *****8113 Swift Code: BKCHCNBJ400
tiffanycheaponline.net	Bank Transfer	Bank of China Account Name: Suhe Zhuang Account Number: **** *5 861 or ***** *5 861 Swift Code: BKCHCNBJ73C
tiffanycojewelrysaleonline.info	Bank Transfer	Bank of China Account Name: Yimin Xu Account Number: **** *3 051 Swift Code: BKCHCNBJ92H
tiffanycoshop.net	Bank Transfer	Bank of China Account Name: JianXiong Lin Account Number: *****9538 Swift Code: BKCH CN BJ 720
tiffanyco-store.com	PayPal	kickshoesbin@gmail.com
tiffanyjewelryoutlets2013.com	PayPal	tfbuyerservicepay@hotmail.com
tiffanyukcosale.co.uk tiffanyjewelryoutletsale.org	PayPal	paypalpayment96843@yahoo.com
tiffanyjewelry-outletstore.com	Bank Transfer	China Merchants Bank Account Name: Jiang Yongfei Account Number: **** *7212 Swift Code: CMBCCNBS261
tiffanyor.com	Bank Transfer	Bank of China Account Name: Liu Li Account Number: **** *0 645 Swift Code: BKCHCNBJ300
tiffanyoutletsjewelry.org	PayPal	luqiuying@outlook.com
tiffanyoutletvip2013.com	Bank Transfer	Bank of China Account Name: Geng Zeng Account Number: 6013 8264 0700 3853 310 Swift Code: BKCHCNBJ73C
tiffanyoutletwholesale.com	PayPal	huihuangservice@gmail.com
tiffanys2013.com	Bank Transfer	China Construction Bank Account Name: Ya Nan Ju Account Number: **** *0 075 Swift Code: PCBCCNBJFJX
tiffanysandoutlets.org	PayPal	justdoitss@hotmail.com

tiffanysolde.com wholesaletiffany.net	Bank Transfer	Bank of China Account Name: Nengjin Jiang Account Number: **** * 7 350 Swift Code: BKCHCNBJ73C
tiffanyuksaleoutlet.org.uk	PayPal	paypaypaymentok92673@gmail.com
toptrade925.com	Bank Transfer	Bank of China Account Name: zouhaitang Account Number: *****9596 Swift Code: BKCHCNBJ45A
uktiffanyjewellery.com	PayPal	linxueqiong16@gmail.com
zsjrz.com	Bank Transfer	Bank of China Account Name: Liu Xiaoming Account Number: *****3188 Swift Code: BKCHCNBJ45A
jewelry2013.org	PayPal	yaoxibusiness@hotmail.com

See D.E. 5-14 at ¶ 7; D.E. 5-18 through 5-23.

8. Furthermore, Rosaler accessed the commercial Internet auction stores operating under the seller ID names identified in the table below. Upon accessing each auction store, Rosaler was able to browse each online store for products bearing Tiffany trademarks,⁸ add products to the online shopping carts, proceed to a point of checkout on each auction store, and otherwise actively exchange data with each auction store. Rosaler then went through the purchasing process⁹ via each auction store for various products, most of which bore counterfeits of, at least, one of the Tiffany Marks at issue in this action. See D.E. 5-14 at ¶ 8. Each of Rosaler's purchases was processed entirely online and following the submission of his orders, he

⁸ Although all of the Internet auction stores offer for sale Tiffany branded items (see D.E. 5-4 at ¶ 2), Rosaler intentionally ordered non-Tiffany-branded merchandise from some of the auction stores as part of his investigative process. Making purchases of mixed brands is a technique commonly used by investigators to avoid inadvertently tipping off the target that a brand owner is conducting an investigation. See D.E. 5-14 at ¶ 8, n.4; D.E. 5-4 at ¶ 4.

⁹ Rosaler intentionally did not finalize his purchases from the Internet auction stores so as to avoid contributing funds to Defendants' coffers. See D.E. 5-4 at ¶ 4.

received information for finalizing payment for each of the various products ordered via PayPal to Defendants' respective PayPal accounts, as follows:

Seller ID Names	PayPal Account
Fengkuangjiedan	doudouzhangdala@163.com
roadseeker001 wonderdb	jxmt1815@163.com
foudouing	laiqian88@yeah.net
fortune588	woaini7687@126.com
hainandaxue168 miping01 shewei01 yongyuanbusi888	yixingqi47@163.com
51168168	zongmenling@126.com

See D.E. 5-14 at ¶ 8; D.E. 5-24.

9. Thereafter, the detailed web-page listings and images of the Tiffany branded bracelets and pendant, purchased by Rosaler via the Internet websites operating under the Subject Domain Names tiffanyjewelryoutletsale.org, tiffanycoshop.net, and tiffanyoutlet4sale.com, respectively, were reviewed by Tiffany's representative, Steven Costello, who determined the products to be non-genuine, unauthorized Tiffany products. See D.E. 5-1 at ¶¶ 11, 14. Mr. Costello also reviewed and visually inspected Defendants' Websites and Auction Stores, as well as pictures of items bearing the Tiffany Marks offered for sale by Defendants via their Internet websites and auction stores operating under the Subject Domain Names and Auction Stores, and likewise determined the products to be unauthorized, non-genuine versions of Plaintiff's products. See D.E. 5-1 at ¶¶ 12, 14.

10. On July 8, 2013, Plaintiff filed its Complaint [D.E. 1] against Defendants for trademark counterfeiting and infringement, and false designation of origin. Also, on July 10, 2013, Plaintiff filed its *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction [D.E. 5]. On July 11, 2013, the Court issued an Order Granting Plaintiff's

Ex Parte Application for a Temporary Restraining Order [D.E. 10] and temporarily restrained Defendants from infringing the Plaintiff's Marks at issue. Pursuant to the Court's July 11, 2013, Order, Plaintiff provided Defendants with notice and copies of the Court's July 11, 2013, Order and Plaintiff's *Ex Parte* Application for Entry of a Temporary Restraining Order and Preliminary Injunction, via email to the email address(es) reflected in the domain registration data for the Subject Domain Names, via email to the email address(es) provided on the Internet websites operating under the Subject Domain Names, electronically via the contact submission web page provided on the websites for the Subject Domain Names, and/or also sent a copy of the Court's July 11, 2013, Order via email to the registrar of record for each of the Subject Domain Names. Thereafter, a Certificate of Service was filed confirming service on each Defendant. D.E. 12.

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).

III. ANALYSIS

The uncontested 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, or distribution of jewelry, such as bracelets, necklaces, pendants, earrings and rings, watches, cufflinks and key

rings, and gift boxes bearing counterfeits, reproductions, or colorable imitations of the Tiffany Marks, and the products Defendants are selling and promoting are copies of Plaintiff's products that bear copies of the Tiffany Marks on jewelry, such as bracelets, necklaces, pendants, earrings and rings, watches, cufflinks and key rings, and gift boxes.

B. Because of the infringement of the Tiffany 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 Preliminary Injunction, 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 websites, domain names, or auction store businesses that advertise, promote, offer for sale, or sell, at least jewelry, such as bracelets, necklaces, pendants, earrings and rings, watches, cufflinks and key rings, and gift boxes 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 and enjoining 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 the public from being defrauded by the palming off of counterfeit products as genuine products 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 jewelry, such as bracelets, necklaces, pendants, earrings and rings, watches, cufflinks and key rings, and gift boxes bearing counterfeits and infringements of the Tiffany 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 [D.E. 5] is hereby **GRANTED** 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 Tiffany 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 Tiffany 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 Tiffany 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 of this Court, the use of the Tiffany Marks or any confusingly similar trademarks, on or in connection with all Internet websites, domain name, and/or auction store businesses owned and operated, or controlled by them including the Internet websites and auction stores operating under the Subject Domain Names and Auction Stores;

(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 of this Court, the use of the Tiffany 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 domain names used and controlled by Defendants 1-58 (collectively 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) 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;

(7) 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;

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

(9) Upon receipt of notice of this Order, PayPal, Inc. (“PayPal”),¹⁰ 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 Defendants and associated e-mail addresses identified on Schedule “B” hereto and the following specific PayPal account recipients:

PayPal Account
paypal2614@yahoo.com
beadscenter@live.com
sunny20101230@yahoo.com
fine9091314@gmail.com
navybule2009@gmail.com
1029best@gmail.com
fine9091314@sina.com
judy-white@hotmail.com
mumuwell123@163.com
david01yang@hotmail.com
LeaderWutan@hotmail.com
newpayway@gmail.com
welltopay@gmail.com
zorrojane08@sina.com
salesjewelmarks@outlook.com
hzz392@qq.com
zhousw10@hotmail.com
supplieshotel@163.com
fashionitemsfromsunny@gmail.com
bestlife521@gmail.com
ppfyolt@gmail.com
tcopayment@gmail.com
kickshoesbin@gmail.com
tfbuyerservicepay@hotmail.com

¹⁰ PayPal is licensed to do business in the State of Florida by the Florida Office of the Controller and is therefore subject to personal jurisdiction in this Court. See D.E. 5-4 at ¶ 9.

paypalpayment96843@yahoo.com
luqiuying@outlook.com
huihuangservice@gmail.com
justdoitss@hotmail.com
paypaypaymentok92673@gmail.com
linxueqiong16@gmail.com
yaoxibusiness@hotmail.com
doudouzhangdala@163.com
jxmt1815@163.com
laiqian88@yeah.net
woaini7687@126.com
yixingqi47@163.com
zongmenling@126.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 and Auction Stores identified on Schedule “A” hereto;

(10) Upon receipt of notice of this Order, 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 PayPal accounts linked to, associated with, or that transmit funds into Defendants’ identified bank accounts,¹¹ including but not limited to the:

Bank Name	Account Name	Bank Account Number
China Merchants Bank	Yong Jiang	*****8821
Bank of China	Yabin Zhuang	*****7685
Agricultural Bank of China	Yuan Chen	*****3613
Bank of China	LinShunfang	*****5407

¹¹ The full account numbers identified herein have been redacted to avoid disclosure of private financial information, in compliance with Fed. R. Civ. P. 5.2(a)(4); however, the full account numbers are identified on Plaintiff’s Notice of Filing Reference List, filed under seal, which shall be disclosed to PayPal to effectuate the relief ordered herein.

Bank of China	XinHua Tang	*****1534
Agricultural Bank of China	Jian Bin Wang	*****7118
Bank of China	yuyongjun	*****0675
Bank of China	Xuefeng Wang	**** *3 599
China Merchants Bank	Liu TianLiang	**** *2558
Bank of China	Dan Wang	*****_***_***262-7
Agricultural Bank of China	Cai Jin Chuan	**** *1 215
China Merchants Bank	Cai Jin Chuan	**** *9189
Industrial & Commercial Bank of China	Zhang Chunrong	*****5860
China Construction Bank	Lu Jiang Bo'L Share Ltd	*****1934
Bank of China	Rongjiao Zhang	**** *0 657
Bank of China	Jinchun Huang	**** *9 962
Bank of China	Zhi Sheng Cai	*****1824
Bank of China	Lin Dexiong	**** *0 668
Industrial and Commercial Bank Of China	Liu Cuiping	*****5 255
Bank of China	Yang Dong Sheng	****_***_***3-598
Bank of China	Bin lin	*****4941
Bank of China	Zhengshang Zhao	*****0986
Bank of China	Yanzhen Shen	**** *9 526
Bank of China	Li Lin	*****3047
Industrial & Commercial Bank of China	Zhang JunKun	**** *2 126
China Merchants Bank	Yan Ya Ping	**** *8567
Bank of China	Shen Meiyun	**** *1 743
Bank of China	Dan Wang	*****8113
Bank of China	Suhe Zhuang	**** *5 861; *****5 861
Bank of China	Yimin Xu	**** *3 051
Bank of China	JianXiong Lin	*****9538
China Merchants Bank	Jiang Yongfei	**** *7212
Bank of China	Liu Li	**** *0 645
Bank of China	Geng Zeng	**** *3 310
China Construction Bank	Ya Nan Ju	**** *0 075
Bank of China	Nengjin Jiang	**** *7 350
Bank of China	zouhaitang	*****9596
Bank of China	Liu Xiaoming	*****3188

and any other related accounts of the same customers;

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

PayPal Account
paypal2614@yahoo.com
beadscenter@live.com
sunny20101230@yahoo.com
fine9091314@gmail.com
navybule2009@gmail.com
1029best@gmail.com
fine9091314@sina.com
judy-white@hotmail.com
mumuwell123@163.com
david01yang@hotmail.com
LeaderWutan@hotmail.com
newpayway@gmail.com
welltopay@gmail.com
zorrojane08@sina.com
salesjewelmarks@outlook.com
hzz392@qq.com
zhousw10@hotmail.com
supplieshotel@163.com
fashionitemsfromsunny@gmail.com
bestlife521@gmail.com
ppfyolt@gmail.com
tcopayment@gmail.com
kickshoesbin@gmail.com
tfbuyerservicepay@hotmail.com
paypalpayment96843@yahoo.com
luqiuying@outlook.com
huihuangservice@gmail.com
justdoitss@hotmail.com
paypaypaymentok92673@gmail.com
linxueqiong16@gmail.com
yaoxibusiness@hotmail.com
doudouzhangdala@163.com
jxmt1815@163.com
laiqian88@yeah.net
woaini7687@126.com
yixingqi47@163.com
zongmenling@126.com

and any other related accounts of the same customer(s), and/or all PayPal accounts linked to, associated with, or that transmit funds into Defendants’ identified bank accounts, including but not limited to the following:

Bank Name	Account Name	Bank Account Number
China Merchants Bank	Yong Jiang	*****8821
Bank of China	Yabin Zhuang	*****7685
Agricultural Bank of China	Yuan Chen	*****3613
Bank of China	LinShunfang	*****5407
Bank of China	XinHua Tang	*****1534
Agricultural Bank of China	Jian Bin Wang	*****7118
Bank of China	yuyongjun	*****0675
Bank of China	Xuefeng Wang	**** *3 599
China Merchants Bank	Liu TianLiang	**** *2558
Bank of China	Dan Wang	*****_****_*262-7
Agricultural Bank of China	Cai Jin Chuan	**** *1 215
China Merchants Bank	Cai Jin Chuan	**** *9189
Industrial & Commercial Bank of China	Zhang Chunrong	*****5860
China Construction Bank	Lu Jiang Bo’L Share Ltd	*****1934
Bank of China	Rongjiao Zhang	**** *0 657
Bank of China	Jinchun Huang	**** *9 962
Bank of China	Zhi Sheng Cai	*****1824
Bank of China	Lin Dexiong	**** *0 668
Industrial and Commercial Bank Of China	Liu Cuiping	*****5 255
Bank of China	Yang Dong Sheng	****_*****_*3-598
Bank of China	Bin lin	*****4941
Bank of China	Zhengshang Zhao	***** 0986
Bank of China	Yanzhen Shen	**** *9 526
Bank of China	Li Lin	*****3047
Industrial & Commercial Bank of China	Zhang JunKun	**** *2 126
China Merchants Bank	Yan Ya Ping	**** *8567
Bank of China	Shen Meiyun	**** *1 743
Bank of China	Dan Wang	*****8113

Bank of China	Suhe Zhuang	**** *5 861; ***** *5 861
Bank of China	Yimin Xu	**** *3 051
Bank of China	JianXiong Lin	*****9538
China Merchants Bank	Jiang Yongfei	**** *7 212
Bank of China	Liu Li	**** *0 645
Bank of China	Geng Zeng	**** *3 310
China Construction Bank	Ya Nan Ju	**** *0 075
Bank of China	Nengjin Jiang	**** *7 350
Bank of China	zouhaitang	*****9596
Bank of China	Liu Xiaoming	*****3188

and any other related accounts of the same customers as well as any other accounts which transfer funds into the same financial institution account(s) as any of the other PayPal accounts 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 frozen and identifies the PayPal account(s) which the frozen funds are related to, and (ii) the account transactions related to all funds transmitted into the PayPal account(s) which have been restrained. Such freezing 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. No funds restrained by this Order shall be transferred or surrendered by PayPal for any purpose (other than pursuant to a chargeback made pursuant to PayPal’s security interest in the funds) without the express authorization of this Court;

(13) This Preliminary Injunction shall apply to the Subject Domain Names, associated websites, and any other domain names and websites properly brought to the Court’s attention and verified by sworn affidavit which verifies such new domain names are being used by Defendants

for the purpose of counterfeiting Plaintiff's Marks at issue in this action and/or unfairly competing with Plaintiff on the World Wide Web;

(14) Pursuant to 15 U.S.C. § 1116(d)(5)(D), Plaintiff shall maintain its previously posted 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;

(15) 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 Fort Lauderdale, Florida, this 22nd day of July 2013.

ROBIN S. ROSENBAUM
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record



SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAMES
AND AUCTION STORES

Defendant Number	Defendant/Subject Domain Name and Auction Stores
1	aaa909.com
2	fine909.com
3	sale925.com
4	365tradesmart.com
5	925crystalring.com
6	aidejewelry.com
7	axues.co
7	axues.org
7	axuesok.com
8	cheapbulks.com
9	cheap-jordans-china.net
10	cheapstiffanyandco.org
10	outletsaletiffanyandco.co.uk
10	outlettiffanyandcohere.org
10	tiffanyandcooutlet4u.org
10	tiffanyjewelryoutlet.org
10	tiffanyoutlet4sale.com
10	tiffanyoutletsaleus.com
11	cheaptiffanyclub.co.uk
12	hottiffany4u.com
13	cheaptiffanyjewellerysales.co.uk
13	jewelrytiffanycouk.com
13	tiffanyandcosales.co.uk
14	cheaptiffanyjewelry.org
14	cheaptiffanyrings.org
15	etsjewelry.com
16	tiffanysreplica.com
17	fashionsmell.com
18	giftjewelries.net
19	copytiffanyco.com
19	goodstiffanyoutlet.com
19	onsalestiffany.com
19	selltiffanyoutlet.com
19	tiffanycheapstore.com
19	tiffanyoutletpro.com
20	groupbuyinguk.com
21	hotbrands4u.net
22	ilove925silver.com
23	infashion2012.net

24	isjewelry365.com
25	jewellerysalewholesale.com
26	tiffanyclassicsale.com
27	karenmilenoutletstore.com
27	karenmillenoutletstoreus.com
27	tiffanyonlineoutlet.us
28	knockoff-tiffany.info
29	landtmall.com
30	lovejewelryshop.com
31	lux-closet.com
32	morebulk.com
33	newangelshop.net
34	tiffanybizuteriasklep.com
34	tiffanyjewelrysupply.com
35	perfectlife2012.com
36	ppfactoryoutlet.com
36	ppfcoutlet.com
37	readyforjerseys.com
38	replica-relojes-shop.com
39	tiffanyandcooutletsales.com
40	tiffanybox.net
40	tiffanycoshop.net
41	tiffanyc.com
42	tiffanycheaponline.net
43	tiffanycojewelrysaleonline.info
43	tiffanycojewelrysaleonline.org
44	tiffanyco-store.com
45	tiffanyjewelryoutlets2013.com
46	tiffanyjewelryoutletsale.org
46	tiffanyukcosale.co.uk
46	tiffanyuksale.biz
46	tiffanyuksaleoutlet.org.uk
47	tiffanyjewelry-outletstore.com
48	tiffanyor.com
49	tiffanyoutletsjewelry.org
50	tiffanyoutletvip2013.com
51	tiffanyoutletwholesale.com
52	tiffanys2013.com
53	tiffanysandoutlets.org
54	tiffanysolde.com
54	wholesalestiffany.net
55	toptrade925.com
56	uktiffanyjewellery.com
57	zsjrz.com
58	jewelry2013.org

59	Fengkuangjiedan
60	roadseeker001
60	wonderdb
61	foudouing
62	fortune588
63	hainandaxue168
63	miping01
63	shewei01
63	yongyuanbusi888
64	51168168

SCHEDULE “B”
DEFENDANT PARTNERSHIPS OR UNINCORPORATED ASSOCIATIONS
BY SUBJECT DOMAIN NAMES AND AUCTION STORES AND
ASSOCIATED E-MAIL ADDRESSES

Defendant Number	Defendant /Subject Domain Name And Auction Stores	E-Mail Addresses
1	aaa909.com	aaa518000@gmail.com
2	fine909.com	happyjewelry2011@gmail.com
3	sale925.com	sale925@hotmail.com sale925@hotmail.co.uk
4	365tradesmart.com	
5	925crystalring.com	tiffanyknockoffs@hotmail.com liuqiang521@163.com
6	aidejewelry.com	aidejewelry@hotmail.com aidejewelry@gmail.com sales@aidejewelry.com
7	axues.co	zhangqingok@yahoo.com.cn
7	axues.org	zhangqingok@yahoo.com.cn honiclin@yahoo.com.cn axues@axues.org
7	axuesok.com	
8	cheapbulks.com	413107896@qq.com
9	cheap-jordans-china.net	sale@cnnwholesale.com cheapjordansshoes@163.com
10	cheapstiffanyandco.org	ciaclimsubswon1983@hotmail.com
10	outletsaletiffanyandco.co.uk	
10	outlettiffanyandcohere.org	inintarpau1986@hotmail.com
10	tiffanyandcooutlet4u.org	centglovmodo1977@hotmail.com
10	tiffanyjewelryoutlet.org	cafecoffeesweets@gmail.com tiffany2013sales@hotmail.com comcoroobi1974@hotmail.com supports2012@hotmail.com
10	tiffanyoutlet4sale.com	merakesa1980@hotmail.com
10	tiffanyoutletsaleus.com	
11	cheaptiffanyclub.co.uk	david01yang@hotmail.com
12	hottiffany4u.com	witness_8@163.com customersupportgrace@hotmail.com
13	cheaptiffanyjewellerysales.co.uk	
13	jewelrytiffanycouk.com	lueckzhou@hotmail.com
13	tiffanyandcosales.co.uk	
14	cheaptiffanyrings.org	store.service@hotmail.com cngoogletg@163.com
14	cheaptiffanyjewelry.org	store.service@hotmail.com cngoogletg123@163.com

Defendant Number	Defendant /Subject Domain Name And Auction Stores	E-Mail Addresses
15	etsjewelry.com	minebuty@gmail.com ETSjewelry@gmail.com
16	tiffanysreplica.com	tiffanysreplica@gmail.com orderwant@hotmail.com
17	fashionsmell.com	fashionsmell@hotmail.com xuefeng03@tom.com
18	giftjewelries.net	giftjewelries@gmail.com selltiffanys@gmail.com
19	copytiffanyco.com	tiffanyoutletshop@gmail.com
19	goodstiffanyoutlet.com	tiffanyoutletshop@gmail.com yuyongjun80@163.com
19	onsalestiffany.com	tiffanyoutletshop@gmail.com yuyongjun80@163.com
19	selltiffanyoutlet.com	tiffanyoutletshop@gmail.com yuyongjun80@163.com
19	tiffanycheapstore.com	tradeonsilkroad@gmail.com tiffanyoutletshop@gmail.com
19	tiffanyoutletpro.com	tiffanyoutletshop@gmail.com yuyongjun80@163.com
20	groupbuyinguk.com	processorder@gmail.com
21	hotbrands4u.net	sales@hotbrands4u.net service@hotbrands4u.net hotbrands4u@hotmail.com karlcai@hotmail.com
22	ilove925silver.com	jewelry88998@hotmail.com
23	infashion2012.net	727236899@qq.com Onlinecheapfashion@Gmail.com
24	isjewelry365.com	596572895@qq.com isjewelry365@gmail.com everspring_wendy@hotmail.com
25	jewellerysalewholesale.com	tradeterrific@gmail.com
26	tiffanyclassicsale.com	worldstoreinfo@gmail.com
27	karenmilenoutletstore.com	karenmilenoutletstoreusa@hotmail.com karenmilenoutletstore@hotmail.com
27	karenmilenoutletstoreus.com	karenmilenoutletstore@hotmail.com
27	tiffanyonlineoutlet.us	tiffanyoutletonline@hotmail.com
28	knockoff-tiffany.info	sales@knockoff-tiffany.com 604566711@qq.com
29	landtmall.com	sale005mall@163.com hollywoodadmin@163.com
30	lovejewelryshop.com	lovejewelryshopsales@gmail.com
31	lux-closet.com	service@lux-closet.com
32	morebulk.com	sales@morebulk.com service@mail.morebulk.com

Defendant Number	Defendant /Subject Domain Name And Auction Stores	E-Mail Addresses
33	newangelshop.net	newangelshop@gmail.com chenhao1000@163.com
34	tiffanybizuteriasklep.com	cooltradelinkyou@gmail.com kjdfirj@163.com
34	tiffanyjewelrysupply.com	b2cperfecttrade@gmail.com huisbu@163.com
35	perfectlife2012.com	perfectlife2012@gmail.com toystory314@gmail.com
36	ppfactoryoutlet.com	support@ppfactoryoutlet.com sales@ppfactoryoutlet.com
36	ppfcoutlet.com	
37	readyforjerseys.com	nfljerseysbay@hotmail.com readyforjerseys@gmail.com
38	replica-relojes-shop.com	watchorders.service@gmail.com disfee@gmail.com
39	tiffanyandcooutletsales.com	servicesdsb@hotmail.com idaliaj6v51p@hotmail.com
40	tiffanybox.net	sales@tiffanybox.net cs@tiffanybox.net cuteandwhite@hotmail.com
40	tiffanycoshop.net	order@tiffanycoshop.net cuteandwhite@hotmail.com
41	tiffanyc.com	catalog100@gmail.com
42	tiffanycheaponline.net	youlinkfavourite@gmail.com hhursd@163.com
43	tiffanycojewelrysaleonline.info	bestsellingonlinemall@yahoo.com
43	tiffanycojewelrysaleonline.org	
44	tiffanyco-store.com	tiffanycostore@gmail.com 233333@qq.com
45	tiffanyjewelryoutlets2013.com	ptshunteng-1@hotmail.com
46	tiffanyjewelryoutletsale.org	servicecheckorderonline@yahoo.com
46	tiffanyukcosale.co.uk	
46	tiffanyuksale.biz	
46	tiffanyuksaleoutlet.org.uk	
47	tiffanyjewelry-outletstore.com	
48	tiffanyor.com	loginjewelry@gmail.com tiffanyor@hotmail.com
49	tiffanyoutletsjewelry.org	shopping-onlines@hotmail.com
50	tiffanyoutletvip2013.com	clfradeinc@gmail.com 52318590@qq.com
51	tiffanyoutletwholesale.com	tiffanyoutletwholesaler@gmail.com 350357499@qq.com

Defendant Number	Defendant /Subject Domain Name And Auction Stores	E-Mail Addresses
52	tiffanys2013.com	djtreade@hotmail.com schuhelouboutinoutlets@gmail.com tiffanys2013@hotmail.com
53	tiffanysandoutlets.org	jewhome2011@hotmail.com 767608803@qq.com
54	tiffanysolde.com	snow.service017@gmail.com huauaue@163.com
54	wholesalestiffany.net	supplyservice48@gmail.com net336633@126.com
55	toptrade925.com	trade925@live.com
56	uktiffanyjewellery.com	sale@discountluxurydealer.com loviegbfn@hotmail.com
57	zsjrz.com	admin@zsjrz.com
58	jewelry2013.org	hotjewelry2013sale@hotmail.com 76030625@qq.com
59	Fengkuangjiedan	doudouzhangdala@163.com
60	roadseeker001	jxmt1815@163.com
60	wonderdb	jxmt1815@163.com
61	foudouing	laiqian88@yeah.net
62	fortune588	woaini7687@126.com
63	hainandaxue168	yixingqi47@163.com
63	miping01	yixingqi47@163.com
63	shewei01	yixingqi47@163.com
63	yongyuanbusi888	yixingqi47@163.com
64	51168168	zongmenling@126.com