

United States District Court
for the
Southern District of Florida

Chanel, Inc., Plaintiff,)	
)	
v.)	Case No. 16-61802-CIV-SCOLA
)	
Chanelbagsus.com, <i>and others</i> ,)	
Defendants.)	

Second Amended Final Default Judgment And Permanent Injunction

This matter is before the Court on the Plaintiff's Motion to Amend the Amended Final Default Judgment and Permanent Injunction to Add New Domain Names (ECF No. 35). Previously, the Court entered an Amended Final Default Judgment and Permanent Injunction (ECF No. 34), which permanently enjoined the Defendants from, *inter alia*, manufacturing, importing, advertising, promoting, distributing, selling or offering to sell counterfeit and infringing goods using the Plaintiff's trademarks. The Plaintiff has presented clear and compelling evidence demonstrating multiple Defendants are acting in violation of the amended permanent injunction on an ongoing basis.

A Court that issues a permanent injunction retains continuing jurisdiction to modify it whenever the principles of equity require it to do so. Permanent injunctions may be modified to impose more stringent requirements to ensure the original purposes of the injunction are met. *Exxon Corp. v. Texas Motor Exchange of Houston, Inc.*, 628 F.2d 500, 503 (5th Cir. 1980). If the relief originally ordered has not produced the intended result, the Court "should modify the decree so as to achieve the required result with all appropriate expedition." *United States v. United Shoe Machinery Corp.*, 391 U.S. 244, 252, 88 S. Ct. 1496, 7401 (1968). Modification of an injunction is particularly appropriate where, as here, the defendant has acted to frustrate the purpose of the original injunction. *See Philip Morris USA, Inc. v. Otamedia Ltd.*, 331 F. Supp. 2d 228 (S.D.N.Y. 2004) (amending permanent injunction).

The Court has carefully reviewed the Plaintiff's Motion to Amend the Amended Final Default Judgment and Permanent Injunction To Add New Domain Names, the record, and the relevant legal authorities. Accordingly, it is **ordered and adjudged** that Plaintiff's Motion to Amend the Amended Final Default Judgment and Permanent Injunction To Add New Domain Names (ECF No. 35) is **granted**. Second Amended Judgment is hereby entered in favor of Plaintiff Chanel, Inc. ("Plaintiff"), and against Defendants, the Individuals,

Partnerships, and Unincorporated Associations identified on Schedule “A” hereto (collectively “Defendants”), on all Counts of the Complaint as follows:

1. Permanent Injunctive Relief:

Defendants and their officers, agents, representatives, servants, employees and attorneys, and all persons acting in concert and participation with them are hereby permanently restrained and enjoined from:

- a. manufacturing or causing to be manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods using Plaintiff’s trademarks identified in Paragraph 18 of the Complaint and Schedule “B” attached thereto (the “Chanel Marks”);
- b. using the Chanel Marks in connection with the sale of any unauthorized goods;
- c. using any logo, and/or layout which may be calculated to falsely advertise the services or products of Defendants offered for sale or sold via the domain names identified on Schedule “A” hereto (collectively the “Subject Domain Names”) and/or any other website, domain name, or business, as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;
- d. falsely representing themselves as being connected with Plaintiff, through sponsorship or association;
- e. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants offered for sale or sold via the Subject Domain Names and/or any other website, domain name, or business are in any way endorsed by, approved by, and/or associated with Plaintiff;
- f. using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants via the Subject Domain Names and/or any other website, domain name, or business;

- g. affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by Defendants via the Subject Domain Names and/or any other website, domain name, or business, as being those of Plaintiff or in any way endorsed by Plaintiff;
- h. otherwise unfairly competing with Plaintiff;
- i. using the Chanel 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), from any advertising links to other websites, from search engines' databases or cache memory, and from 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 Defendants, including the Internet websites operating under all of the Subject Domain Names; and
- j. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.

2. Additional Equitable Relief:

Plaintiff is additionally entitled to the following equitable relief:

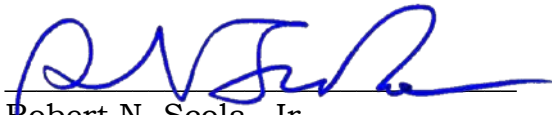
- a. In order to give practical effect to the Permanent Injunction, the Subject Domain Names are hereby ordered to be immediately transferred by Defendants, their assignees and/or successors in interest or title, and the Registrars to Plaintiff's control. To the extent the current Registrars do not facilitate the transfer of the Subject Domain Names to Plaintiff's control within five (5) days of receipt of this judgment, the Registries shall, within thirty (30) days, change the Registrar of Record for the Subject Domain Names to a Registrar of Plaintiff's choosing, and that Registrar shall transfer the Subject Domain Names to Plaintiff;
- b. Upon Plaintiff's request, the top level domain ("TLD") Registry for each of the Subject Domain Names, or their administrators, including backend registry operators or administrators, within thirty (30) days of receipt of this Order, shall place the Subject

Domain Names on Registry Hold status for the life of the current registration, thus removing them from the TLD zone files maintained by the Registry which links the Subject Domain Names to the IP addresses where the associated websites are hosted.

3. **Statutory damages** in favor of Plaintiff pursuant to 15 U.S.C. § 1117(c) are determined to be \$1,000,000.00 against each Defendant, for which let execution issue:
4. **Statutory damages** in favor of Plaintiff pursuant to 15 U.S.C. § 1117(d) are determined to be:
 - a. \$10,000.00 against Defendant chanelbagsus.com (Defendant Number 1), for which let execution issue.
 - b. \$90,000.00 against Defendant buyreplica.org.uk (Defendant Number 3), for its domain names, chanel-handbags.co.uk, chanelhandbagsonline.org.uk, replicachanel.org.uk, superchanelbags.co.uk, chanelreplicauk.co.uk, chanelukbags.co.uk, powerchanelhandbags.co.uk, replicachanelbag.co.uk, and repliicachanelbags.co.uk for which let execution issue.
 - c. \$160,000.00 against Defendant burberryoutletonline.co.uk (Defendant Number 4), for its domain names, chanelbagshandbags.org.uk, chanelreplicasbags.org.uk, chanelstore.co.uk, chanelshop.co.uk, chanelpurses.co.uk, chanelreplicasbags.me.uk, ukchannelsale.co.uk, chanelbag.co.uk, chanelhandbag.co.uk, chanelreplicas.co.uk, chanelshop.org.uk, shopchanel.co.uk, ukchannels.co.uk, chanelhandbagsonline.co.uk, chanelhandbagss.co.uk, and chanelreplicahandbags.co.uk for which let execution issue.
 - d. \$10,000.00 against Defendant chanellists.com (Defendant Number 7), for which let execution issue.
 - e. \$30,000.00 against Defendant actez.com (Defendant Number 12), for its domain names, chanelbaguk.co.uk, chaneluk.top, and luxurychanel.co.uk for which let execution issue.

- f. \$10,000.00 against Defendant bestiphone6swalletecases.com (Defendant Number 17), for its domain name, replicas-chanelonline.com, for which let execution issue.
 - g. \$10,000.00 against Defendant chanel-bags-prices.co (Defendant Number 23), for which let execution issue.
 - h. \$10,000.00 against Defendant chanel--handbags.net (Defendant Number 24), for which let execution issue.
 - i. \$10,000.00 against Defendant whichanel.com (Defendant Number 59), for which let execution issue.
5. Interest from the date this action was filed shall accrue at the legal rate. *See* 28 U.S.C. § 1961.
 6. The bond posted by Plaintiff in the amount of \$10,000.00 is **ordered to be released** by the Clerk.
 7. The Court retains jurisdiction to enforce this Judgment and amended permanent injunction.
 8. The Clerk will **close** this case.

Done and ordered in chambers at Miami, Florida, on April 10, 2017.



Robert N. Scola, Jr.
United States District Judge

SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Domain Name
1	chanelbagsus.com
2	contraponto.cc
2	passaicprimapizza.com
3	buyreplica.org.uk
3	chanel-handbags.co.uk
3	chanelhandbagsonline.org.uk
3	doreplicabags.co.uk
3	jafonline.co.uk
3	wendyhandbags.co.uk
3	replicahandbags4sale.co.uk
3	legendlvhandbags.co.uk
3	choosebags.co.uk
3	preplicabags.co.uk
3	2013hermesreplica.co.uk
3	bestqualitybag.co.uk
3	designerbagsukshop.co.uk
3	discountshoponline.co.uk
3	louisvuittonhandbagso.co.uk
3	louisvuittonvips.co.uk
3	lvcollection.co.uk
3	replicachanel.org.uk
3	replicahandbagsstore.org.uk
3	repicalouisvuittonhandbags.org.uk
3	superchanelbags.co.uk
3	toplouisvuthistonssshop.co.uk
3	ukreplicahandbagss.co.uk
3	chanelreplicauk.co.uk
3	chanelukbags.co.uk
3	evehandbags.org.uk
3	fashionablebagssale.co.uk
3	gailunhandbags.co.uk
3	powerchanelhandbags.co.uk
3	replicachanelbag.co.uk

3	repliacachanellbags.co.uk
3	salebagbag.co.uk
3	buychanelbaginuk.co.uk
3	chanelreplicase.com
3	cheapukbags.co.uk
3	qualitybb.co.uk
3	ukhandbagsuk.co.uk
4	burberryoutletonline.co.uk
4	buyingbag.co.uk
4	chanelbagshandbags.org.uk
4	chanelreplicasbags.org.uk
4	chanelstore.co.uk
4	chanelshop.co.uk
4	designerhandbags.me.uk
4	handbagslouisvuitton.org.uk
4	louisvuittonstyle.co.uk
4	hotlouisvuittonstore.co.uk
4	hotsalereplicahandbags.org.uk
4	maxbag.co.uk
4	miumiuoutlet.co.uk
4	replica-handbags.org.uk
4	goyardhandbags.co.uk
4	replicagoyardhandbags.com
4	themagiccircles.co.uk
4	chanelpurses.co.uk
4	chanelreplicasbags.me.uk
4	ukchanelsale.co.uk
4	ukdesignershandbags.org.uk
4	mulberryoutletbags.co.uk
4	ukmulberryshop.co.uk
4	bestreplicahandbags.org.uk
4	ukreplicahandbagsbags.co.uk
4	bagbag.co.uk
4	burberryoutlet.co.uk
4	chanelbag.co.uk
4	chanelhandbag.co.uk
4	chanelreplicas.co.uk
4	chanelshop.org.uk

4	cheapbag.co.uk
4	cheapbaguk.co.uk
4	cheapdesignershandbags.co.uk
4	cheaplouisvuittonoutlet.co.uk
4	dioroutlet.co.uk
4	discounthandbag.co.uk
4	famoushandbags.co.uk
4	handbagonline.co.uk
4	louisbagshop.co.uk
4	louisvuittonclearance.co.uk
4	louisvuittonclearance.org.uk
4	mulberrystoreinuk.co.uk
4	prestigetime.co.uk
4	prohandbagssale.co.uk
4	replicabagssale.co.uk
4	replicahandbags4u.co.uk
4	salehandbags.co.uk
4	shopchanel.co.uk
4	ukbag.co.uk
4	ukchanel.co.uk
4	ukdiscountonline.co.uk
4	abags.co.uk
4	beautyhandbags.co.uk
4	buyreplicahandbagse.co.uk
4	chanelhandbagsonline.co.uk
4	chanelhandbagss.co.uk
4	chanelreplicahandbags.co.uk
4	handbagsonline4u.co.uk
4	handbagsvip.co.uk
4	ilikebags.co.uk
4	spothandbags.co.uk
4	mcmbackpack.co.uk
4	designercheapbags.co.uk
4	guccioutletsale.co.uk
4	handbagssale.co.uk
4	michaelkorsreplicahandbags.com
4	replicabags.org.uk
4	replicahandbags.org.uk

4	replicamulberryhandbags.me.uk
4	topbagssale.co.uk
4	topchanelbagss.co.uk
4	ukguccisale.co.uk
4	celinebags.co.uk
4	chanelbaghandbagss.com
4	cheapchanelonline.co.uk
4	cheaplvbags.co.uk
4	cheapmkbags.co.uk
4	domulberryuk.co.uk
4	fendibags.co.uk
4	fendihandbags.org.uk
4	gucci-replica-bags.co.uk
4	handbagsforyou.co.uk
4	handbagsonlinesale.co.uk
4	handbagsreplica.org.uk
4	hermesbagshandbagsuk.org.uk
4	hermesoutlet.co.uk
4	miumiuhandbags.org.uk
4	mulberryclearance.co.uk
4	mulberryinuk.co.uk
4	pradabagsinuk.co.uk
4	topdesignerhandbags.co.uk
4	viphandbags.co.uk
5	ebuy purses2a.com
5	lvtophandle.com
6	evboybag.com
6	evsuperbag.com
7	chanellists.com
7	replicahandbagshost.com
8	covermodernse.com
8	cover6smoern.com
9	shoxtrading.com
9	sneakerlead.net
10	antheic sell.com
10	tcseller.com
11	8uwshoes.cc
11	888uwshoes.cc

11	uw-shoess8.cc
11	uw-shoess888.cc
12	actez.com
12	ukbags.top
12	designerhandbagswholesale.co.uk
12	ireplicabag.co.uk
12	luxurybagsuk.org.uk
12	luxuryhandbagsoutlet.co.uk
12	replicapurse.co.uk
12	2013ukreplicahandbags.co.uk
12	bagvalley.co.uk
12	designerbagswholesale.co.uk
12	louisvuittonoutlethandbags.co.uk
12	louisvuittonukprime.co.uk
12	michaelkorshandbags.co.uk
12	replicabagsuk.co.uk
12	bagshut.co.uk
12	bagsvalley.co.uk
12	chanelbaguk.co.uk
12	chaneluk.top
12	designerhandbagsoutletuk.co.uk
12	luxurychanel.co.uk
12	luxuryhandbagsuk.org.uk
12	replicadesignerhandbagsuk.co.uk
12	uktopbags.co.uk
12	wholesaledesignerbags.co.uk
12	2013louisjapanbags.com
12	buybag.co.uk
12	louisvuittonsbagsoutlet.co.uk
12	miumiuonhandbags.com
12	cheapchanelbagsuk.co.uk
12	christianlouboutinreplica.co.uk
12	designerhandbagstyle.co.uk
12	getbag.co.uk
12	louisvuittonofficialstockist.co.uk
12	mulberry4handbags.co.uk
12	outletdesignerhandbags.co.uk
12	replicahandbags.co.uk

12	replicahandbags-us.com
12	ukluckbags.co.uk
13	belstaffgojackets.com
13	fashionbrandstore.com
13	valentinogoutlet.com
14	buisvip.com
14	glotrades.com
14	luxsfashionfans.com
14	iluxshops.co
15	zeal-bags.us
15	zealbags2016.us
16	bestcovers6s.com
16	bestcover6s.com
16	icover6s.com
16	i6spluscover.com
16	i6spluscovers.com
17	bestiphone6swalletcases.com
17	replicaschanelonline.com
17	magazine-f.com
18	bagsreplicas.com
18	replicasstyle.top
18	stylehandbags.top
19	6topcovers.com
20	axuescn.net
21	bracelethermes.com
22	buyhothandbag.com
23	chanel-bags-prices.co
24	chanel--handbags.net
25	chinareplicahandbags.com
26	chic-lady.net
27	chinabags.co.uk
28	covermobilephone.com
29	dfwkicks88.com
30	e8baag.co
31	eluxurytimes.com
32	fashionfaceoff.net
33	floridabeachblog.com
34	handbagstote.com

35	helloluxs.cc
36	icovers6.com
37	ilovebestbags.com
38	iphone6scase.us
39	iphone7custodia.com
40	ipswichartschool.co.uk
41	jeanmakeup.com
42	luxuryde.com
43	meixincouture.com
44	mybags2016.com
45	myperfecthandbag.com
46	mytopmall.com
47	nikeperfect.com
48	no5case.com
49	primitive-sounds.com
50	replica-clothes.com
51	repicalow.com
52	robartesbeacon.co.uk
53	saoxie-en.com
54	slippersoutlets.net
55	sparktosale.com
56	topreplicastores.com
57	u2bags.com
58	ubgallery-cc.co
59	whichanel.com
60	wwwcoachfactoryoutlet.com