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12 Attorneys for Plaintiffs, NIKE, Inc. and Converse, Inc.

13
                      UNITED STATES DISTRICT COURT
14
                          DISTRICT OF NEVADA
15
   NIKE, INC.   )
16   )
   and   )
17   )   **PLAINTIFFS' <u>EMERGENCY</u>**
   CONVERSE, INC.,   )   **MOTION FOR ENTRY OF**
18   )   **TEMPORARY RESTRAINING**
   Plaintiffs,   )   **ORDER, SEIZURE ORDER, AND**
19   )   **PRELIMINARY IINJUNCTION**
              vs.   )
20   )
   QILOO INTERNATIONAL LIMITED   )
21   )
   Defendant.   )
22 _____

23   Plaintiffs, NIKE, Inc. ("NIKE") and Converse, Inc., ("Converse") respectfully move this

24 Court, on an emergency and *ex parte basis*, for entry of a temporary restraining order, a seizure

25 order, and, upon expiration of the temporary restraining order, a preliminary injunction against

26 Defendant, QiLoo International Limited ("QiLoo") pursuant to Rule 65 of the Federal Rules of

27

28 Civil Procedure, Lanham Act Section 34 (15 U.S.C. § 1116), the Patent Act, 35 U.S.C. § 283,

                                                1

and Local Rule 7-5.

Good cause exists for the foregoing orders. As set forth in the accompanying Memorandum and supporting declarations, the Defendant has imported into the United States, and is promoting, distributing, offering for sale, and selling infringing shoes within this judicial district at the biannual World Shoe Association ("WSA") trade show going on now in Las Vegas. QiLoo's activities constitute willful infringement and unfair competition in disregard of Plaintiffs' rights and despite Plaintiffs' previous notification of their rights to Defendant. QiLoo's unlawful activities have caused and will continue to cause irreparable harm to Plaintiffs. Good cause further exists for not providing notice to QiLoo because the WSA show began today and only lasts for two more days.

Pursuant to 15 U.S.C 1116(d)(2), Plaintiffs' provided notice to the United States Attorney's Office for the District of Nevada concerning this emergency motion and request for seizure order. This motion is based upon the accompanying Memorandum and the declarations of Kelly B. Hibler, Wayne Patrick Seehafer, and Thomas Scavuzzo, exhibits thereto filed concurrently herewith, a declaration and attorney certification pursuant to Rule 65(b) of Erik S. Maurer, a proposed order, and the complete files and records of this action, and such other matters as Plaintiffs may call to the Court's attention at or before the time of hearing.

Upon entry of a temporary restraining order, Plaintiffs shall serve this emergency motion, supporting papers, and the Court's Order upon the Defendant by hand, and via the email address provided by the Defendant on their Internet website.

WHEREFORE, Plaintiffs respectfully request this Court grant its motion and enter an emergency, *ex parte* temporary restraining order, a seizure order, and schedule a hearing on Plaintiffs' Motion for Preliminary Injunction before the expiration of the Temporary Restraining Order.

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Dated: February 6, 2012

Respectfully submitted,

/s/ Jonathan W. Fountain
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