

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 22-cv-60228-BLOOM/Valle

LOUIS VUITTON MALLETIER,

Plaintiff,

vs.

LVHUT.NET, *et al.*,

Defendants.

**SEALED ORDER GRANTING PLAINTIFF'S *EX PARTE* MOTION
TO AUTHORIZE ALTERNATE SERVICE OF PROCESS**

THIS CAUSE is before the Court upon Plaintiff, Louis Vuitton Malletier's ("Plaintiff") *Ex Parte* Motion for Order Authorizing Alternate Service of Process on Defendants Pursuant to Federal Rule of Civil Procedure 4(f)(3), ECF No. [7] ("Motion"). In its Complaint, Plaintiff sets forth claims against Defendants for (1) trademark counterfeiting and infringement, (2) false designation of origin, (3) cybersquatting, (4) common law unfair competition, and (5) common law trademark infringement. *See* ECF No. [1]. More specifically, Plaintiff alleges that Defendants promote, sell, offer for sale, and distribute goods bearing counterfeits and confusingly similar imitations of Plaintiff's trademarks, thereby infringing Plaintiff's trademarks. *Id.* Plaintiff contends that Defendants are accomplishing these infringement activities through various fully interactive, commercial Internet websites under their domain names identified on Schedule "A" hereto (the "Subject Domain Names").

Plaintiff contends that Defendants operate via the Internet and utilize electronic means as reliable forms of contact. *See* ECF No. [7], at 2–4. According to Plaintiff, it has good cause to

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believe that Defendants are all residents of the China, France, Japan, Pakistan, Russia, Indonesia, Singapore, or other foreign jurisdictions, and/or redistribute products from sources in those locations. *Id.* at 11. Plaintiff further contends that Defendants have at least one operational form of electronic contact, demonstrating that this means of contact is not just effective, but the most reliable means of communicating with Defendants. *Id.* at 2–4. Consequently, Plaintiff asserts that e-mail, including onsite contact, is the most reliable means of providing Defendants with notice of this action. *Id.* at 7–8.

Rule 4(f)(3) allows a district court to order an alternate method for service to be effected upon foreign defendants, provided that it is not prohibited by international agreement, and is reasonably calculated to give notice to the defendants. *See Brookshire Bros. v. Chiquita Brands Int'l, Inc.*, No. 05-CIV-21962, 2007 WL 1577771, at *2 (S.D. Fla. May 31, 2007) (“[D]istrict courts have found broad discretion under Rule 4(f)(3) to authorize other methods of service that are consistent with due process and are not prohibited by international agreements.” (citing *Prewitt Enters., Inc. v. Org. of Petroleum Exporting Countries*, 353 F.3d 916, 921, 927 (11th Cir. 2003)); *Rio Props., Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1015 (9th Cir. 2002)). The plain language of Rule 4(f)(3) reflects that the decision to issue an order allowing alternate means of service lies within the discretion of the district court.

Service by e-mail is not prohibited under international agreement in this case. Although the United States, China, France, Japan, Pakistan, and Russia are signatories to the Hague Convention on the Service Abroad of Extra-Judicial Documents in Civil and Commercial Matters (the “Hague Convention”),¹ the Hague Convention does not specifically preclude service of

¹ Indonesia and Singapore are not signatories to the Hague Convention. *See* ECF No. [7] at 12.

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process via e-mail or by posting on a designated website. Where a signatory nation has objected to the alternative means of service provided by the Hague Convention, that objection is expressly limited to those means and does not represent an objection to other forms of service, such e-mail or website posting.² *Stat Med. Devices, Inc. v. HTL-Strefa, Inc.*, No. 15-cv-20590, 2015 WL 5320947, at *1 (S.D. Fla. Sept. 14, 2015) (noting that an objection to the alternative forms of service set forth in the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Nov. 15, 1965, 658 U.N.T.S. 16, is limited to the specific forms of service objected to). A court acting under Rule 4(f)(3), therefore, remains free to order alternative means of service where a signatory nation has not expressly objected to those means. *See Gurung v. Malhotra*, 279 F.R.D. 215, 219 (S.D.N.Y. 2011). Accordingly, service by e-mail or internet communication does not violate an international agreement.

Rule 4(f)(3) was “adopted in order to provide flexibility and discretion to the federal courts in dealing with questions of alternative methods of service of process in foreign countries.” *In re Int’l Telemedia Assoc., Inc.*, 245 B.R. 713 (Bankr. N.D. Ga. 2000). What constitutes appropriate service varies depending on the circumstances of the case and turns on the court’s determination of whether the alternative method is reasonably calculated to apprise the parties of the pendency of the action and afford them an opportunity to present their objections. *Philip Morris USA, Inc. v. Veles Ltd.*, No. 06 CV 2988 (GBD), 2007 WL 725412, at *2 (S.D.N.Y. Mar. 12, 2007).

Here, the Court finds that Plaintiff has shown good cause for leave to allow service of the Summonses, Complaint, and all future filings in this matter upon each Defendant via e-mail and via posting on a designated website.

² China, France, Japan, Pakistan, and Russia have not expressly objected to service via e-mail or website posting. *See* ECF No. [7-3].

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Accordingly, after careful review of the Motion, the evidence submitted in support of the Motion, and the applicable law, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Motion, **ECF No. [7]**, is **GRANTED**;
2. Plaintiff shall serve the Summonses, Complaint, and all filings in this matter upon Defendants via e-mail by providing the address to Plaintiff's designated serving notice website to Defendants via the e-mail addresses provided by each Defendant as part of the domain registration records for each of their respective domain names, including service via registrar, or directly on the Internet website operating under each of their respective corresponding domain names, including customer service e-mail addresses and onsite contact forms. *See* attached Schedule "A" which lists Defendants by Defendant number and associated means of contact.
3. Plaintiff shall serve Defendants via website posting by posting a copy of the Summonses, Complaint, and all filings and discovery in this matter on Plaintiff's designated serving notice website to appearing at <http://servingnotice.com/Ls39fx1/index.html>.

DONE AND ORDERED in Chambers at Miami, Florida, on February 7, 2022.



BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record.

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SCHEDULE "A"
DEFENDANTS BY NUMBER, SUBJECT DOMAIN NAME,
AND MEANS OF CONTACT

Defendant Number	Defendant / Subject Domain Name	Means Of Contact
1	lvhut.net	service@lvhut.net 9ac1d8e3f955409880a56589b50a8d3c.protect@withheldforprivacy.com
2	louis-special-sale.shop	louis@help-service.vip
3	goslouisvuitton.com	http://whois.xinnet.com/sendemail/goslouisvuitton.com
4	louisved.xyz	support@clientvip.biz
5	louisvued.com	support@clientvip.biz
6	louisvuitton-my.site	support@clientvip.biz
7	lovelvbag.store	fashionstore1999@outlook.com
8	lvicon.online	support@clientvip.biz
9	lv-malaysia.store	support@clientvip.biz
10	lvoutlet.ca	service@lvhut.net
11	lvreplicashop.com	reazeemady66@gmail.com pw-e29d1aa531c4c5fc1d1c5f1c846bd164@privacyguardian.org
12	lv-thegardens.com	support@clientvip.biz
13	malaysia-lv.com	support@clientvip.biz
14	malaysia-lvbag.store	support@clientvip.biz
15	my-lvbag.info	support@clientvip.biz
16	perfectlouisvuittonsale.com	salestores666@gmail.com shayewmallory23@gmail.com pw-92a605401c3ae22ed5c120846a11b0e7@privacyguardian.org
17	replicalvonline.com	michelle@designeronsell.com pw-54805e67a63be095dce91ce20ac697a5@privacyguardian.org
18	thegardens-lv-kl.com	support@clientvip.biz
19	toplvmall.com	support@toplvmall.com
20	aaaluxurybags.com	453505880@qq.com
21	66shop.ru	xvbagcom@163.com
22	aaaclothing.ru	payment@aaashirt.ru
23	aaapurse.nu	https://www.aaapurse.nu/contact-us/
24	aaareplica.co	perfect-luxury@outlook.com
25	aaaplica.com	aaareplicaco@outlook.com
26	abcbyiktuys.pw	luxurystoreforall@gmail.com
27	acmaaslea.top	https://acmaaslea.top/index.php?main_page=contact_us
28	addnss.com	service.luxurycloset@outlook.com pw-28665f641dba94957e912a4435bba328@privacyguardian.org
29	aimji.live	support@clientvip.biz

30	annjxauo.top	https://annjxauo.top/index.php?main_page=contact_us
31	associateadapt.top	elinor@cementfresh.work
32	bagsreplica.de	https://bagsreplica.de/index.php?route=information/contact
33	baofse.top	https://baofse.top/index.php?main_page=contact_us
34	bdkind.store	jay20190917@gmail.com
35	bdznednz.top	https://bdznednz.top/index.php?main_page=contact_us
36	bestbag.shop	abuse@namesilo.com
37	bestqualityreplica.ru	sales@bestqualityreplica.ru
38	btsmud.top	https://btsmud.top/index.php?main_page=contact_us
39	buyebag.top	https://buyebag.top/index.php?main_page=contact_us
40	bvcnta.top	https://bvcnta.top/index.php?main_page=contact_us
41	bxsyeao.top	https://bxsyeao.top/index.php?main_page=contact_us
42	cbhjksv.top	https://cbhjksv.top/index.php?main_page=contact_us
43	cdftbag.top	https://cdftbag.top/index.php?main_page=contact_us
44	chinareplicbagas.com	https://www.dolabuy.ru/contact_us.html
44	dolabuy.ru	pw-104a47b5a60debcd4fe7974d0cb965c7@privacyguardian.org https://www.dolabuy.ru/contact_us.html
44	replicacloibag.com	replicacloibag.com@whoisprotection.domains
44	thebagsreplicas.com	pw-6021c8873ad8eb0f82feb23f586f117e@privacyguardian.org
45	cmsbeb.top	https://cmsbeb.top/index.php?main_page=contact_us
46	cnaveua.top	https://cnaveua.top/index.php?main_page=contact_us
47	cnvjgrks.top	https://cnvjgrks.top/index.php?main_page=contact_us
48	copybagssale.com	romlyharvey12@gmail.com pw-2ba9aefd577d5f8753952f66b30ba958@privacyguardian.org
49	copyforbags.com	shayewmallory23@gmail.com pw-290f087957f709189d0dedfb032a6ee4@privacyguardian.org
50	corabags.ru	service@corabags.ru
51	csffbg.top	https://csffbg.top/index.php?main_page=contact_us
52	daphnesale.ru	daphnesale@qq.com
53	demakoaf.top	https://demakoaf.top/index.php?main_page=contact_us
54	dfsdfgrg.shop	service.luxurycloset@outlook.com
55	dropthenew.com	contact@dropthenew.com contact@dropthenew.fr https://dropthenew.com/pages/contactez-nous
56	dvrchbt.top	https://dvrchbt.top/index.php?main_page=contact_us
57	e8bags.co	http://e8bags.co/contacts/
58	ehdgfsh.top	https://ehdgfsh.top/index.php?main_page=contact_us
59	eyushi.top	https://eyushi.top/index.php?main_page=contact_us
60	ezzcc.com	replic4a@hotmail.com erminugx91578@gmail.com

61	fabag.ru	fabagshop@hotmail.com
62	fakescu.com	watchwhirl@gmail.com pw-2867abc9df02e5c52fb4d69783953032@privacyguardian.org
63	famouside.com	pw-350e9991034d12d2b9e75a750ad9e9f7@privacyguardian.org
64	fashionbags-sale.com	replic4a@hotmail.com
65	fashionhouse.buzz	contact4@tokjinyu.com
66	fasionoto.ru	fasionoto@gmail.com
67	fauxbagsale.com	watchwhirl@gmail.com pw-1091dc23fb030ce470da2527332bfe48@privacyguardian.org
68	fcdshsu.top	https://mnchwa.top/index.php?main_page=contact_us
68	mnchwa.top	https://mnchwa.top/index.php?main_page=contact_us
69	fxtayhk.top	service@severalgoods.com
70	gdhnawo.top	https://gdhnawo.top/index.php?main_page=contact_us
71	handbagsreplicastore.com	shayewmallory23@gmail.com lisapeel95@gmail.com pw-ff582fcc81b7fa27d8ab4c7ad977fbd9@privacyguardian.org
72	hbndgyw.top	https://hbndgyw.top/index.php?main_page=contact_us
73	hellosneaker.ru	hellosnkr.ru@gmail.com
74	kindsneaker.net	kindsneaker9785@gmail.com
75	kopi-6.com	kopi6jp@yeah.net
76	krosshop24.ru	https://krosshop24.ru/contact-us/
77	lianwholesale.com	lianjue@yahoo.com
78	lilysale.ru	lilysite@qq.com
78	lilysite.ru	lilysite@qq.com
79	luxcrime.ru	luxprime.ru@yandex.ru
79	lux-crime.ru	luxprime.ru@yandex.ru
80	luxebagseu.com	jackshopservice@outlook.com pw-bab323f30f36acb996bbf0a01f61c7dc@privacyguardian.org
81	luxesborse.com	jackshopservice@outlook.com 702187062@qq.com
82	luxruy.com	luxurybag2013@hotmail.com
83	luxury2018.com	luxury201888@163.com
84	luxurybagaa.com	jackshopservice@outlook.com
85	luxurybagoutlet.com	pw-13ab54734c825d1b64d638165094f6b2@privacyguardian.org
86	luxurymybag.com	watchwhirl@gmail.com pw-e8aabfaa701ecfa5d0633490bc48b9fc@privacyguardian.org
87	luxuryshoesu.de	jackshopservice@outlook.com
88	luxurysuu.com	702187062@qq.com
89	luxurytasticreps.ru	info@luxurytasticmail.com
90	luxusdiva.com	hello@luxusdiva.com 56b14efc678e4281aeb2e3deadd0240b.protect@withheldforprivacy.com

91	mandybrands-03.com	https://www.1api.net/send-message/mandybrands-03.com/registrant
92	mcdeue.top	https://mcdeue.top/index.php?main_page=contact_us
93	mchauti.top	https://mchauti.top/index.php?main_page=contact_us
94	mckswhtop	https://mckswhtop/index.php?main_page=contact_us
95	mdjiticx.top	https://mdjiticx.top/index.php?main_page=contact_us
96	methodc.com	https://www.1api.net/send-message/methodc.com/registrant
97	mfjercn.top	https://mfjercn.top/index.php?main_page=contact_us
98	mfvjrsesw.top	https://mfvjrsesw.top/index.php?main_page=contact_us
99	mgifkdls.top	https://mgifkdls.top/index.php?main_page=contact_us
100	mgsaywa.top	https://mgsaywa.top/index.php?main_page=contact_us
101	mhsebag.top	https://mhsebag.top/index.php?main_page=contact_us
102	mhycbag.top	https://mhycbag.top/index.php?main_page=contact_us
103	mnxhua.top	https://mnxhua.top/index.php?main_page=contact_us
104	mnxwok.top	https://mnxwok.top/index.php?main_page=contact_us
105	modecina.cn	2608304149@qq.com
105	modecina.ru	https://www.nic.ru/whois/send-message/?domain=modecina.ru
106	mxnbzw.top	https://mxnbzw.top/index.php?main_page=contact_us
107	mxsajkw.top	https://mxsajkw.top/index.php?main_page=contact_us
108	mzbhwu.top	https://mzbhwu.top/index.php?main_page=contact_us
109	nbvrtf.top	huangxf2020@gmail.com
110	ncaxzjbn.top	https://ncaxzjbn.top/index.php?main_page=contact_us
111	nceubag.top	https://nceubag.top/index.php?main_page=contact_us
112	ncmfjrs.top	https://ncmfjrs.top/index.php?main_page=contact_us
113	ncrsfsd.top	https://ncrsfsd.top/index.php?main_page=contact_us
114	ncyeesizs.top	https://ncyeesizs.top/index.php?main_page=contact_us
115	ndsive.top	https://ndsive.top/index.php?main_page=contact_us
116	neverfulloutlet.com	service@neverfulloutlet.com service@lvhut.net
117	newbuybuystations.com	krisjoanna798@gmail.com
118	ngfsfsfd.top	https://ngfsfsfd.top/index.php?main_page=contact_us
119	nmjhac.top	https://nmjhac.top/index.php?main_page=contact_us
120	nvxdedx.top	https://nvxdedx.top/index.php?main_page=contact_us
121	nyseti.top	https://nyseti.top/index.php?main_page=contact_us
122	originalhandbag.top	https://www.originalhandbag.top/contact_us.html
123	outletborsa.net	borsesconto@gmail.com pw-4c3719c2b3fd9b9d680a938d4ec73eb1@privacyguardian.org
124	perfectfakebags.com	salestores666@gmail.com pw-b2d31152fa83ee92727a639c7f1171ca@privacyguardian.org
125	pkajstore.com	ali1688lin@gmail.com
126	pkshoe.com	https://pkshoe.com/index.php?route=information/contact

126	pkshoe.net	https://pkshoe.com/index.php?route=information/contact
127	popbrandcenter.com	123456@gmail.com
128	pursevalleyfactory.la	https://www.pursevalleyfactory.la/contactus/
129	qdfdny.top	https://qdfdny.top/index.php?main_page=contact_us
130	qdncz.top	servers@chlomail.com
131	qualitybestbags.com	watchwhirl@gmail.com pw-76e50c1101b2a064ac6573e3e9a4bb3d@privacyguardian.org
132	realfashion24.com	bb62de1b9b2244408190cd0570dbe715.protect@withheldforprivacy.com
133	replica-watches-germany.com	replicawatches333@gmail.com info@replicawatchkarachi.pk contact@privacyprotect.org
134	replicawatchespro.co	sale@replicawatchespro.co
135	replicaxi.com	salestores666@gmail.com pw-ae88c4288c9432c3ff900af2bdb2e38c@privacyguardian.org
136	resinstatue.club	louis@help-service.vip
137	sdehbag.top	https://sdehbag.top/index.php?main_page=contact_us
138	sffp.shop	https://sffp.shop/index.php?main_page=contact_us
139	sneakerinbox.com	support@sneakerinbox.com
140	taikcmj.top	https://taikcmj.top/index.php?main_page=contact_us
141	tangerjapanoutlet.com	baby@outletsclub.info
142	thcodway.com	support@clientvip.biz
143	theybag.top	https://theybag.top/index.php?main_page=contact_us
144	tikhub.ru	tikhubbag@gmail.com
145	toplifeshop.com	https://www.toplifeshop.com/#:~:text=mail%3atoplifeshoping%40gmail.com
146	towbag.shop	kyneshiacloxvl@gmail.com
147	udifskb.top	https://udifskb.top/index.php?main_page=contact_us
148	uenmbag.top	https://uenmbag.top/index.php?main_page=contact_us
149	uhdsahwo.top	https://uhdsahwo.top/index.php?main_page=contact_us
150	ujhyfsdt.top	https://ujhyfsdt.top/index.php?main_page=contact_us
151	vipsluxurybags.com	vbagsstore@hotmail.com
152	vlixcolux.com	wennie.tjemerlang@gmail.com
153	vmnxjews.top	https://vmnxjews.top/index.php?main_page=contact_us
154	wdvbf.top	https://wdvbf.top/index.php?main_page=contact_us
155	wfvnbag.top	https://wfvnbag.top/index.php?main_page=contact_us
156	xcfwnm.top	https://xcfwnm.top/index.php?main_page=contact_us
157	xndjosen.top	https://xndjosen.top/index.php?main_page=contact_us
158	xnh Yao.top	https://xnh Yao.top/index.php?main_page=contact_us
159	xnwyid.top	https://xnwyid.top/index.php?main_page=contact_us
160	yangyuejianqiali.com	742850137@qq.com
161	yfkew.com	servers@chlomail.com

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162	yreplicabags.com	salestores666@gmail.com pw-a53e48ca18bf4df236de83d22d13bb2a@privacyguardian.org
163	ytgfdlcm.top	https://ytgfdlcm.top/index.php?main_page=contact_us
164	ytrfegh.top	https://ytrfegh.top/index.php?main_page=contact_us