

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ENTERTAINMENT ONE UK LTD.,

Plaintiff,

v.

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No.: 1:19-cv-02988

Judge Manish S. Shah

Magistrate Judge Jeffrey T. Gilbert

PRELIMINARY INJUNCTION ORDER

THIS CAUSE being before the Court on Plaintiff, Entertainment One UK Ltd. (“eOne” or “Plaintiff”), Motion for a Preliminary Injunction, and this Court having heard the evidence before it hereby GRANTS Plaintiff’s Motion for Entry of a Preliminary Injunction in its entirety against the defendants identified in Schedule A (collectively, the “Defendants”).

THIS COURT HEREBY FINDS that it has personal jurisdiction over the Defendants since the Defendants directly target their business activities toward consumers in the United States, including Illinois. In this case, Plaintiff has presented screenshot evidence that each Defendant Internet Store is reaching out to do business with Illinois residents by operating one or more commercial, interactive Internet Stores through which Illinois residents can and do purchase products using counterfeit versions of Plaintiff’s Trademarks. *See* Docket No. 14 which include screenshot evidence confirming that each Defendant Internet Store does stand ready, willing and able to ship its counterfeit goods to customers in Illinois bearing infringing and/or counterfeit versions of the PEPPA PIG trademarks, U.S. Trademark Registration Nos. 4,783,931; 3,663,706 and 3,506,452 and/or products infringing PEPPA PIG Works.

THIS COURT FURTHER FINDS that injunctive relief previously granted in the Temporary Restraining Order (“TRO”) should remain in place through the pendency of this litigation and that issuing this Preliminary Injunction is warranted under Federal Rule of Civil Procedure 65. Evidence submitted in support of this Motion and in support of eOne’s previously granted Motion for a Temporary Restraining Order establishes that eOne has a likelihood of success on the merits; that no remedy at law exists; and that eOne will suffer irreparable harm if the injunction is not granted.

Specifically, eOne has proved a *prima facie* case of trademark infringement because (1) the PEPPA PIG trademarks are a distinctive mark and registered with the U.S. Patent and Trademark Office on the Principal Register and the PEPPA PIG Works are registered with the United States Copyright Office, (2) Defendants are not licensed or authorized to use any of the PEPPA PIG trademarks and PEPPA PIG Works, and (3) Defendants’ use of the PEPPA PIG trademarks and PEPPA PIG Works is causing a likelihood of confusion as to the origin or sponsorship of Defendants’ products with eOne. Furthermore, Defendants’ continued and unauthorized use of the PEPPA PIG trademarks and PEPPA PIG Works irreparably harms eOne through diminished goodwill and brand confidence, damage to eOne’s reputation, loss of exclusivity, and loss of future sales. Monetary damages fail to address such damage and, therefore, eOne has an inadequate remedy at law. Moreover, the public interest is served by entry of this Preliminary Injunction to dispel the public confusion created by Defendants’ actions. Accordingly, this Court orders that:

1. Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under or in active concert with them be temporarily enjoined and restrained from:

- a. using eOne's PEPPA PIG or any reproductions, counterfeit copies or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine PEPPA PIG product or not authorized by eOne to be sold in connection with eOne's PEPPA PIG trademarks and PEPPA PIG Works;
- b. passing off, inducing, or enabling others to sell or pass off any product as a genuine PEPPA PIG product or any other product produced by eOne, that is not eOne's or not produced under the authorization, control or supervision of eOne and approved by eOne for sale under eOne's PEPPA PIG trademarks and PEPPA PIG Works;
- c. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control or supervision of eOne, or are sponsored by, approved by, or otherwise connected with eOne;
- d. further infringing eOne's PEPPA PIG trademarks and PEPPA PIG Works and damaging eOne 's goodwill;
- e. otherwise competing unfairly with eOne in any manner;
- f. shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for eOne, nor authorized by eOne to be sold or offered for sale, and which bear any of eOne 's PEPPA PIG trademarks and PEPPA PIG Works or any reproductions, counterfeit copies or colorable imitations thereof;

4. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as Alibaba Group Holding Ltd. along with any related Alibaba entities (collectively, "Alibaba"), social media platforms, Facebook, YouTube, LinkedIn, Twitter, Internet search engines such as Google, Bing and Yahoo, web hosts for the Defendant Domain Names, and domain name registrars, shall within three (3) business days of receipt of this Order:
 - a. disable and cease providing services for any accounts through which Defendants engage in the sale of counterfeit and infringing goods using the PEPPA PIG trademarks and PEPPA PIG Works, including any accounts associated with the Defendants listed in Schedule A;
 - b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the PEPPA PIG trademarks and PEPPA PIG Works; and
 - c. take all steps necessary to prevent links to the Defendant Domain Names identified in Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Domain Names from any search index.
5. Defendants and any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' websites at the Defendant Domain Names or other websites operated by Defendants, including, without limitation, any online marketplace platforms such as Alibaba, advertisers, Facebook, Internet Service Providers ("ISP"), web hosts, back-end service providers, web designers, sponsored search engine or ad-word providers, banks, merchant account providers,

including PayPal, Alibaba, Western Union, third party processors and other payment processing service providers, shippers, and domain name registrars (collectively, the "Third Party Providers") shall, within five (5) business days after receipt of such notice, provide to eOne expedited discovery, including copies of all documents and records in such person's or entity's possession or control relating to:

- a. The identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information;
- b. the nature of Defendants' operations and all associated sales and financial information, including, without limitation, identifying information associated with the Online Marketplace Accounts, the Defendant Domain Names, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplace Accounts and Defendant Domain Names;
- c. Defendants' websites and/or any Online Marketplace Accounts;
- d. The Defendant Domain Names or any domain name registered by Defendants; and
- e. Any financial accounts owned or controlled by Defendants, including their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, PayPal, WISH, Alipay, Alibaba, Western Union, or other merchant account

providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

6. Defendants and any persons in active concert or participation with them who have actual notice of this Order shall be temporarily restrained and enjoined from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
7. Western Union shall, within two (2) business days of receipt of this Order, block any Western Union money transfers and funds from being received by the Defendants identified in Schedule A until further ordered by this Court.
8. eBay, Inc. ("eBay"), PayPal, Inc. ("PayPal"), ContextLogic, Inc. ("WISH") and Alipay US, Inc. and its entities ("Alipay"), shall, within two (2) business days of receipt of this Order, for any Defendant or any of Defendants' Online Marketplace Accounts or websites:
 - a. Locate all accounts and funds connected to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any eBay, PayPal, WISH and Alipay accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 3 to the Declaration of Paul Varley; and
 - b. Restrain and enjoin any such accounts or funds that are non-U.S. foreign based from transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
9. Any banks, savings and loan associations, payment processors, or other financial institutions, for any Defendant or any of Defendants' Online Marketplace Accounts or websites, shall within two (2) business days of receipt of this Order:

- a. Locate all accounts and funds connected to Defendants, Defendants' Online Marketplace Accounts or Defendants' websites, including, but not limited to, any accounts connected to the information listed in Schedule A hereto or the email addresses identified in Exhibit 3 to the Declaration of Paul Varley; and
 - b. Restrain and enjoin such accounts from receiving, transferring or disposing of any money or other of Defendants' assets until further ordered by this Court.
10. eOne may provide notice of these proceedings to Defendants, including notice of the preliminary injunction hearing and service of process pursuant to Fed.R.Civ.P. 4(f)(3), by electronically publishing a link to the Complaint, this Order and other relevant documents on a website to which the Defendant Domain Names which are transferred to eOne's control will redirect, or by sending an e-mail to the e-mail addresses identified in Exhibit 3 to the Declaration of Paul Varley and any e-mail addresses provided for Defendants by third parties that includes a link to said website. The Clerk of Court is directed to issue a single original summons in the name of “**mommypowerpuffs** and all other Defendants identified in Complaint” that shall apply to all Defendants. The combination of providing notice via electronic publication and e-mail, along with any notice that Defendants receive from domain name registrars and payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.
11. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order on two days' notice to eOne or on shorter notice as set by this Court.

12. The \$10,000 bond posted by eOne shall remain with the Court until a Final disposition of this case or until this Preliminary Injunction is terminated.

Dated: June 18, 2019

A handwritten signature in black ink, appearing to read "Manish S. Shah", written over a horizontal line.

Manish S. Shah
U.S. District Court Judge

SCHEDULE A

| No. | Defendants |
|------------|----------------------|
| 1 | **mommypowerpuffs** |
| 2 | *wither.wind* |
| 3 | 17craftb |
| 4 | 1stfastshop |
| 5 | 4900vestenskov |
| 6 | 4noblondes |
| 7 | 9fastship |
| 8 | a.p.dmitriev |
| 9 | abouthome |
| 10 | affinityhomeshopping |
| 11 | akirashop68 |
| 12 | alexsanoscar |
| 13 | all-inonestore |
| 14 | allforu88 |
| 15 | almemua-0 |
| 16 | always bargain |
| 17 | andesartesanias |
| 18 | anhkhoa1204 |
| 19 | animetropolis |
| 20 | anwashop4878 |
| 21 | aommie-store |
| 22 | april_estore |
| 23 | arekraipornsa-0 |
| 24 | aruloses_0 |
| 25 | atechzz |
| 26 | atoyulike |
| 27 | aybestfuture-store |
| 28 | babawanju |
| 29 | barrydeliv |
| 30 | beamsmileshop |
| 31 | benjamin-2017 |
| 32 | best-store1m |
| 33 | bestdeal4u1979 |
| 34 | bestdealsstore01 |
| 35 | bestgoods_99 |
| 36 | bex-shop |

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| 37 | bintanmarunjay0 |
| 38 | bloomsories4 |
| 39 | bluestone-trading |
| 40 | bodingame |
| 41 | bonnets red |
| 42 | brilliantstickersworld |
| 43 | briscoes |
| 44 | broshopping |
| 45 | browserkerz |
| 46 | bruny7514 |
| 47 | byip51803267 |
| 48 | caanas_91 |
| 49 | caliweike86 |
| 50 | cappuccinew |
| 51 | cappuccino-cop |
| 52 | carbonworker |
| 53 | case.2.impress |
| 54 | cchg1584 |
| 55 | cdhpower2012 |
| 56 | cenkoff3 |
| 57 | chaban_44 |
| 58 | cheap_store*2018 |
| 59 | cheap.n.stylish |
| 60 | cheap*_*case |
| 61 | chensuknapha369 |
| 62 | chloelogarzo |
| 63 | choiruamr_0 |
| 64 | choise.perfect |
| 65 | cju96 |
| 66 | coangstore |
| 67 | cs_butterfly |
| 68 | cutting-edge-retailer |
| 69 | davishop93 |
| 70 | demarc_92 |
| 71 | denggogo |
| 72 | devoscendents |
| 73 | dityart |
| 74 | dolladyukraine |
| 75 | dopra92 |

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| 76 | dsvarietystore |
| 77 | dujohnson |
| 78 | duwegawe |
| 79 | e.project |
| 80 | edwo59 |
| 81 | elcharly64 |
| 82 | eldan-market |
| 83 | eleven days |
| 84 | enjoy.shop |
| 85 | entennainggola0 |
| 86 | eoijwing |
| 87 | epicproducts1 |
| 88 | ericaceaelf |
| 89 | errosshop |
| 90 | eseller1966 |
| 91 | etabar_01 |
| 92 | euricjunio 0 |
| 93 | fairhouse |
| 94 | faisajun-0 |
| 95 | farecarne 0 |
| 96 | fivestargood |
| 97 | frickos1982 |
| 98 | fthdeals |
| 99 | fun*blast |
| 100 | gaurishankar84 |
| 101 | get_treasure |
| 102 | giftsforyou77 |
| 103 | good day store |
| 104 | good.man.store |
| 105 | gov goods |
| 106 | great-deals-factory |
| 107 | greatestavings2018 |
| 108 | haocs 885sd |
| 109 | happymum*awesome*deal |
| 110 | heroman-store |
| 111 | hile85 |
| 112 | hiogeysieza0 |
| 113 | hkshuik2017 |
| 114 | hobby-jar |

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| 115 | homesoar |
| 116 | homestone |
| 117 | honcn.hel6ufoti |
| 118 | honest_vender |
| 119 | hudieifeifei722 |
| 120 | hupo198362 |
| 121 | hwz91 |
| 122 | hymk169 |
| 123 | icarstore88 |
| 124 | id.suto |
| 125 | iffy9999 |
| 126 | ikymart |
| 127 | interhousemart |
| 128 | ivandedalto-0 |
| 129 | jankaew0 |
| 130 | jih58 |
| 131 | jo.id98 |
| 132 | jurnalsold |
| 133 | kamel-cy2014 |
| 134 | karisetht |
| 135 | katy.nine |
| 136 | kawinthophutthakosi-0 |
| 137 | kemmanipromde-0 |
| 138 | kids_zone |
| 139 | kield-01 |
| 140 | kip_ton |
| 141 | kitasama |
| 142 | kkla1977 |
| 143 | koloran |
| 144 | kommonpeople |
| 145 | koslav_store |
| 146 | kritsananathongte-0 |
| 147 | kunphu |
| 148 | kurghu-0 |
| 149 | lalaflat_store |
| 150 | lcq64 |
| 151 | lichshop |
| 152 | livaart |
| 153 | loyalist9th |

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| 154 | lucky-vanon |
| 155 | makeandfun |
| 156 | mamameong |
| 157 | mandalajaipur |
| 158 | mantepnoati |
| 159 | me100fun |
| 160 | michelle080805123 |
| 161 | mobamamus |
| 162 | mohras-22 |
| 163 | momser |
| 164 | moonshard |
| 165 | more*n*more |
| 166 | mr.amber |
| 167 | mytrustshop1980 |
| 168 | nanddia-3 |
| 169 | natamarrol |
| 170 | nativewearllc |
| 171 | ndince |
| 172 | nee-trading |
| 173 | newprisma |
| 174 | ngutan83 |
| 175 | nice2016*store |
| 176 | nicegoody |
| 177 | nikaliand-0 |
| 178 | nkljl3 |
| 179 | nrimoingpandum |
| 180 | nununy3090 |
| 181 | nvrhgu |
| 182 | oneastore |
| 183 | onlinestore1994 |
| 184 | partyforall |
| 185 | paw-store |
| 186 | pawidashop |
| 187 | peidong1211_3 |
| 188 | pelloci crystals |
| 189 | peppymarket |
| 190 | perfect squad enterprises |
| 191 | perrycantik |
| 192 | phichiasusukphe-0 |

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| 193 | phone-charms |
| 194 | phonphan-0 |
| 195 | pigovi |
| 196 | play*mates |
| 197 | prakasilahanno-0 |
| 198 | proseller0011 |
| 199 | proudy..shop |
| 200 | puppa5 |
| 201 | revt*stlea |
| 202 | richvaluedj |
| 203 | robbdodiwahyud0 |
| 204 | robbrudiwahyud-0 |
| 205 | rungmaneyongya-0 |
| 206 | rusint35 |
| 207 | salens |
| 208 | sales*galore |
| 209 | sampe blenger |
| 210 | sanya666 |
| 211 | sarza-67 |
| 212 | shockingvalue |
| 213 | shoppingsqr |
| 214 | sinlifujewelry |
| 215 | sinocrystal |
| 216 | siriwiruncharoe0 |
| 217 | sitelotraigo |
| 218 | sivan.i |
| 219 | sleip-69 |
| 220 | smileelephantstore |
| 221 | sona1411 |
| 222 | star platinum88 |
| 223 | strestore |
| 224 | sudharmnoviawat-0 |
| 225 | sunnyamy |
| 226 | sunshinshop8 |
| 227 | superdeals0601 |
| 228 | suphonleenura0 |
| 229 | supperday |
| 230 | surelysale0 |
| 231 | surycahy-0 |

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| 232 | sweets-lab |
| 233 | taktuang |
| 234 | tastress |
| 235 | taufidau0 |
| 236 | tehfdt514 5 |
| 237 | tesirhow_0 |
| 238 | tetwidy8 |
| 239 | thaovu95 |
| 240 | the_tmstore |
| 241 | thebluestores |
| 242 | thebookbun |
| 243 | theking_1 |
| 244 | timokien |
| 245 | tinyneedle |
| 246 | tiwizone |
| 247 | tod-01 |
| 248 | toppu10 |
| 249 | trankien93 |
| 250 | tretan-dibik |
| 251 | trifonovroman |
| 252 | tukbillionaire789 |
| 253 | ujan_duwit |
| 254 | ultrajaya |
| 255 | unclefrost |
| 256 | unclelap |
| 257 | urassaythanpolpha-0 |
| 258 | us-seeds-store |
| 259 | ventadeall |
| 260 | violeteffect |
| 261 | viper-zab |
| 262 | vostby4 |
| 263 | walla7895 |
| 264 | watch-my-leg |
| 265 | wearebros |
| 266 | werree218 5 |
| 267 | weteng_jemblung |
| 268 | wetruststore |
| 269 | whky0158 |
| 270 | wilawi-0 |

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| 271 | yeremivicto0 |
| 272 | yudahmad |
| 273 | yzq64 |
| 274 | zhonghua0123 |
| 275 | zistazistu |
| 276 | zscl99 |
| 277 | zthestar |
| 278 | zzz54 |
| 279 | DaXiaRetail |
| 280 | HotTrader |
| 281 | Kids Whs LLC |
| 282 | lonhd33 |
| 283 | lxpingyang072 |
| 284 | Mozlly |
| 285 | P.toys |
| 286 | rui33 |
| 287 | Trusov |
| 288 | 001 Store |
| 289 | Alllove Toy Store |
| 290 | Am I the first? Store |
| 291 | anglebaby toy Store |
| 292 | Anime Good Friend Store |
| 293 | Anime Movie 007 Store Store |
| 294 | Anime World 001 Store |
| 295 | Babytoy Store |
| 296 | Banglan Trading Company Store |
| 297 | Boomboom Store |
| 298 | Brave baby Store |
| 299 | Child World Store |
| 300 | Childhood Dreamwork |
| 301 | Childlike Town Store |
| 302 | Childre toy Store |
| 303 | Chinese toy store Store |
| 304 | ChiYou Toy Store |
| 305 | Cyful Store |
| 306 | Fuyao Trading Company Store |
| 307 | gehao Store |
| 308 | Good Baby Toy Store |
| 309 | Good child Toy Store |

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| 310 | Good Friend 2 Store |
| 311 | Good friend toy Store |
| 312 | Heavenly Gift Store |
| 313 | Hey Child baby Store |
| 314 | Jeanwell Toy Store |
| 315 | loving pig toy Store |
| 316 | Lucky Good friend Store |
| 317 | Make World Beautiful Store |
| 318 | MingTian Store |
| 319 | Momlovebaby Store |
| 320 | Movie 001 toy Store |
| 321 | Nice baby Store |
| 322 | No Distances Store |
| 323 | Peppa Geroge toy Store |
| 324 | Peppa Patrol Store |
| 325 | peppa piged Store |
| 326 | peppa piging Store |
| 327 | PeppaPig toy Store |
| 328 | peppapiged Store |
| 329 | Shop3259040 Store |
| 330 | Shop4415148 Store |
| 331 | Shop4650061 Store |
| 332 | Shop4691014 Store |
| 333 | Shop4763019 Store |
| 334 | Shop4977002 Store |
| 335 | There is a toy here. Store |
| 336 | Time Machine Co.,Ltd |
| 337 | Trcay McGRADY Store |
| 338 | Unlimited happiness toy Store |
| 339 | Wonder Toy World Store |
| 340 | Xz Toy Store |
| 341 | younger sister Store |
| 342 | Yancheng Trust Toys Co., Ltd. |