

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO.**

OMEGA SA,  
COMPAGNIE DES MONTRES LONGINES, FRANCILLON S.A.,  
RADO UHREN AG, and  
TISSOT SA,

Plaintiffs,

vs.

THE PARTNERSHIPS and UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE "A" and DOES 1-1,000,

Defendants.

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**COMPLAINT FOR INJUNCTIVE RELIEF**

Plaintiffs, Omega SA, Compagnie des Montres Longines, Francillon S.A.; Rado Uhren AG; and Tissot SA (collectively "Plaintiffs") hereby sue Defendants the Partnerships or Unincorporated Associations identified on Schedule "A" hereto and Does 1-1000 (collectively "Defendants"). Defendants are promoting, selling, offering for sale and distributing goods bearing counterfeits and confusingly similar imitations of Plaintiffs' respective trademarks within this judicial district through various fully interactive Internet websites operating under their partnership and/or business association names identified on Schedule A hereto (the "Subject Domain Names"). In support of their claims, Plaintiffs allege as follows:

**JURISDICTION AND VENUE**

1. This is an action for federal trademark infringement, counterfeiting, false designation of origin, cybersquatting, and common law unfair competition pursuant to 15 U.S.C. §§ 1114, 1116, 1121, 1125(a), and 1125(d). Accordingly, this Court has subject matter jurisdiction under 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has

supplemental jurisdiction pursuant to 28 U.S.C. §1367 over Plaintiffs' state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this judicial district because they direct business activities toward and conduct business with consumers within the State of Florida and this judicial district through at least the fully interactive Internet websites operating under the Subject Domain Names.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 since Defendants are, upon information and belief, aliens who engage in infringing activities and cause harm within this judicial district. Defendants have also advertised and, upon information and belief, made sales and shipped infringing products into this judicial district.

#### **THE PLAINTIFFS**

4. Plaintiff Omega SA ("Omega") is a corporation organized and existing under the laws of Switzerland with its principal place of business located at 96 rue Jakob Stampfli, Bienne, Switzerland. Omega manufactures high quality watches in Switzerland, which it sells throughout the world, including within this judicial district, under multiple world famous common law and federally registered trademarks including the OMEGA trademark identified in paragraph 19 below.

5. Plaintiff Compagnie des Montres Longines, Francillon S.A. ("Longines") is a corporation organized and existing under the laws of Switzerland with its principal place of business located in Saint-Imier, Switzerland. Longines, manufactures high quality watches in Switzerland, which it sells throughout the world, including within this judicial district, under

multiple world famous common law and federally registered trademarks including the Longines trademark identified in paragraph 25 below.

6. Plaintiff Rado Uhren AG (“Rado”) is a corporation organized and existing under the laws of Switzerland with its principal place of business located at Bielstrasse 45, 2543 Lengnau, Switzerland. Rado, manufactures high quality watches in Switzerland, which it sells throughout the world, including within this judicial district, under multiple world famous common law and federally registered trademarks including the RADO trademark identified in paragraph 31 below.

7. Plaintiff Tissot SA (“Tissot”) is a corporation organized and existing under the laws of Switzerland with a principal place of business at Chemin des Tourelles 17 Le Locle Switzerland. Tissot, manufactures high quality watches in Switzerland, which it sells throughout the world, including within this judicial district, under multiple world famous common law and federally registered trademarks including the TISSOT trademark identified in paragraph 37 below.

8. Like many other famous trademark owners, Plaintiffs suffer ongoing daily and sustained violations of their respective trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Plaintiffs’ individual trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits. The natural and intended byproduct of Defendants’ actions is the erosion and destruction of the goodwill associated with Plaintiffs’ respective famous names and trademarks and the destruction of the legitimate market sector in which they operate.

9. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Plaintiffs expend significant

amounts of money in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement, such as field training, guides and seminars. The recent explosion of counterfeiting over the Internet has created an environment which requires companies such as Plaintiffs to file a large number of lawsuits, often it later turns out, against the same individuals and groups, in order to protect both consumers and themselves from the ill effects of confusion and the erosion of the goodwill connected to Plaintiffs' respective brands. The financial burden on Plaintiffs and companies similarly situated is staggering, as is the resulting burden on the Federal court system.

### **THE DEFENDANTS**

10. Defendants are partnerships or unincorporated business associations which operate through domain names registered with registrars in multiple countries, and are comprised of individuals and/or business entities of unknown makeup, all of whom, upon information and belief, reside outside the United States. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants conduct pervasive business throughout the United States, including within this judicial district through the operation of fully interactive commercial websites existing under the Subject Domain Names. The partnership or unincorporated association names used by Defendants are set forth on Schedule "A" hereto.

11. Upon information and belief, Defendants use the following aliases in conjunction with the operation of their business:

a. Upon information and belief, Defendant 1 - copyswisswatches.com - uses the aliases identified on Schedule "B" hereto in conjunction with the operation of its business;

b. Upon information and belief, Defendant 6 - cheapwatchswiss.co.uk, uses the alias cheapomega.com, in conjunction with the operation of its business. The Internet website

operating under the domain name cheapomega.com is a blog-style which provides support and directs consumer traffic to the fully interactive website operating under the domain name cheapwatchswiss.co.uk;

c. Upon information and belief, Defendant 10 - copyomegawatchessales.com uses the aliases copyomegawatchesstores.com, fakeomegawatchsale.com, and topcopyomegawatches.com in conjunction with the operation of its business ;

d. Upon information and belief, Defendant 11 - eboutiquewatches.com, uses the alias findtwatches.com in conjunction with the operation of its business;

e. Upon information and belief, Defendant 14 - ewatches4us.com, uses the aliases ewatchesoutletshop.com, luxurywatchescabinets.com, twatches4us.com, and uniquewatchesoutlet.com in conjunction with the operation of its business;

f. Upon information and belief, Defendant 15 - luxurywatchesoutlets.com, uses the aliases soleboutiquewatches.com, twatchesbox.com, and twatchescabinets.com in conjunction with the operation of its business;

g. Upon information and belief, Defendant 17 - tissot-france.com, uses the alias montres-pas-chere.net in conjunction with the operation of its business;

h. Upon information and belief, Defendant 22 - luxurywatchesreplica.com, uses the alias omegaforsale.com in conjunction with the operation of its business;

i. Upon information and belief, Defendant 31 - swisstissot.com, uses the aliases tissotmail.com and tissotshow.com in conjunction with the operation of its business;

j. Upon information and belief, Defendant 43 - tissotwatchonline.com, uses the alias tissotwatchsale.us in conjunction with the operation of its business;

k. Upon information and belief, Defendant 48 - tiwatchoutlet.com, uses the aliases toutletshop.com and tracetimeshop.com in conjunction with the operation of its business.

12. Plaintiffs are presently unaware of the true names of Does 1-1,000, although they are generally identified as the owners, operators, partners, managing agents and/or co-conspirators of the Defendant partnerships or unincorporated associations operating under the Subject Domain Names. Plaintiffs will amend this Complaint upon discovery of the identities of such fictitious Defendants.

13. Defendants are the past and present controlling forces behind the operation of commercial Internet websites operating under at least the Subject Domain Names.

14. Upon information and belief, Defendants directly engage in unfair competition with Plaintiffs by advertising, offering for sale and selling goods bearing counterfeits and infringements of each of Plaintiffs' individual trademarks to consumers within the United States and this judicial district through multiple fully interactive commercial websites operating under the Subject Domain Names and additional domain names not yet know to Plaintiffs. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale and shipment of counterfeit branded goods into the State.

15. Defendants have registered, established or purchased, and maintained the Subject Domain Names. Upon information and belief, Defendants have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information to their various Registrars during the registration or maintenance process. Upon information and belief, Defendants have anonymously registered and maintained some of the Subject Domain Names for the sole purpose of engaging in illegal counterfeiting activities.

16. Upon information and belief, Defendants will continue to register or acquire new domain names for the purpose of selling and/or offering for sale goods bearing counterfeit and confusingly similar imitations of Plaintiffs' respective trademarks unless preliminarily and permanently enjoined.

17. Defendants' entire Internet-based website businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiffs and others.

18. Defendants' business names, i.e., the Subject Domain Names and any other domain names used in connection with the sale of counterfeit and infringing goods bearing Plaintiffs' respective trademarks are essential components of Defendants' counterfeiting and infringing activities and are the means by which Defendants further their counterfeiting scheme and cause harm to Plaintiffs. Moreover, Defendants are using Plaintiffs' respective famous names and trademarks to drive Internet consumer traffic to their websites operating under the Subject Domain Names, thereby increasing the value of the Subject Domain Names and decreasing the size and value of Plaintiffs' legitimate common marketplace at Plaintiffs' expense.

### **COMMON FACTUAL ALLEGATIONS**

#### **Omega's Trademark Rights**

19. Omega is the owner of the following trademark registered on the Principal Register of the United States Patent and Trademark Office (the "OMEGA Mark"):

<b>Trademark</b>	<b>Registration Number</b>	<b>Registration Date</b>	<b>Class / Goods</b>
<b>OMEGA</b>	566,370	November 4, 1952	IC 014 - watches and parts thereof.

The OMEGA Mark is used in connection with the manufacture and distribution of high quality goods in the category identified above.

20. The OMEGA Mark has been used in interstate commerce to identify and distinguish Omega's high quality goods for an extended period of time and serves as a symbol of Omega's quality, reputation and goodwill.

21. Further, Omega has expended substantial time, money and other resources developing, advertising and otherwise promoting the OMEGA Mark. Omega and related companies have spent millions of dollars to extensively advertise and promote products under the OMEGA Mark in magazines, newspapers, on the Internet and in other media worldwide, including the official Omega website, [www.omegawatches.com](http://www.omegawatches.com). The OMEGA Mark qualifies as a famous mark as that term is used in 15 U.S.C. §1125(c)(1).

22. Omega has extensively used, advertised and promoted the OMEGA Mark in the United States in connection with the sale of high quality watches and related goods. As a result, the OMEGA Mark is among the most widely recognized trademarks in the United States, and the trademark has achieved secondary meaning as an identifier of high quality goods.

23. Omega has carefully monitored and policed the use of the OMEGA Mark and has never assigned or licensed the OMEGA Mark to any of the Defendants in this matter.

24. Genuine goods bearing the OMEGA Mark are widely legitimately advertised and promoted by Omega and related companies, authorized distributors and unrelated third parties via the Internet. Over the course of the past five to seven years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Omega's overall marketing and consumer education efforts. Thus, Omega and related companies expend significant monetary resources on Internet marketing and

consumer education, including search engine optimization (“SEO”) strategies. Those strategies allow Omega and its authorized retailers to fairly and legitimately educate consumers about the value associated with the OMEGA Mark and the goods sold thereunder. SEO is a now common marketing process whereby a company or individual designs, supports, structures and phrases Internet website content in order to enhance a website’s profile for search engines over a variety of search terms.

**Longines’ Trademark Rights**

25. Longines is the owner of the following trademark registered on the Principal Register of the United States Patent and Trademark Office (the “LONGINES Mark”):

<b>Trademark</b>	<b>Registration Number</b>	<b>Registration Date</b>	<b>Class / Goods</b>
LONGINES	1,377,147	January 7, 1986	IC 014 - watches and parts therefor, and jewelry and costume jewelry.

The LONGINES Mark is used in connection with the manufacture and distribution of high quality goods in the category identified above.

26. The LONGINES Mark has been used in interstate commerce to identify and distinguish Longines’ high quality goods for an extended period of time and serves as a symbol of Longines’ quality, reputation and goodwill.

27. Further, Longines has expended substantial time, money and other resources developing, advertising and otherwise promoting the LONGINES Mark. Longines and related companies have spent millions of dollars to extensively advertise and promote products under the LONGINES Mark in magazines, newspapers, in stores, on the Internet and in other media worldwide, including the official Longines website, [www.longines.com](http://www.longines.com). The LONGINES Mark qualifies as a famous mark as that term is used in 15 U.S.C. §1125(c)(1).

28. Longines has extensively used, advertised and promoted the LONGINES Mark in the United States in connection with the sale of high quality watches and related goods. As a result, the LONGINES Mark is among the most widely recognized trademarks in the United States, and the trademark has achieved secondary meaning as an identifier of high quality goods.

29. Longines has carefully monitored and policed the use of the LONGINES Mark and has never assigned or licensed the LONGINES Mark to any of the Defendants in this matter.

30. Genuine goods bearing the LONGINES Mark are widely legitimately advertised and promoted by Longines and related companies, authorized distributors and unrelated third parties via the Internet. Over the course of the past five to seven years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Longines' overall marketing and consumer education efforts. Thus, Longines and related companies expend significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Longines and its authorized retailers to fairly and legitimately educate consumers about the value associated with the LONGINES Mark and the goods sold thereunder

#### **Rado's Trademark Rights**

31. Rado is the owner of the following trademark registered on the Principal Register of the United States Patent and Trademark Office (the "RADO Mark"):

<b>Trademark</b>	<b>Registration Number</b>	<b>Registration Date</b>	<b>Class / Goods</b>
RADO	1,729,207	November 3, 1992	IC 014 - watches and parts thereof

The RADO Mark is used in connection with the manufacture and distribution of high quality goods in the categories identified above.

32. The RADO Mark has been used in interstate commerce to identify and distinguish Rado's high quality goods for an extended period of time and serves as a symbol of Rado's quality, reputation and goodwill.

33. Further, Rado has expended substantial time, money and other resources developing, advertising and otherwise promoting the RADO Mark. Rado and related companies have spent millions of dollars to extensively advertise and promote products under the RADO Mark in magazines, newspapers, on the Internet and in other media worldwide, including the official Rado website, [www.rado.com](http://www.rado.com). The RADO Mark qualifies as a famous mark as that term is used in 15 U.S.C. §1125(c)(1).

34. Rado has extensively used, advertised and promoted the RADO Mark in the United States in connection with the sale of high quality watches and related goods. As a result, the RADO Mark is among the most widely recognized trademarks in the United States, and the trademark has achieved secondary meaning as an identifier of high quality goods.

35. Rado has carefully monitored and policed the use of the RADO Mark and has never assigned or licensed the RADO Mark to any of the Defendants in this matter.

36. Genuine goods bearing the RADO Mark are widely legitimately advertised and promoted by Rado and related companies, authorized distributors and unrelated third parties via the Internet. Over the course of the past five to seven years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Rado's overall marketing and consumer education efforts. Thus, Rado and related companies expend significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies

allow Rado and its authorized retailers to fairly and legitimately educate consumers about the value associated with the RADO Mark and the goods sold thereunder.

**Tissot's Trademark Rights**

37. Tissot is the owner of the following trademark registered on the Principal Register of the United States Patent and Trademark Office (the "TISSOT Mark"):

<b>Trademark</b>	<b>Registration Number</b>	<b>Registration Date</b>	<b>Class / Goods</b>
TISSOT	1,639,684	April 2, 1991	IC 014 - watches; parts, fittings and fixtures for watches.

The TISSOT Mark is used in connection with the manufacture and distribution of high quality goods in the category identified above.

38. The TISSOT Mark has been used in interstate commerce to identify and distinguish Tissot's high quality goods for an extended period of time and serves as a symbol of Tissot's quality, reputation and goodwill.

39. Further, Tissot has expended substantial time, money and other resources developing, advertising and otherwise promoting the TISSOT Mark. Tissot and related companies have spent millions of dollars to extensively advertise and promote products under the TISSOT Mark in magazines, newspapers, on the Internet, and in other media worldwide, including the official Tissot website [www.tissot.ch](http://www.tissot.ch). The TISSOT Mark qualifies as a famous mark as that term is used in 15 U.S.C. §1125(c)(1).

40. Tissot has extensively used, advertised and promoted the TISSOT Mark in the United States in connection with the sale of high quality watches and related goods. As a result, the TISSOT Mark is among the most widely recognized trademarks in the United States, and the trademark has achieved secondary meaning as an identifier of high quality goods.

41. Tissot has carefully monitored and policed the use of the TISSOT Mark and has never assigned or licensed the TISSOT Mark to any of the Defendants in this matter.

42. Genuine goods bearing the TISSOT Mark are widely legitimately advertised and promoted by Tissot and related companies, authorized distributors and unrelated third parties via the Internet. Over the course of the past five to seven years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing has become increasingly important to Tissot's overall marketing and consumer education efforts. Thus, Tissot and related companies expend significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Tissot and its authorized retailers to fairly and legitimately educate consumers about the value associated with the TISSOT Mark and the goods sold thereunder.

**Defendants' Infringing Activities**

43. Upon information and belief, Defendants are promoting and advertising, distributing, selling and/or offering for sale at least watches bearing counterfeit and infringing trademarks which are exact copies of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark (the "Counterfeit Goods") through the fully interactive commercial Internet websites operating under the Subject Domain Names. Specifically, upon information and belief, Defendants are using identical copies of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark (collectively, "Plaintiffs' Marks") for different quality goods. Plaintiffs had used their respective Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Plaintiffs' goods.

44. Upon information and belief, Defendants' Counterfeit Goods are of a quality substantially different than that of Plaintiffs' respective, genuine goods. Defendants, upon

information and belief, are actively using, promoting and otherwise advertising, distributing, selling and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine, high quality goods offered for sale by Plaintiffs despite Defendants' knowledge that they are without authority to use Plaintiffs' Marks. The net effect of Defendants' actions will cause confusion of consumers who will believe Defendants' Counterfeit Goods are genuine goods originating from, associated with, and approved by Plaintiffs.

45. Defendants advertise their Counterfeit Goods for sale to the consuming public via websites operating under at least the Subject Domain Names. In so advertising these goods, Defendants use Plaintiffs' Marks without Plaintiffs' permission. Indeed, Defendants herein misappropriated Plaintiffs' advertising ideas and entire styles of doing business with regard to the advertisement and sale of Plaintiffs' respective, genuine goods. Upon information and belief, the misappropriation of Plaintiffs' advertising ideas in the form of Plaintiffs' Marks is the proximate cause of harm to Plaintiffs.

46. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, all employing substantially similar, and often times coordinated, SEO strategies based, in large measure, upon an illegal use of counterfeits and infringements of Plaintiffs' Marks. Specifically, Defendants are using counterfeits of Plaintiffs' Marks in order to make their websites selling illegal goods appear more relevant and attractive to search engines across an array of search terms. By their actions, Defendants are causing concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the

goodwill associated with Plaintiffs' Marks, and (iii) increasing Plaintiffs' overall cost to market their goods and educate consumers about their brands via the Internet.

47. Upon information and belief, Defendants are concurrently targeting their counterfeiting and infringing activities toward consumers and causing harm within this judicial district and elsewhere throughout the United States. As a result, Defendants are defrauding Plaintiffs and the consuming public for Defendants' own benefit.

48. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiffs' respective ownership of the Plaintiffs' Marks, including their respective, exclusive rights to use and license such intellectual property and the goodwill associated therewith.

49. Defendants' use of the Plaintiffs' respective Marks, including the promotion and advertisement, reproduction, distribution, sale and offering for sale of their Counterfeit Goods, is without Plaintiffs' consent or authorization.

50. Further, Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiffs' rights for the purpose of trading on the respective goodwill and reputations of Plaintiffs. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

51. Defendants' above identified infringing activities are likely to cause confusion, deception and mistake in the minds of consumers, the public and the trade before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public and the trade into believing there is a connection or

association between Plaintiffs' respective genuine goods and Defendants' Counterfeit Goods, which there is not.

52. Moreover, many of the Defendants have registered Subject Domain Names, using marks which are nearly identical and/or confusingly similar to Plaintiffs' Marks (collectively the "Infringing Subject Domain Names"). The Infringing Subject Domain Names are set forth on Schedule "C" hereto.

53. Defendants do not have, nor have they ever had, the right or authority to use Plaintiffs' Marks. Further Plaintiffs' Marks have never been assigned or licensed to be used on any of the websites operating under the Infringing Subject Domain Names.

54. Upon information and belief, Defendants have provided false and/or misleading contact information when applying for the registration of the Infringing Subject Domain Names, or have intentionally failed to maintain accurate contact information with respect to the registration of the Infringing Subject Domain Names.

55. Upon information and belief, Defendants have never used any of the Infringing Subject Domain Names in connection with a bona fide offering of goods or services.

56. Upon information and belief, Defendants have not made any bona fide non-commercial or fair use of Plaintiffs' Marks on a website accessible under any of the Infringing Subject Domain Names.

57. Upon information and belief, Defendants have intentionally incorporated Plaintiffs' Marks in their domain names to divert consumers looking for Plaintiffs' respective Internet websites to their own Internet websites for commercial gain.

58. Plaintiffs have no adequate remedy at law.

59. Plaintiffs are suffering irreparable and indivisible injury and harm as a result of Defendants' unauthorized and wrongful use of the Plaintiffs' respective Marks. If Defendants' counterfeiting, infringing, cybersquatting, and unfairly competitive activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

60. The injury and harm sustained by Plaintiffs have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods.

**COUNT I - TRADEMARK COUNTERFEITING AND INFRINGEMENT**

61. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 60 above.

62. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeit and confusingly similar imitations of Plaintiffs' respective Marks in commerce in connection with the promotion, advertisement, distribution, sale and offering for sale of the Counterfeit Goods.

63. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing at least watches, using counterfeits and infringements of the OMEGA Mark. Defendants are continuously infringing and inducing others to infringe the OMEGA Mark by using it to advertise, promote and sell counterfeit and infringing watches.

64. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing at least watches, using counterfeits and infringements of the LONGINES Mark. Defendants are continuously infringing and inducing others to infringe the LONGINES Mark by using it to advertise, promote and sell counterfeit and infringing watches.

65. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing at least watches, using counterfeits and infringements of the RADO Mark. Defendants are continuously infringing and inducing others to infringe the RADO Mark by using it to advertise, promote and sell counterfeit and infringing watches.

66. Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing at least watches, using counterfeits and infringements of the TISSOT Mark. Defendants are continuously infringing and inducing others to infringe the TISSOT Mark by using it to advertise, promote and sell counterfeit and infringing watches.

67. Defendants' coordinated, concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

68. Defendants' unlawful actions have individually and jointly caused and are continuing to cause unquantifiable and irreparable harm to Plaintiffs.

69. Defendants' above-described illegal actions constitute counterfeiting and infringement of the Plaintiffs respective Marks in violation of Plaintiffs' respective rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

70. Plaintiffs have each suffered and will continue to suffer irreparable injury due to the above described activities of Defendants if Defendants are not preliminarily and permanently enjoined.

**COUNT II - FALSE DESIGNATION OF ORIGIN  
PURSUANT TO § 43(a) OF THE LANHAM ACT**

71. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 60 above.

72. Defendants' Counterfeit Goods bearing and sold under copies of the Plaintiffs' respective Marks have been widely advertised and distributed throughout the United States.

73. Defendants' Counterfeit Goods bearing and sold under copies of the Plaintiffs' respective Marks are virtually identical in appearance to each of Plaintiffs' respective, genuine goods. However, Defendants' Counterfeit Goods are different and likely inferior in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Counterfeit Goods.

74. Defendants, upon information and belief, have used in connection with their sale of the Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to the detriment of Plaintiffs.

75. Defendants have authorized infringing uses of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark in Defendants' advertisement and promotion of their counterfeit and infringing watches. Defendants have misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

76. Additionally, Defendants are using counterfeits and infringements of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark in order to unfairly compete with Plaintiffs and others for space within search engine organic results, thereby jointly depriving Plaintiffs of a valuable marketing and educational tool which would otherwise be available to Plaintiffs and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web.

77. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a).

78. Plaintiffs have each sustained indivisible injury and harm caused by Defendants' concurrent conduct, and absent an entry of an injunction by this Court, each Plaintiffs will continue to suffer irreparable injury to their respective goodwill and business reputations.

**COUNT III – CLAIM FOR RELIEF FOR CYBERSQUATTING  
UNDER §43(d) OF THE LANHAM ACTION (15 U.S.C. §1125(d))**

79. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 60 above.

80. Upon information and belief, Defendants have acted with the bad faith intent to profit from the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark and the goodwill associated with the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark by registering the Infringing Subject Domain Names.

81. The OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark were distinctive and famous at the time Defendants registered the Infringing Subject Domain Names.

82. The infringing Subject Domain Names are identical to, confusingly similar to, or dilutive of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark.

83. Defendants actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. §1125(d).

84. Plaintiffs have suffered and will continue to suffer irreparable injury due to the above described activities of Defendants if Defendants are not preliminarily and permanently enjoined.

**COUNT IV - COMMON LAW UNFAIR COMPETITION**

85. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 60 above.

86. This is an action against Defendants based on their manufacture, promotion, advertisement, distribution, sale and/or offering for sale of goods bearing marks which are virtually identical, both visually and phonetically, to the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark in violation of Florida's common law of unfair competition.

87. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing infringing and counterfeit watches and related goods. Defendants are also using counterfeits and infringements of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark to unfairly compete with Plaintiffs and others for (1) space in search engine results across an array of search terms and (2) visibility on the World Wide Web.

88. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of the OMEGA Mark, LONGINES Mark, RADO Mark, and TISSOT Mark.

89. Plaintiffs have no adequate remedy at law and are suffering irreparable injury as a result of Defendants' actions.

**PRAYER FOR RELIEF**

90. WHEREFORE, Plaintiffs demand judgment on all Counts of this Complaint and an award of equitable relief against Defendants as follows:

a. Entry of temporary, preliminary and permanent injunctions enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting the OMEGA Mark, LONGINES Mark, RADO Mark, and/or TISSOT Mark; from using the OMEGA Mark, LONGINES Mark, RADO Mark, and/or TISSOT Mark, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name or trademark or trade dress which may be calculated to falsely advertise the services or goods of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiffs; from falsely representing themselves as being connected with Plaintiffs, through sponsorship or association, or 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 are in any way endorsed by, approved by, and/or associated with Plaintiffs; from using any reproduction, counterfeit, copy, or colorable imitation of the OMEGA Mark, LONGINES Mark, RADO Mark, and/or TISSOT Mark in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants, including, without limitation, watches; from 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 Defendants' goods as being those of Plaintiffs, or in any way endorsed by Plaintiffs and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of Plaintiffs' respective names or trademarks; and from otherwise unfairly competing with Plaintiffs.

b. Entry of an order requiring the Subject Domain Names, and any other domain names being used by Defendants to engage in the business of marketing, offering to sell and/or selling goods bearing counterfeits and infringements of the OMEGA Mark, LONGINES Mark, RADO Mark, and/or TISSOT Mark to be disabled and/or immediately transferred by Defendants, their Registrars and/or the Registries to Plaintiffs' control.

c. Entry of an Order that, upon Plaintiffs' request, the top level domain (TLD) Registry for each of the Subject Domain Names or their administrators place the Subject Domain Names on Registry Hold status for the remainder of the registration period for any such domain name, thus removing them from the TLD zone files maintained by the Registries which link the Subject Domain Names to the IP address where the associated websites are hosted.

d. Entry of an Order that, upon Plaintiffs' request, any Internet search engines, Web hosts, domain-name registrars and domain-name registries or administrators which are provided with notice of the injunction, cease facilitating access to any or all websites through which Defendants engage in the promotion, offering for sale and/or sale of goods bearing counterfeits and/or infringements of the OMEGA Mark, LONGINES Mark, RADO Mark, and/or TISSOT Mark.

e. Entry of an Order that, upon Plaintiffs' request, the Internet Corporation for Assigned Names and Numbers ("ICANN") shall take all actions necessary to ensure that the top level domain Registries or their administrators responsible for the Subject Domain Names facilitate the transfer and/or disable the Subject Domain Names.

f. Entry of an award of Plaintiffs' costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

g. Entry of an Order for any further relief as the Court may deem just and proper.

DATED: February 5, 2013.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

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Attorneys for Plaintiffs

**SCHEDULE A**  
**DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAMES**

<b>Defendant Number</b>	<b>Defendant / Domain Names</b>
1	copyswisswatches.com
1	58watches.com
1	bagzers.co.uk
1	bestreplicawatchesus.com
1	buyrolexus.com
1	buysuperwatches.com
1	buy-topwatchreplica.com
1	buy-topwatchreplicas.com
1	canadareplicawatches.com
1	canada-watches.com
1	cheapwatchesforsale.co.uk
1	ddreplicawatch.com
1	dicountwatchshop.net
1	dxwatches.com
1	dxwatches.org
1	ebrandwatches.net
1	eswatchdiscount.com
1	eswatchsale.co.uk
1	etswatchshop.com
1	ewatch-sale.org.uk
1	hubrolex.com
1	hubrolex.net
1	idswatch.com
1	irelandreplicawatches.net
1	iwatchesshack.com
1	iwatcheszone.com
1	klokkerbutikk.com
1	likehandbags.biz
1	loveswissreplicawatches.co.uk
1	ltsshop.com
1	luxuriouswatchessale.com
1	luxuryreplicasale.co.uk
1	luxurywatchessale.org.uk

1	made2u.biz
1	montrereplicaswiss.com
1	newsalewatches.com
1	odswatch.com
1	ppwatches.co.uk
1	ppwatches.org.uk
1	qualityreplica.biz
1	replicasale.co.uk
1	replicasaleuk.co.uk
1	replicasonlineuk.org
1	replicauswatches.com
1	replicawatch4uk.co.uk
1	replicawatches-hotsale.com
1	replicawatchesonlineuk.com
1	replicawatchesonsale.co.uk
1	replicawatchesonsale.org
1	replicawatchessale-hot.com
1	replicawatchesuhren.com
1	replicawatchesup.co.uk
1	replicawatchuks.org
1	replicawatchuks.org.uk
1	replicawatchuksale.org.uk
1	replicawatchup.co.uk
1	repwatch.co.uk
1	repwatchuk.co.uk
1	rolexesreplicasale.com
1	stylishwatchesus.net
1	superrolexsale.com
1	swiss4watches4replica.com
1	swisshotswatches.com
1	swiss-kings.net
1	swissnewwatches.com
1	swissreplicasale.com
1	swissreplicawatchesus.com
1	swisswatche4you.com
1	swisswatchesfashion.com

1	swisswatchesforever.com
1	swisswatchesus.org
1	topfamousreplica.com
1	topquality-replicawatches.co.uk
1	topquality-replicawatches.org.uk
1	toprolexsale.com
1	twatchesstore.com
1	urestikkontakt.com
1	verkaufuhren.com
1	watcheseternal.com
1	watchesgeilezeit.com
1	watchesonsales.co.uk
1	watchesshopstyle.com
1	watchesswissreplica.co.uk
1	watchesup.co.uk
1	watchmonopoly.org
1	watchreplicasite.com
2	1watches.net
3	amazingtissot4u.com
4	bestissotonline.com
5	boutiquewristwatch.com
6	cheapomega.com
6	cheapwatchswiss.co.uk
7	cheapomegasale.com
8	cheaptissot.com
9	cheaptissotwatches.net
10	copyomegawatchesales.com
10	copyomegawatchesstores.com
10	fakeomegawatchsale.com
10	topcopyomegawatches.com
11	eboutiquewatches.com
11	findtwatches.com
12	eswisswatch.net
13	loginreplicawatches.com
14	ewatches4us.com
14	ewatchesoutletshop.com

14	luxurywatchescabinets.com
14	twatches4us.com
14	uniquewatchesoutlet.com
15	luxurywatchesoutlets.com
15	soleboutiquewatches.com
15	twatchesbox.com
15	twatchescabinets.com
16	montres-fr.com
17	tissot-france.com
17	montres-pas-chere.net
18	mytissotonsale.net
19	mytissotwatch.net
20	newswisswatches.net
21	omegacheap.com
22	luxurywatchesreplica.com
22	omegaforsale.com
23	omegaonlinesale.com
24	omegaoutlet.com
25	omegauotchi.com
26	omegawatches007.org
27	onlinetissotuk.com
28	onlinewatchesstore.org
29	perfectomegawatches.com
30	repomega.com
31	swisstissot.com
31	tissotmail.com
31	tissotshow.com
32	swisstwatches.com
33	tissotclassic.com
34	tissotonline.com
35	tissotonsale.com
36	tissotoutlet.net
37	tissotsale.net
38	tissotswiss.net
39	tissotwatches.co
40	tissotwatchessale.net

41	tissotwatchesshop.org
42	tissotwatchesuk.com
43	tissotwatchonline.com
43	tissotwatchsale.us
44	tissotwatchonline.net
45	tissotwatchsale.org
46	tissotwatchshop.org
47	tiwatchesshop.com
48	tiwatchoutlet.com
48	toutletshop.com
48	tracetimeshop.com
49	toptissotonline.com
50	topwatchessale.net
51	t-watches.com
52	twatchesbay.com
53	worldofwatch.org
54	longineswatchesmall.com
55	radowatchesforsale.com
56	buytissotwatches.com
57	tissotsale.com
58	tissotwatchesstore.com
59	ibrand-mall.com

**SCHEDULE B**  
**ALIASES USED BY DEFENDANT COPYSWISSWATCHES.COM**

58watches.com
bagzers.co.uk
bestreplicawatchesus.com
buyrolexus.com
buysuperwatches.com
buy-topwatchreplica.com
buy-topwatchreplicas.com
canadareplicawatches.com
canada-watches.com
cheapwatchesforsale.co.uk
ddreplicawatch.com
dicountwatchshop.net
dxwatches.com
dxwatches.org
ebrandwatches.net
eswatchdiscount.com
eswatchsale.co.uk
etwatchshop.com
ewatch-sale.org.uk
hubrolex.com
hubrolex.net
idswatch.com
irelandreplicawatches.net
iwatchesshack.com
iwatcheszone.com
klokkerbutikk.com
likehandbags.biz
loveswissreplicawatches.co.uk
ltsshop.com
luxuriouswatchessale.com
luxuryreplicasale.co.uk
luxurywatchessale.org.uk
made2u.biz
montrereplicaswiss.com
newsalewatches.com
odswatch.com
ppwatches.co.uk
ppwatches.org.uk
qualityreplica.biz
replicasale.co.uk
replicasaleuk.co.uk
replicasonlineuk.org

replicauswatches.com
replicawatch4uk.co.uk
replicawatches-hotsale.com
replicawatchesonlineuk.com
replicawatchesonsale.co.uk
replicawatchesonsale.org
replicawatchessale-hot.com
replicawatchesuhren.com
replicawatchesup.co.uk
replicawatchuks.org
replicawatchuks.org.uk
replicawatchuksale.org.uk
replicawatchup.co.uk
repwatch.co.uk
repwatchuk.co.uk
rolexesreplicasale.com
stylishwatchesus.net
superrolexsale.com
swiss4watches4replica.com
swisshotswatches.com
swiss-kings.net
swissnewwatches.com
swissreplicasale.com
swissreplicawatchesus.com
swisswatche4you.com
swisswatchesfashion.com
swisswatchesforever.com
swisswatchesus.org
topfamousreplica.com
topquality-replicawatches.co.uk
topquality-replicawatches.org.uk
toprolexsale.com
twatchesstore.com
urestikkontakt.com
verkaufuhren.com
watcheseternal.com
watchesgeilezeit.com
watchesonsales.co.uk
watchesshopstyle.com
watchesswissreplica.co.uk
watchesup.co.uk
watchmonopoly.org
watchreplicasite.com

**SCHEDULE C**  
**INFRINGING SUBJECT DOMAIN NAMES**

<b>Defendant Number</b>	<b>Domain Names</b>
3	amazingtissot4u.com
4	bestissotonline.com
6	cheapomega.com
7	cheapomegasale.com
8	cheaptissot.com
9	cheaptissotwatches.net
10	copyomegawatchesales.com
10	copyomegawatchesstores.com
10	fakeomegawatchsale.com
10	topcopyomegawatches.com
17	tissot-france.com
18	mytissotonsale.net
19	mytissotwatch.net
21	omegacheap.com
22	omegaforsale.com
23	omegaonlinesale.com
24	omegaoutlet.com
25	omegauotchi.com
26	omegawatches007.org
27	onlinetissotuk.com
29	perfectomegawatches.com
30	repomega.com
31	swisstissot.com
31	tissotmail.com
31	tissotshow.com
33	tissotclassic.com
34	tissotonline.com
35	tissotonsale.com
36	tissotoutlet.net
37	tissotsale.net
38	tissotswiss.net
39	tissotwatches.co
40	tissotwatchessale.net

41	tissotwatchesshop.org
42	tissotwatchesuk.com
43	tissotwatchonline.com
43	tissotwatchsale.us
44	tissotwatchonline.net
45	tissotwatchsale.org
46	tissotwatchshop.org
49	toptissotonline.com
54	longineswatchesmall.com
55	radowatchesforsale.com
56	buytissotwatches.com
57	tissotsale.com
58	tissotwatchesstore.com