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Las Vegas Sands Corp.

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 LAS VEGAS SANDS CORP., a Nevada
 12 corporation,

Case No. 2:14-cv-01049- JCM-VCF

13 Plaintiff, v.

PRELIMINARY INJUNCTION

14 UNKNOWN REGISTRANTS OF
 WWW.368.COM, WWW.VNS000.COM,
 15 WWW.VNS002.COM, WWW.VNS003.COM,
 WWW.VNS004.COM, WWW.VNS005.COM,
 16 WWW.VNS006.COM, WWW.VNS007.COM,
 WWW.VNS008.COM, WWW.VNS009.COM,
 17 WWW.VN008.COM, WWW.666CP.COM,
 WWW.XJS00.COM, WWW.XJS11.COM,
 18 WWW.XJS22.COM, WWW.XJS33.COM,
 WWW.XJS44.COM, WWW.XJS55.COM,
 19 WWW.XJS66.COM, WWW.XJS77.COM,
 WWW.XJS88.COM, WWW.XJS99.COM,
 20 WWW.8227.COM, WWW.9770.COM,
 WWW.VNS95500.COM,
 21 WWW.VNS95511.COM,
 WWW.VNS95522.COM
 22 WWW.VNS95533.COM,
 WWW.VNS95544.COM
 23 WWW.VNS95555.COM,
 WWW.VNS95566.COM
 24 WWW.VNS95577.COM,
 WWW.VNS95588.COM,
 25 WWW.VNS95599.COM, AND
 WWW.22V.COM

26 Defendants.
 27
 28

1 **UPON CONSIDERATION** of the motion filed by Plaintiff Las Vegas Sands Corp. for a
2 preliminary injunction (Dkt. No. 3), the supporting memorandum of points and authorities, the
3 supporting declarations of Dave Horton and Meng Zhong, the record in this case, and for other
4 good cause shown;

5 **THE COURT HEREBY FINDS THAT:**

6 1. In accordance with the Court’s Temporary Restraining Order, Order for
7 Alternative Service, and Order Setting Hearing and Briefing Schedule On Plaintiff’s Motion for
8 Preliminary Injunction entered on June 30, 2014 (Dkt. No. 10), and as set forth in the Certificate
9 of Service (Dkt. No. 13), Las Vegas Sands Corp. served each of the Defendants by email on July
10 1 and 2, 2014;

11 2. Las Vegas Sands Corp. will suffer irreparable injury to its valuable trademarks
12 and associated goodwill if the Defendants are not temporarily enjoined and restrained from
13 transferring the following domain names to other domain name registrars located outside the
14 Court’s jurisdiction, or from transferring the registrations for the following domain names to
15 other persons or entities located outside the Court’s jurisdiction: www.368.com,
16 www.vns000.com, www.vns002.com, www.vns003.com, www.vns004.com, www.vns005.com,
17 www.vns006.com, www.vns007.com, www.vns008.com, www.vns009.com, www.vn008.com,
18 www.666cp.com, www.xjs00.com, www.xjs11.com, www.xjs22.com, www.xjs33.com,
19 www.xjs44.com, www.xjs55.com, www.xjs66.com, www.xjs77.com, www.xjs88.com,
20 www.xjs99.com, www.8227.com, www.9770.com, www.vns95500.com, www.vns95511.com,
21 www.vns95533.com, www.vns95555.com, www.vns95577.com, and www.vns95599.com
22 (together, “Domain Names”);

23 3. Las Vegas Sands Corp. is likely to succeed on the merits of its Lanham Act
24 claims for trademark infringement and false designation of origin, brought pursuant to 15 U.S.C.
25 §§ 1114(a) and 1125(a)(1)(A), respectively;

26 4. The balance of hardships tips in Las Vegas Sands Corp.’s favor because a
27 preliminary injunction order would merely place the Domain Names on hold and lock pending
28 trial, and the failure to issue a preliminary injunction order would cause Las Vegas Sands Corp.

1 to suffer additional irreparable injury and incur additional expense if the Domain Names are
2 transferred to other registrants during the pendency of this action, requiring Las Vegas Sands
3 Corp. to file additional lawsuit(s) in other jurisdictions;

4 5. The issuance of a preliminary injunction order is in the public interest because it
5 would protect consumers against deception and confusion arising from the use of Las Vegas
6 Sands Corp.'s federally registered trademarks, by persons other than Las Vegas Sands Corp.; and

7 6. In accordance with the Court's Temporary Restraining Order, and as set forth in
8 the Certificate of Deposit (Dkt. No. 11), Las Vegas Sands Corp. deposited \$100 with the Clerk of
9 the Court as security for the injunctive relief requested in this action;

10 7. Defendants will suffer minimal damage, if any damage at all, by the issuance of a
11 preliminary injunction order;

12 8. To date, none of the Defendants have filed a memorandum of points and authority
13 or any other response with the Court in opposition to Plaintiff's motion for a preliminary
14 injunction.

15 **THEREFORE, IT IS HEREBY ORDERED THAT**, pending a full trial on the merits:

16 1. eNom, Inc. ("eNom"), Name.com, Inc. and GoDaddy.com, Inc. (the domain name
17 registrars) and VeriSign, Inc. (the .com registry) shall immediately remove or disable the domain
18 name server ("DNS") information for the Domain Names, shall place the Domain Names on
19 hold and lock, and deposit them into the registry of the Court; and

20 2. The Defendants and their respective officers, agents, servants, employees, and/or
21 all other persons acting in concert or participation with Defendants are hereby temporarily
22 restrained and enjoined from: (a) using the SANDS Marks or any confusingly similar variations
23 thereof, alone or in combination with any other letters, words, letter string, phrases or designs in
24 commerce, including, without limitation, on any website, in any domain name, in any social
25 network user name, in any hidden website text, or in any website metatag; and (b) engaging in
26 false or misleading advertising or commercial activities likely to deceive consumers into
27 believing that any Defendant is the Plaintiff or that any Defendant's services are associated or
28 affiliated with, connected to, or approved sponsored by the Plaintiff.

