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12 THE UNITED STATES DISTRICT COURT
13 FOR THE DISTRICT OF NEVADA
14

15 TIFFANY (NJ), LLC,) Case No. 2:11-cv-00590-LDG-CWH
16)
Plaintiff,)
17) **PLAINTIFF’S MEMORANDUM OF LAW**
v.) **REGARDING PERSONAL**
18) **JURISDICTION**
925LY.COM, *et al.*,)
19)
20 Defendants.)
21)

22 Plaintiff Tiffany (NJ), LLC (“Tiffany” or “Plaintiff”) hereby files and serves its
23 Memorandum Regarding Personal Jurisdiction and states as follows:

24 **I. INTRODUCTION**

25 Tiffany initiated this action against Defendants, the Partnerships and Unincorporated
26 Associations identified on Schedule “A” hereto (collectively the “Defendants”) through the filing of
27 its Complaint (D.E. 1) and subsequent First Amended Complaint (D.E. 58) for trademark

1 counterfeiting and infringement, false designation of origin, cybersquatting, and common law unfair
2 competition. On April 18, 2011, Tiffany filed its *Ex Parte* Application for Entry of a Temporary
3 Restraining Order and Preliminary Injunction (the “*Ex Parte* Application”) (D.E. 5, entered on
4 Docket, April 19, 2011). On May 11, 2011, the Court issued an Order Granting Tiffany’s *Ex Parte*
5 Application for a Temporary Restraining Order (D.E. 12), and subsequently converted the temporary
6 restraining order into a preliminary injunction on May 25, 2011 (D.E.18). In its First Amended
7 Complaint, Tiffany alleges the Defendants are conducting business with consumers and causing
8 harm to Tiffany within this District through at least the fully interactive ecommerce and blog-style
9 Internet websites operating under the domain listed in Schedule “A” annexed hereto (the “Subject
10 Domain Names”).

11 After the filing of the Complaint and after the entry of the Court’s Preliminary Injunction,
12 Tiffany discovered the Defendants were operating numerous other Internet websites connected to
13 domain names listed in the Complaint (D.E. 1) the via which they were also promoting, advertising,
14 and offering for sale counterfeit and infringing Tiffany branded products. Pursuant to the Court’s
15 Preliminary Injunction (D.E. 18, pp. 8, 9), Tiffany submitted a sworn affidavit of its representative,
16 Steven Costello, detailing the Defendants’ further counterfeiting and infringement of Tiffany’s
17 trademarks at issue in this matter (the “Tiffany Marks,” *see* First. Am. Compl., (D.E. 58, pp. 5, 6)).
18 (*See* Second Declaration of Steven Costello in support of Plaintiff’s *Ex Parte* App. (“Second Costello
19 Decl.”)).

20 On January 13, 2012, the Court entered an Order directing plaintiff to file supplemental
21 briefing regarding the Court’s exercise of personal jurisdiction over the Defendants and discussing
22 the applicability of *Pebble Beach Company v. Caddy*, 453 F.3d 1151 (9th Cir. 2006), and related
23 authority, to the causes of action being brought in this case. (D.E. 86). The Court ordered Tiffany to
24 file the supplemental briefing regarding personal jurisdiction on or before January 20, 2012. (*See id.*)

25 Tiffany respectfully submits that this Court may properly exercise specific personal
26 jurisdiction over the Defendants, because the Defendants have sufficient minimum contacts with the
27 State of Nevada which relate directly to Tiffany’s causes of action. Specifically, the Defendants are
28

1 operating fully interactive ecommerce websites (as well as blog-style websites acting as marketing
 2 arms to drive traffic to their ecommerce websites) selling goods bearing counterfeits of Tiffany’s
 3 world famous trademarks. In many cases, Defendants are also wrongfully using Tiffany’s Marks in
 4 their domain names. In doing so, the Defendants advertise and offer to sell goods directly to Nevada
 5 residents. Moreover, several of the Defendants have shipped counterfeit Tiffany branded
 6 merchandise into this Judicial District. The Defendants’ actions cause harm to Tiffany in Nevada,
 7 and, thus, it is reasonable for them to be haled into Court in this District.

8 **II. ARGUMENT**

9 **A. Applicable Law.**

10 Personal jurisdiction in this District is proper provided Nevada’s long-arm statute confers
 11 personal jurisdiction over a defendant and the exercise of jurisdiction comports with constitutional
 12 principles of due process of law. *Rio Props, Inc. v. Rio Int’l Interlink*, 284 F.3d 1007, 1019 (9th Cir.
 13 2002). The long-arm statute in Nevada has been interpreted by the Supreme Court of Nevada to
 14 extend the exercise of personal jurisdiction to the federal constitutional limits of due process.¹
 15 *Myers*, 238 F.3d at 1072 (citing *Judas Priest v. Second Judicial Dist. Court*, 104 Nev. 424, 760 P.2d
 16 137, 138 (1988)). In order to satisfy due process, “a defendant must have ‘minimum contacts’ with
 17 the forum state such that the assertion of jurisdiction ‘does not offend traditional notions of fair play
 18 and substantial justice.’” *Pebble Beach Co. v. Caddy*, 453 F.3d 1151, 1155 (9th Cir. 2006) (citing
 19 *Int’l Shoe Co. v. Washington*, 326 U.S. 310, 315, 66 S. Ct. 154, 90 L. Ed. 95 (1945)).

20 Alternatively, personal jurisdiction is proper in any District in the United States pursuant to
 21 the federal long-arm statute as provided for under Federal Rule of Civil Procedure 4(k)(2). Under the
 22 federal long-arm statute, the plaintiff must satisfy a three factor test to establish personal jurisdiction
 23 in any federal forum in the United States. Specifically, the Plaintiff must show that: (1) the claim
 24 against the defendant arises under federal law; (2) the defendant is not subject to the personal
 25

26 ¹ See *Myers v. Bennett Law Offices*, 238 F.3d 1068, 1072 (9th Cir. 2001) (“Federal Rule of Civil
 27 Procedure 4(k)(1)(A) provides that “[s]ervice of a summons ... is effective to establish jurisdiction
 28 over the person of a Defendants [] who could be subjected to the jurisdiction of a court of general
 jurisdiction in the state in which the district court is located.”)

1 jurisdiction of any state court of general jurisdiction; and (3) the federal court's exercise of personal
2 jurisdiction comports with due process. *Pebble Beach Co.*, 453 F.3d at 1159. As supported *infra*,
3 Tiffany asserts that personal jurisdiction over the Defendants is proper in the District of Nevada or,
4 alternatively, in any federal forum in the United States, including the District of Nevada.

5 **B. Personal Jurisdiction over the Defendants is Proper in the District of Nevada.**

6 In the Ninth Circuit, for specific jurisdiction to exist, a plaintiff must demonstrate the
7 following:

- 8 (1) the defendant has performed some act or consummated some
9 transaction within the forum or otherwise purposefully availed
10 himself of the privileges of conducting activities in the forum,
- 11 (2) the claim arises out of or results from the defendant's forum-related
12 activities, and
- 13 (3) the exercise of jurisdiction is reasonable.

14 *Pebble Beach Co.*, 453 F.3d at 1155; *Roth v. Marquez*, 942 F.2d 617, 620-21 (9th Cir. 1985). A
15 plaintiff can satisfy the first prong of this “minimum contacts” test by showing the defendant
16 committed either of two distinct classes of acts, purposeful availment or purposeful direction.² *See*
17 *Pebble Beach Co.*, 453 F.3d at 1155. Availment is typically action taking place in the forum that
18 invoke the benefits and protections of the forum’s laws, while direction generally consists of action
19 taking place outside the forum that is directed at the forum, such as distribution and advertising. *Id.*
20 at 1155-56 citing *Schwarzenegger*, 374 F.3d at 803.

21 **1. The Defendants Have Purposefully Directed Their Activities Toward the
22 State of Nevada.**

23 To show that a defendant directed its activities toward a particular forum and satisfy the first
24 element of the minimum contacts test, the plaintiff must satisfy a three part “effects test” as
25 articulated by the Supreme Court in *Calder v. Jones*. 465 U.S. 783, 104 S.Ct. 1482, 79 L. Ed. 2d 804

26 ² *See Pebble Beach Co.*, 453 F.3d at 1155 (“Although we sometimes use the phrase “purposeful
27 availment” to include both purposeful availment and direction, “availment and direction are, in fact,
28 two distinct concepts.” (citing *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 803 (9th
Cir. 2004)).

1 (1984). In *Calder*, the Supreme Court held that an act which takes place outside the forum “that is
2 both aimed at and has effect in the forum” satisfies the first prong of the specific jurisdiction
3 analysis. *See Pebble Beach Co.* 453 F.3d at 1156 citing *Calder*, 465 U.S. at 783. A defendant
4 “purposefully directs” activity at a forum state when he: (1) commits an intentional act, that is (2)
5 expressly aimed at the forum state and that (3) causes harm that he knows is likely to be suffered in
6 that jurisdiction. *See Bancroft & Masters, Inc. v. Augusta Nat'l Inc.*, 223 F.3d 1082, 1088 (9th Cir.
7 2000) (citing *Panavision Int'l v. Toebben*, 141 F.3d 1316, 1321 (9th Cir. 1998)). Plaintiff’s evidence
8 satisfies each of the elements of the *Calder* effects test.

9 **a. The Defendants Have Committed Intentional, Tortious Acts.**

10 As alleged in the First Amended Complaint and as supported by the evidence on record and
11 filed herewith, the Defendants have committed intentional acts of trademark counterfeiting and
12 infringement, false designation of origin, cybersquatting, and common law unfair competition. When
13 analyzing personal jurisdiction, the Court is required to accept uncontroverted allegations in
14 Plaintiff’s First Amended Complaint as true. *Rio Props*, 284 F.3d at 1019. In the present case,
15 Tiffany’s First Amended Complaint contains the following uncontroverted allegations
16 which are pertinent to the issue of personal jurisdiction:

17
18 2. Venue is proper in this Court pursuant 28 U.S.C. § 1391,
19 and this Court may properly exercise personal jurisdiction over
20 Defendants since all Defendants directly target business activities
21 towards consumers in Nevada and cause harm to Tiffany’s
22 business within this District through various fully interactive
Internet websites, including those operating under their partnership
and/or business association names (the “Subject Domain Names”).
(First Am. Compl. at ¶ 2).

23 3. Tiffany is a Delaware limited liability company, with its
24 principal place of business in the United States located at 15
25 Sylvan Way, Parsippany, NJ 07054. Tiffany is, in part, engaged in
26 the business of manufacturing and distributing throughout the
27 world, including within this Judicial District, high quality luxury
28 goods under multiple famous common law and Federally
registered trademarks including those identified in Paragraph 13
below. Tiffany offers for sale and sells its trademarked goods
within this Judicial District. Defendants’ sales of counterfeit

1 Tiffany branded products are causing damage to Tiffany within
2 this Jurisdiction. Tiffany regularly enforces its intellectual property
3 rights and authorized that this action be brought in its name. (*Id.* at
4 ¶ 3).

5 6. Defendants are partnerships or unincorporated business
6 associations which operate through domain names registered with
7 registrars in multiple countries including China and the United
8 States and are comprised of individuals and/or business entities of
9 unknown makeup, many of whom likely reside in the People's
10 Republic of China or other foreign jurisdictions with lax trademark
11 enforcement systems. Defendants have the capacity to be sued
12 pursuant to Federal Rule of Civil Procedure 17(b). Defendants
13 target their business activities towards consumers throughout the
14 United States, including within this Judicial District through the
15 operation of the fully interactive commercial websites operating
16 under the Subject Domain Names identified on Schedule "A"
17 hereto. Multiple Defendants also operate blog style websites under
18 some of the Subject Domain Names which also provide support
19 and direct customer traffic to the fully interactive websites
20 operating under the other Subject Domain Names. Defendants are
21 directly and personally contributing to, inducing and engaging in
22 the sale of counterfeit products as alleged herein, often times as
23 partners, co-conspirators and/or suppliers. The partnership or
24 business association names used by Defendants are set forth on
25 Schedule "A" hereto. Tiffany is presently unaware of the true
26 names of Does 167-1,000. Tiffany will amend this First Amended
27 Complaint upon discovery of the identities of such fictitious
28 Defendants. (*Id.* at ¶ 6).

7. Defendants are the past and present moving and conscious
forces behind the operation of the commercial Internet websites
operating under the Subject Domain Names. (*Id.* at ¶ 7).

8. Upon information and belief, Defendants engage in unfair
competition with Tiffany and the offering for sale and sale of
counterfeit and infringing Tiffany branded products through
multiple fully interactive commercial websites operating under at
least the Subject Domain Names. Defendants, upon information
and belief, also operate additional websites which promote and
offer for sale counterfeit and infringing goods under domain names
not yet known to Plaintiff. Defendants have purposefully directed
their illegal activities towards consumers in the State of Nevada
through the advertisement, offer to sell, sale and shipment of
counterfeit Tiffany branded goods into the State. (*Id.* at ¶ 8).

12. Defendants' business names, i.e., the Subject Domain
Names and any other domain names used in connection with the

1 sale of counterfeits bearing Tiffany's trademarks are essential
2 components of Defendants' counterfeiting and infringing activities.
3 The Subject Domain Names themselves are the means by which
4 Defendants further their counterfeiting scheme and cause harm to
5 Tiffany. Moreover, Defendants are using Tiffany's famous name
6 and trademarks to drive Internet consumer traffic to their websites
7 operating under the Subject Domain Names, thereby creating and
8 increasing the value of the Subject Domain Names at Tiffany's
9 expense. (*Id.* at ¶ 12).

10 27. Upon information and belief, Defendants are concurrently
11 conducting their counterfeiting and infringing activities at least
12 within this Judicial District and elsewhere throughout the United
13 States. As a result, Defendants are defrauding Tiffany and the
14 consuming public for Defendants' own benefit. Defendants'
15 infringement and disparagement of Tiffany does not simply
16 amount to the wrong description of their goods or the failure of the
17 goods to conform to the advertised quality or performance. (*Id.* at ¶
18 27).

19 37. Specifically, Defendants are promoting and otherwise
20 advertising, selling, offering for sale and distributing at least
21 counterfeit and/or infringing bracelets, necklaces, pendants,
22 earrings and rings, cufflinks, money clips, key rings, watches, and
23 gift boxes bearing the Tiffany Marks. Defendants are continuously
24 infringing and inducing others to infringe the Tiffany Marks by
25 using them to advertise, promote and sell at least counterfeit and/or
26 infringing jewelry, including bracelets, necklaces, pendants,
27 earrings and rings, cufflinks, money clips, key rings, watches, and
28 gift boxes. (*Id.* at ¶ 37).

29 40. Defendants' above-described illegal actions constitute
30 counterfeiting and infringement of the Tiffany Marks in violation
31 of Tiffany's rights under § 32 of the Lanham Act, 15 U.S.C. §
32 1114. (*Id.* at ¶ 40).

33 43. Defendants' Goods bearing and sold under the Tiffany
34 Marks have been widely advertised and distributed throughout the
35 United States. (*Id.* at ¶ 43).

36 46. Specifically, Defendants have authorized an infringing use
37 of the Tiffany Marks, in Defendants' advertisement and promotion
38 of their counterfeit and infringing jewelry, including bracelets,
39 necklaces, pendants, earrings and rings, cufflinks, money clips, key
40 rings, watches, and gift boxes. Defendants have also misrepresented
41 to members of the consuming public that the products being
42 advertised and sold by them are genuine, non-infringing products.
43 (*Id.* at ¶ 46).

1 48. Defendants' above-described actions are in violation of
2 Section 43(a) of the Lanham Act, 15 U.S.C. §1125(a). (*Id.* at ¶ 48).

3 52. Upon information and belief, Defendants have acted with
4 the bad faith intent to profit from the Tiffany Marks and the
5 goodwill associated with the Tiffany Marks by registering various
6 domain names which are identical or confusingly similar to or
7 dilutive of the Tiffany Marks. (*Id.* at ¶ 52).

8 54. Defendants' actions constitute cyberpiracy in violation of
9 §43(d) of the Lanham Act, 15 U.S.C. §1125(d). (*Id.* at ¶ 54).

10 58. This is an action against Defendants based on their
11 manufacture, promotion, advertisement, distribution, sale and/or
12 offering for sale of goods bearing marks which are virtually
13 identical, both visually and phonetically, to the Tiffany Marks in
14 violation of Nevada's common law of unfair competition. (*Id.* at ¶
15 58).

16 59. Specifically, the Defendants are promoting and otherwise
17 advertising, selling, offering for sale and distributing infringing
18 and counterfeit jewelry, including bracelets, necklaces, pendants,
19 earrings and rings, cufflinks, money clips, key rings, watches, and
20 gift boxes. The Defendants are also using counterfeits of the
21 Tiffany Marks to unfairly compete with Tiffany and others for
22 space in search engine results across an array of search terms. (*Id.*
23 at ¶ 59).

24 As set forth in the above cited allegations, the Defendants are engaged in intentional acts of
25 trademark infringement and counterfeiting, false designation of origin, cybersquatting, and common
26 law unfair competition. Additionally, the allegations of Defendants' intent in committing their illegal
27 acts are supported by Plaintiff's evidence. Specifically, many of the Defendants' websites operating
28 under the Subject Domain Names display disclaimers in which the Defendants expressly
acknowledge the Tiffany branded goods sold thereon are "replica," "knockoff" and/or "fake." (*See*
Costello Decl. ¶ 13 and Comp. Ex. B attached thereto; Costello Second Decl. ¶ 11 and Comp. Ex. A
attached thereto.) Additionally, many of Defendants wrongfully use the Tiffany Marks in their
domain names in order to intentionally confuse consumers about the origin of their worthless
counterfeit products and in order to profit from Tiffany's trademarks and the goodwill associated
therewith. (*See* Schedule A annexed hereto, Defendants' domain names; *see also* Costello Decl. ¶

1 15; Costello Second Decl. ¶ 12.) The Defendants are committing their illegal activities via multiple
2 fully interactive commercial websites which advertise, promote, and offer for sale counterfeit
3 Tiffany branded products, in many cases using Tiffany’s trademarks. Because the Defendants’
4 tortious acts are clearly intentional, the first prong of the effects test is met.

5 **b. The Defendants Expressly Aim Their Intentional Acts at the State**
6 **of Nevada.**

7 “Express aiming” at the forum state is the salient factor of *Calder* analysis. *See Pebble Beach*
8 *Co.*, 453 F.3d at 1156. *Calder* should not in interpreted to support the broad proposition that “a
9 foreign act with foreseeable effects in the forum state will always give rise to specific jurisdiction,”
10 rather, “something more,” specifically, whether the defendant’s acts were expressly aimed at the
11 forum state (or, alternatively, at the United States), is required to for a court to properly exercise
12 personal jurisdiction over a foreign defendant. *See id.* (citing *Bancroft*, 223 F.3d at 1087); *see also*
13 *Calder*, 465 U.S. at 789 (finding personal jurisdiction proper in the plaintiff’s chosen forum because
14 the defendants expressly aimed their intentional, and allegedly tortuous, actions at the forum state).
15 Here, Tiffany’s evidence clearly establishes the Defendants expressly aimed their intentional illegal
16 conduct at the State of Nevada as well as other jurisdictions.

17 First, via their fully-interactive ecommerce and blog-style websites, the Defendants’
18 promote, advertise, and offer for sale counterfeit Tiffany branded products in the State of Nevada.
19 (*See Costello Decl. ¶ 13 and Comp. Ex. B attached thereto; Costello Second Decl. ¶ 11 and Comp.*
20 *Ex. A attached thereto.*) In an action for trademark infringement, “the actionable wrong takes place
21 both where the infringing labels are affixed to the goods *and* where confusion of purchasers is likely
22 to occur.” *Sutter Home Winery, Inc. v. Madrona Vineyards, L.P.*, No. C 05–0587 MHP, 2005 WL
23 701599, at *4 (N.D. Cal. March 23, 2005) (quoting *Make Up For Ever, S.A. v. SQHO Forever, LLC*,
24 198 F.R.D. 56, 61 (S.D.N.Y. 2000) (citation omitted) (emphasis added); *see also Burger King Corp.*
25 *v. J. T. Thomas*, 755 F. Supp. 1026, 1029 (S.D. Fla. 1991) (explaining that trademark infringement
26 activities take place in all places where sales to the general public have taken place and any place
27 where consumers may witness trademark infringement activity on the part of a defendant.) Prior to
28

1 the Court's Temporary Restraining Order and subsequent Preliminary Injunction (D.E. 12; D.E. 18),
2 which ordered the Defendants' Internet websites redirected to Plaintiff's Publication website, each
3 Defendants' trademark counterfeiting and infringement could be witnessed by consumers in the
4 State of Nevada and other jurisdictions.³ Specifically, Defendants' illegal counterfeiting and
5 infringement of Tiffany's trademarks was witnessed in Nevada, New Jersey, Florida, and California,
6 by Tiffany's representative, its counsel, and its investigators, respectively. (*See* Costello Decl. ¶ 13
7 and Comp. Ex. B attached thereto; Costello Second Decl. ¶ 11 and Comp. Ex. A; Declaration of
8 Stephen M. Gaffigan in Support of Plaintiff's *Ex Parte* App. ¶ 2 ("Gaffigan Decl. in Support of
9 Plaintiff's *Ex Parte* App.") (D.E. 5-12, incorporated herein by reference); Declaration of Brandon
10 Tanori in Support of Plaintiff's *Ex Parte* App. ¶ 4 and Comp. Ex. A attached thereto ("Tanori Decl.
11 in Support of Plaintiff's *Ex Parte* App.") (D.E. 5-16; D.E. 5-17, incorporated herein by reference)).
12 Accordingly, consumers in Nevada were highly likely to be confused as to the source of the
13 Defendants' worthless, illegal products due to the Defendants' trademark counterfeiting and
14 infringement, false designation of origin, cybersquatting, and unfairly competitive activities in the
15 State.⁴

16 Second, none of the Defendants restricted their offers to sell or sales from Nevada consumers
17

18 ³ The trademark counterfeiting and infringement, false designation of origin, cybersquatting, and
19 unfairly competitive activities of several of the Defendants can still be witnessed in Nevada to this
20 day. (*See* Declaration of Stephen M. Gaffigan in Support of Plaintiff's Memorandum of Law
21 Regarding Personal Jurisdiction ("Gaffigan Decl. in Support of Plaintiff's Mem. Regarding Personal
22 Jurisdiction"), filed herewith, detailing how the office of Plaintiff's counsel recently accessed and
23 used several of the Defendants' Internet websites which are not yet redirecting via a proxy server
24 located in Nevada.)

25 ⁴ Additionally, via Google Analytics, a tracking tool available to website owners to analyze traffic to
26 their websites, Plaintiff determined <http://www.servingnotice.com/off/index.html>, Plaintiff's
27 Publication Website to which the vast majority of Subject Domain Names currently redirect, has
28 been accessed 953 times by users located in the District of Nevada, as of the date of the filing of this
Motion. (*See* Gaffigan Decl. in Support of Plaintiff's Mem. Regarding Personal Jurisdiction ¶ 5.)
While Plaintiff concedes that several of those visits were undoubtedly made by Plaintiff's Las Vegas
counsel, and perhaps by third parties interested Federal Court happenings in the District, Plaintiff
respectfully posits that the majority of traffic to the Publication Website from users in Nevada is
likely due to persons in Nevada attempting to access the Defendants' counterfeiting websites and
being redirected to Plaintiff's Publication Website.

1 and multiple Defendants actually shipped counterfeit Tiffany branded goods directly into the State of
 2 Nevada. (*See* Tanori Decl. in Support of Plaintiff’s *Ex Parte* App. ¶ 4 and Comp. Ex. A attached
 3 thereto; Declaration of Brandon Tanori in Support of Plaintiff’s Memorandum of Law Regarding
 4 Personal Jurisdiction (“Tanori Decl. in Support of Plaintiff’s Mem. Regarding Personal
 5 Jurisdiction”), filed herewith. Tiffany’s private investigator, Brandon Tanori (“Tanori”) accessed
 6 nine (9) of the websites operating under the Subject Domain Names⁵, and finalized the purchase of
 7 necklaces (brandtiffany.com and tiffanyo.com), key rings (faketiffany.org, goldtiffanyjewelry.com,
 8 mirrorjewelry.com, and top1tiffany.com), earrings (myfaketiffany.com), bracelet (replicatiffany.net),
 9 and ring (tiffanyforu.com) – all bearing counterfeits of many of the Tiffany Marks at issue in this
 10 action. *See* Tanori Decl. in Support of Plaintiff’s Mem. Regarding Personal Jurisdiction ¶ 4 and
 11 Comp. Ex. A attached thereto; Costello Decl. in Support of Plaintiff’s *Ex Parte* App. ¶¶ 11, 12.) The
 12 Defendants shipped the Tiffany branded goods ordered by Tanori directly to Tanori’s cover
 13 addresses in Las Vegas, Nevada and Henderson, Nevada. (*See* Tanori Decl. at ¶ 5 and Comp. Exs. A
 14 and B attached thereto, demonstrating the full-interactivity of the websites, showing the Tiffany
 15 branded items purchased from the Defendants and received by Tanori, and showing the shipping
 16 labels from the packaging containing the Tiffany branded items showing shipment to Las Vegas,
 17 Nevada and Henderson, Nevada).

18 Offers to sell, delivery of information, sales and actual shipment of illegal products into the
 19 forum, coupled with the operation of fully-interactive ecommerce and blog-style Internet websites,

20
 21 ⁵ Because trademark infringement occurs where it can be seen and each Defendant’s counterfeiting
 22 and infringing Tiffany branded products and/or wrongful use of the Tiffany Marks can be viewed in
 23 the State of Nevada, it was unnecessary for Plaintiff to make an undercover purchase from each of
 24 the websites-in-suit. In any event, requiring Tiffany to make a cover buy from each domain name
 25 referenced in this action would result in a perversion of the laws designed to stop counterfeiting.
 26 Each purchase of counterfeit goods from a website requires the direct transfer of funds from brand
 27 holders to the criminals who are infringing their trademarks. For example, in this matter, if Tiffany
 28 had consummated a purchase from each of the 961 websites-in-suit to date, Tiffany would have been
 required to pay over \$57,159.00 to the very Defendants who are stealing Tiffany’s intellectual
 property, with no hope of recovering any of that money at the conclusion of this action (calculated
 by multiplying the average amount Tanori paid for each of his nine purchases by 961). Such an
 ongoing expense would likely create an insurmountable barrier to effective enforcement measures to
 combating wide-scale infringement such as this litigation.

1 accessible to consumers in the forum, including many with cybersquatting domain names, clearly
2 rises to the level of “something more” required under *Calder*. See *Pebble Beach Co.*, 453 F.3d at
3 1156; *Bancroft*, 223 F.3d at 1087; see also *Calder*, 465 U.S. at 789. Specifically, the Defendants
4 have expressly aimed their illegal activities at the State of Nevada, because their counterfeit and
5 infringing products are promoted advertised, and offered for sale via fully-interactive websites
6 accessible in Nevada (many of which are operating under cybersquatting domain names) and
7 because the Defendants have shipped counterfeit and infringing Tiffany branded goods into the State
8 in violation of Tiffany’s rights under 15 U.S.C. §§ 1114, 1116, 1121 and 1125(a) and (d) and under
9 Nevada’s Common Law of Unfair Competition. (See Costello Decl. ¶ 13 and Comp. Ex. B attached
10 thereto; Costello Second Decl. ¶ 11 and Comp. Ex. A; Gaffigan Decl. in Support of Plaintiff’s *Ex*
11 *Parte* App. ¶ 2; Tanori Decl. in Support of Plaintiff’s *Ex Parte* App. ¶ 4 and Comp. Ex. A attached
12 thereto; Tanori Decl. Support of Plaintiff’s Mem. Regarding Personal Jurisdiction ¶ 5 and Comp. Ex.
13 B attached thereto; Gaffigan Decl. in Support of Plaintiff’s Mem. Regarding Personal Jurisdiction ¶¶
14 3-6; see also First Am. Compl. ¶¶ 37, 43, 46, 48, 53, 54, 58, 59.) Compare *Pebble Beach*, 453 F.3d
15 at 1156 (“something more” standard not met by defendant’s passive Internet website and use of a
16 domain name that included plaintiff’s trademark); see e.g., *Panavision Int’l*, 141 F.3d at 1322
17 (“something more” standard met by a cybersquatter’s attempt to extort money for cybersquatting
18 domains from the plaintiff trademark holder); *Rio Props*, 284 F.3d at 1020 (defendant’s running of
19 print and radio ads in the forum rose to the “something more” standard); *Bancroft*, 223 F.3d at 1088
20 (“something more” standard met by “individualized targeting” of plaintiff by defendant when
21 defendant sent a letter regarding a domain name dispute to plaintiff the forum state forcing plaintiff
22 to act); *Metropolitan Life Ins. Co. v. Neaves*, 912 F.2d 1062, 1064-1065 (9th Cir. 1990) (“something
23 more” standard satisfied by appellee’s mailing of fraudulent papers to forum state for the purpose of
24 defrauding a resident individual). If the mailing of a letters to the forum state for illegal purposes
25 meets the “something more” standard of *Calder*, then surely the shipping of illegal goods into the
26 forum state for the purpose of defrauding the Plaintiff and benefitting at Plaintiff’s expense also
27 satisfies the second prong of the effects test. See *id.*; see also *Calder*, 465 U.S. at 789.

28

c. Defendants' Acts Cause Harm They Know Will Be Suffered By Plaintiff in Nevada.

By their promotion, advertisement, and offering for sale of counterfeit and infringing Tiffany branded goods in the State, the Defendants knew Tiffany would suffer harm in Nevada. Tiffany suffers direct, irreparable harm to its goodwill and reputation each time Nevada consumers and the State's general public are able to view Defendants' low quality replica products bearing Tiffany's trademarks in both sale and post-sale settings. This harm is particularly acute in cases where the counterfeit and infringing goods are being sold via websites operating under domain names employing the name Tiffany. Even if buyers are told of the bogus nature of Defendants' Goods, other consumers viewing Defendants' Goods in a post-sale setting will obviously be confused, because they are viewing goods bearing the Tiffany Marks which undeniably creates the impression they are viewing genuine goods sold or authorized by Tiffany. Post-sale consumer confusion is ensured by Defendants' exact copying of the Tiffany Marks.

Further, by shipping counterfeit and infringing products into the State, Defendants are directly, and unfairly, competing with Tiffany and causing Tiffany to suffer lost profits in Nevada. The State of Nevada, and Las Vegas specifically, is one of Tiffany's most important markets in the United States, because of its distinction as a destination for tourism and luxury shopping. Tiffany operates four boutiques in Las Vegas, Nevada. It is one of the few cities worldwide which has multiple boutiques and is a highly significant sales market for Tiffany. Through their shipment of counterfeit and infringing products into the State, Defendants are knowingly depriving Tiffany of sales that might otherwise be consummated in Nevada. The net effect of Defendants' actions will be to result in the confusion of consumers, at the time of initial interest, sale, and in the post-sale setting, who will believe Defendants' Goods are genuine goods originating from, associated with, and approved by Tiffany. (*See* First Am. Compl. at ¶ 24; *see also* Costello Decl. ¶ 8.)

To satisfy this final element of the *Calder* effects test, Tiffany is not required to show the majority of the harm caused by Defendants be felt in the forum state. "[T]he brunt" of the harm need not be suffered in the forum state." *Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme*, 433 F.3d 1199, 1207 (9th Cir. 2006). If [jurisdiction is otherwise proper] in the forum state, "it does

1 not matter that even more harm might have been suffered in another state.” *Id.* Such is the case here.
2 The combined force of Defendants’ knowing, intentional actions is causing great harm to Tiffany’s
3 market in the United States, and a large, important segment of that market is in the State of Nevada.

4 In short, Tiffany, its trademark rights and associated goodwill are suffering death by 1,000
5 cuts as a result of Defendants’ actions. Tiffany suffers irreparable harm to its goodwill, as well as a
6 direct monetary loss, any time any third parties, including Defendants, sell counterfeit and infringing
7 goods bearing identical or substantially similar trademarks, and while each Defendants’ actions
8 alone cause harm to Tiffany, the combined force and effect of Defendants’ overall actions is causing
9 the single indivisible harm of the erosion of the goodwill associated with the Tiffany Marks and the
10 denial of Tiffany’s right to fairly compete in the Internet marketplace reflected in search engine
11 results. (*See Costello Decl.* ¶ 8.) Clearly, Defendants’ acts negatively affect Tiffany in Nevada, and
12 accordingly, Tiffany has satisfied the first prong of the minimum contacts test by showing the
13 Defendants purposefully directed their activities toward the forum. *See Pebble Beach Co.* 453 F.3d
14 at 1155.

15 **2. Tiffany’s Claims Arise Out of or Result From the Defendants’ Forum-**
16 **Related Activities.**

17 The second prong of the minimum contacts test requires a defendant’s activities in the forum
18 to be the cause or the effect of plaintiff’s claims. As extensively outlined *supra*, this is certainly the
19 case here. (*See First Am. Compl.* ¶¶ 37, 43, 46, 48, 53, 54, 58, 59.) The Ninth Circuit uses a “but
20 for” test to make the determination whether Plaintiff’s claims arise or result from defendant’s forum-
21 related activities. *See Harris Rutsky & Co. Ins. Services, Inc. v. Bell & Clements Ltd.*, 328 F.3d
22 1122, 1131-32 (9th Cir. 2003) (citing *Ballard v. Savage*, 65 F.3d 1495, 1500 (9th Cir.1995); *Shute v.*
23 *Carnival Cruise Lines*, 897 F.2d 377 (9th Cir.1990), *rev’d on other grounds*, 499 U.S. 585, 111 S.
24 Ct. 1522, 113 L.Ed.2d 622 (1991)). Tiffany’s claims in this action arise in large measure out of the
25 Defendants’ offers to sell and sales of counterfeit Tiffany branded goods and shipment of the same
26 into Nevada. But for the Defendants’ extensive, tortious conduct, the injuries to Tiffany giving rise
27 to this matter would not have occurred. *See Harris Rutsky & Co. Ins. Services, Inc.*, 328 F.3d at
28

1 1132; *see also* Costello Decl. ¶ 13 and Comp. Ex. B attached thereto; Costello Second Decl. ¶ 11
2 and Comp. Ex. A; Gaffigan Decl. in Support of Plaintiff's *Ex Parte* App. ¶ 2; Tanori Decl. in
3 Support of Plaintiff's *Ex Parte* App. ¶ 4 and Comp. Ex. A attached thereto; Tanori Decl. Support of
4 Plaintiff's Mem. Regarding Personal Jurisdiction ¶ 5 and Comp. Ex. B attached thereto; Gaffigan
5 Decl. in Support of Plaintiff's Mem. Regarding Personal Jurisdiction ¶¶ 3-6. Clearly, Plaintiff's
6 allegations and evidence satisfies the second prong of the minimum contacts test.

7 **3. The Exercise of Personal Jurisdiction By this Court is Reasonable.**

8 In view of the foregoing, the first two prongs of the minimum contacts test are satisfied, and
9 the exercise of personal jurisdiction by this Court should be deemed reasonable absent a showing by
10 the Defendants that it is not. *Boschetto v. Hansing*, 539 F.3d 1011, 1021 (9th Cir. 2008) ("the
11 plaintiff bears the burden of satisfying the first two prongs of the test, and the defendant bears the
12 burden on the third."). No such showing has been made in this case. "The exercise of jurisdiction is
13 reasonable if it comports with traditional notions of fair play and substantial justice. In determining
14 reasonableness, seven factors are considered: (1) the extent of a defendant's purposeful interjection;
15 (2) the burden on the defendant in defending in the forum; (3) the extent of conflict with the
16 sovereignty of the defendant's state; (4) the forum state's interest in adjudicating the dispute; (5) the
17 most efficient judicial resolution of the controversy; (6) the importance of the forum to the plaintiff's
18 interest in convenient and effective relief; and (7) the existence of an alternative forum." *Rio Props.*,
19 284 F.3d at 1021 (citing *Core Vent Corp. v. Nobel Indus. AB*, 11 F.3d 1482, 1488 (9th Cir. 1993)). A
20 court must balance all factors, and no single factor is dispositive. *See id.*

21 The Defendants have purposefully interjected themselves into the forum, and while
22 Defendants may be burdened by having to defend this action in Nevada, the burden here is not
23 higher than in any other United States jurisdiction. *See Rio Props.*, 284 F.3d at 1021. Further,
24 Plaintiff submits that the District of Nevada is a reasonable forum as Defendants have provided false
25 physical addresses in connection with the registration of the Subject Domain Names in order to
26 conceal their true locations and avoid liability for their wrongful conduct. (*See* Declarations of
27 Huang Yu Ting and Brandon Tanori in Support of Plaintiff's Memorandum Regarding Service of
28

1 Process (D.E. 83-2; D.E. 82-3, incorporated herein by reference). Defendants' provision of false
2 physical addresses prevents Plaintiff from determining the Defendants' true locations and
3 considering if other appropriate forums may exist. In any event, the evidence of Defendants'
4 commercial activities via their websites presented by Tiffany in support of its *Ex Parte* Application
5 and its subsequent filings clearly demonstrates the exercise of jurisdiction by this Court is
6 reasonable.

7 The Ninth Circuit supports a "sliding scale" approach with respect to personal jurisdiction in
8 cases involving Internet websites. *See Cybersell, Inc. v. Cybersell, Inc.*, 130 F.3d 414, 419 (9th Cir.
9 1997); citing *Zippo Mfg. Co. v. Zippo Dot Com*, 952 F. Supp. 1119, 1123-24 (W.D. Pa. 1997).
10 Specifically, the court in *Cybersell* found that "the likelihood that personal jurisdiction can be
11 constitutionally exercised is directly proportionate to the nature and quality of the commercial
12 activity that an entity conducts over the Internet." *Cybersell*, 130 F.3d at 419, citing *Zippo*, 952 F.
13 Supp. at 1124. In short, the greater the level of interactivity and information exchange available on a
14 commercial website, the more likely it is that a court may properly exercise personal jurisdiction
15 over the website operators. Unlike in *Pebble Beach Co.*, where the defendant was simply operating a
16 passive website on which those who accessed the site could view information about his bed and
17 breakfast, but could not make reservations, pay for rooms online, or otherwise interact with the site,
18 in this case the ecommerce websites at issue are highly interactive. (*See* 453 F.3d at 1153-54; *see*
19 *also* Costello Decl. ¶ 13; Costello Second Decl. ¶ 1; Gaffigan Decl. in Support of Plaintiff's *Ex*
20 *Parte* App. ¶ 2 Tanori Decl. in Support of Plaintiff's *Ex Parte* App. ¶ 4 and Comp. Ex. A attached
21 thereto; Tanori Decl. Support of Plaintiff's Mem. Regarding Personal Jurisdiction ¶ 5 and Comp. Ex.
22 B attached thereto; Gaffigan Decl. in Support of Plaintiff's Mem. Regarding Personal Jurisdiction ¶¶
23 3-6.) Accordingly, the Court's exercise of jurisdiction is reasonable, and personal jurisdiction over
24 the Defendants may be properly exercised over the Defendants in the District of Nevada.

25 **C. Personal Jurisdiction over the Defendants is Proper in Each District in the**
26 **United States**

27 In the alternative, Tiffany submits that personal jurisdiction is also proper in any United
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1 States District Court, including the United States District Court for the District of Nevada, under
2 Federal Rule of Civil Procedure 4(k)(2), commonly referred to as the “federal long-arm statute.” *See*
3 *Pebble Beach Co.*, 453 F.3d at 1158. Similar to the analysis of whether personal jurisdiction is
4 proper over a defendant in a specific United States forum, the analysis of jurisdiction under the
5 federal long-arm statute turns on whether defendant has purposefully directed his activities towards
6 the forum, here, the United States. Personal jurisdiction under Federal Rule of Civil Procedure
7 4(k)(2), requires the plaintiff to satisfy each prong of a three part test. “First, the claim against the
8 defendant must arise under federal law. Second, the defendant must not be subject to the personal
9 jurisdiction of any state court of general jurisdiction. Third, the federal court's exercise of personal
10 jurisdiction must comport with due process. *Pebble Beach Co.*, 453 F.3d at 1158 (citing
11 FED.R.CIV.P. 4(k)(2)).

12 Here, the first factor of the analysis is satisfied because Tiffany’s claims of federal trademark
13 counterfeiting and infringement, federal false designation of origin, and cybersquatting arise under
14 the Lanham Act. And, should the Court determine the Defendants are not subject to personal
15 jurisdiction in the State of Nevada, it is equally likely they would not be subject to jurisdiction in any
16 other State either. Accordingly, the second factor would also be satisfied as Defendants would not be
17 subject to personal jurisdiction in Nevada, or any state court. *See supra*; *see also Pebble Beach Co.*,
18 453 F.3d at 1159; *Monster Cable Products, Inc. v. Euroflex S.R.L.*, 642 F. Supp. 2d 1001, 1008
19 (N.D. Cal. 2008) (case involving federal law and state law claims, holding “[t]he second factor is
20 met if the defendant does not identify another state court in which the suit could proceed”) (citing
21 *Holland Am. Line Inc. v. Wartsila N. Am., Inc.*, 485 F.3d 450, 461 (9th Cir. 2007). The analysis of
22 the third factor, due process, is identical to the one discussed above when the forum was Nevada,
23 except, here, the relevant forum is the United States as a whole. *See id.*

24 Tiffany submits that Defendants have purposefully directed their activities at the United
25 States. First, Defendants websites are accessible through the United States (*see* Costello Decl. ¶ 13
26 and Comp. Ex. B attached thereto; Costello Second Decl. ¶ 11 and Comp. Ex. A; Gaffigan Decl. in
27 Support of Plaintiff’s *Ex Parte* App. Tanori Decl. in Support of Plaintiff’s *Ex Parte* App.; Gaffigan

1 Decl. in Support of Plaintiff's Mem. Regarding Personal Jurisdiction ¶¶ 3-6; Tanori Decl. in Support
2 of Plaintiff's Mem. Regarding Personal Jurisdiction ¶¶ 4, 5). Further, Defendants have expressly
3 aimed⁶ their activities at the United States, and, in multiple cases, have even shipped counterfeit
4 Tiffany branded products into the country. (See Tanori Decl. in Support of Plaintiff's Mem.
5 Regarding Personal Jurisdiction ¶¶ 4, 5 and Comp. Exs. A and B attached thereto). Additionally, on
6 each of Defendants' websites the text appears in English and the vast majority of the prices are
7 displayed in U.S. dollars. (See Costello Decl. ¶ 13 and Comp. Ex. B attached thereto; Costello
8 Second Decl. ¶ 11 and Comp. Ex. A.); (Compare to *Pebble Beach Co.*, 453 F.3d at 1160 (Court
9 noted prices were listed in the foreign defendant's home currency as part of its opinion on why
10 personal jurisdiction was not proper over the foreign defendant in the Northern District of
11 California)). Further, many of the domain names are registered via U.S. registrars. (See e.g., First
12 Am. Compl. ¶ 6). Accordingly, Tiffany has shown that personal jurisdiction is also proper under the
13 federal long-arm statute. FED.R.CIV.P. 4(k)(2).

14 III. CONCLUSION

15 For the foregoing reasons, Tiffany respectfully requests this Court find that it may properly
16 exercise personal jurisdiction over the Defendants in this matter.

17 Dated: January 20, 2012

Respectfully submitted,

18
19 By: /s/ David S. Kahn

20 David S. Kahn

21 J. Scott Burris

22 WILSON, ELSER, MOSKOWITZ,

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J.Scott.Burris@wilsonelser.com

25
26 ⁶ Like in the determination of whether the Defendants have minimum contacts with a specific forum
27 within the United States, the dispositive analysis here is whether the Defendants have done
28 "something more" to expressly aim their activities at the United States. See *Pebble Beach Co.*, 453
F.3d at 1160; *Bancroft*, 223 F.3d at 1087.

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Ft. Lauderdale, Florida 33301
Telephone: (954) 767-4819
Facsimile: (954) 767-4821
stephen@smgpa.net

Attorneys for Plaintiff TIFFANY (NJ), LLC

SCHEDULE A
DEFENDANTS BY SUBJECT DOMAIN NAME AND DEFENDANT NUMBER

Defendant 1: 925ly.com
Defendant 3: 925silvershop.com
Defendant 4: 925tiffany.com
Defendant 5: 925tiffany.net
Defendant 6: 925wholesaler.com
Defendant 7: aliexpressuk.com
Defendant 9: atjewelry.com
Defendant 10: atopsilver.com
Defendant 11: australiatiffanystore.com
Defendant 12: autiffany4sale.com
Defendant 13: b2bvogue.com

1 Defendant 14: bestbuytiffany.com
2 Defendant 15: better-tiffany.com a/k/a fashiontf.com a/k/a hottiffanyjewelry.com
3 Defendant 16: beyeshop.com
4 Defendant 17: brandtiffany.com
5 Defendant 18: buy-tiffanyjewelry.com a/k/a newsclothes.com a/k/a
6 tiffanyjewelrycanada.com
7 Defendant 19: bybybuy.com
8 Defendant 20: canadatiffanystore.com
9 Defendant 21: cartiereshop.com
10 Defendant 22: casualtiffany.com
11 Defendant 24: cheapdesignerwholesale.com
12 Defendant 25: cheaptiffanyjewelry.com a/k/a 925silversale.com
13 Defendant 26: cheaptiffanys.com
14 Defendant 27: chinafamousproducts.com
15 Defendant 28: chinawholesalejewelry.com
16 Defendant 29: cityjewels.net a/k/a journ-mo.com
17 Defendant 30: coachjewelry.com
18 Defendant 31: coboen.com
19 Defendant 33: cooltiffany.com
20 Defendant 34: crowntco925.com
21 Defendant 36: alltiffanyjewelry.com a/k/a cheapjewelryshops.com a/k/a usjewelry.net
22 Defendant 37: diorgirl.com a/k/a tiffanyandcostore.com
23 Defendant 38: discounttiffany.com
24 Defendant 39: discounttiffanyjewelry.us
25 Defendant 40: doreplica.com
26 Defendant 41: eshopping-replica.com
27 Defendant 42: etiffanybag.com
28 Defendant 43: europeantiffany.com

- 1 Defendant 45: faketiffanyjewelry.org
- 2 Defendant 46: fashionjewelryzone.com
- 3 Defendant 47: fashion-wigs.com a/k/a tiffanybraceletscheap.com
- 4 Defendant 48: forsaletiffany.com
- 5 Defendant 49: globlefashion.com
- 6 Defendant 50: goecshop.com a/k/a goecshop.org
- 7 Defendant 51: goldtiffanyjewelry.com
- 8 Defendant 52: goolcool.com
- 9 Defendant 53: greatgolden.com
- 10 Defendant 54: handbagsforcheap.com
- 11 Defendant 55: hot-tiffany.com
- 12 Defendant 56: hotwholesaleonline.com a/k/a jewelrystore1837.com
- 13 Defendant 57: idolbags.com a/k/a rwholesalejewelry.com
- 14 Defendant 58: ilikejewellery.com a/k/a tiffany1.org
- 15 Defendant 59: ilovetiffany.net
- 16 Defendant 60: istiffany.com
- 17 Defendant 61: ixreplicajewelry.com
- 18 Defendant 62: jewellery888.com
- 19 Defendant 63: jewellerybi.com
- 20 Defendant 64: jewelleryhotsale.com
- 21 Defendant 66: jewelry-925.com
- 22 Defendant 67: jewelrycheapbuy.com a/k/a jewelryussale.com
- 23 Defendant 68: jewelrykt.com a/k/a tiffanyjewelrynet.com a/k/a tiffanyjewelrysale.us.com
- 24 a/k/a wholesalejewelrysale.net
- 25 Defendant 69: jewelryorwatches.com a/k/a alltiffanyjewelry.com
- 26 Defendant 70: jewelryover.com
- 27 Defendant 71: jewelryrain.com
- 28 Defendant 72: jewelrysale925.com

1 Defendant 73: jwely.com
2 Defendant 74: kfjewelry.com
3 Defendant 76: linkworldco.com
4 Defendant 77: lipwu.com
5 Defendant 78: lovetiffanyjewelry.com
6 Defendant 79: luckyjewelryshop.com
7 Defendant 80: luxurysandals2u.com
8 Defendant 82: mirrorjewelry.com
9 Defendant 83: msmrapparel.com a/k/a tiffanyjewelrynet.com
10 Defendant 84: myfaketiffany.com
11 Defendant 85: mytiffanycity.com
12 Defendant 86: mytiffanyonline.com a/k/a myjewelrylife.com
13 Defendant 87: mytiffanysjewelry.com
14 Defendant 88: mytiffanysonline.com a/k/a cheaptfonline.com
15 Defendant 90: newtiffany.com
16 Defendant 91: newtiffanys.com a/k/a alltiffanyjewelry.com
17 Defendant 92: ojewellry.com
18 Defendant 93: onlytobuy.com
19 Defendant 95: pocvt.com
20 Defendant 96: popularartiffany.com
21 Defendant 97: pradashoeschina.com a/k/a pradashoechina.com a/k/a lookoutclothes.com
22 Defendant 98: pursestrade.com a/k/a pursestrade.net
23 Defendant 100: replicasilverjewelry.com
24 Defendant 101: replicasky.com
25 Defendant 102: replicatiffany.net
26 Defendant 103: saarcaa.com
27 Defendant 104: saletiffanyjewelry.org a/k/a tiffanysalejewelry.com a/k/a 925silversale.com
28 Defendant 106: sheloves925silver.com

1 Defendant 107: shoes51.com
2 Defendant 108: silver-bulk.com
3 Defendant 109: silverjewelryblog.net a/k/a silvertiffanyshop.com
4 Defendant 110: silverjewelryworld.com
5 Defendant 112: silvertiffanyshop.com
6 Defendant 115: sterlingtiffany.com
7 Defendant 116: super925.com
8 Defendant 117: taltoo.com a/k/a jewever.com
9 Defendant 118: tco1837.com
10 Defendant 119: tcogift.com
11 Defendant 121: tiffany4ever.com
12 Defendant 120: thesalesky.com
13 Defendant 122: tiffany4girls.com
14 Defendant 123: tiffany4u.us
15 Defendant 124: tiffany7.com a/k/a handbagstalent.com
16 Defendant 125: tiffanya.com
17 Defendant 126: tiffanyamerica.com
18 Defendant 127: tiffanyandcojewelry.com
19 Defendant 128: tiffany-and-co-jewelry.com a/k/a discount-tiffany-co-jewelry.com a/k/a
20 tiffany-on-sale.com
21 Defendant 129: tiffanyandcooutlet.com
22 Defendant 130: tiffanyandco-outlet.com
23 Defendant 132: tiffanyandcosale.com
24 Defendant 133: tiffanyandcostore.com
25 Defendant 134: tiffanyboss.com
26 Defendant 135: tiffanybraceletscheap.com
27 Defendant 136: tiffanybuying.com
28 Defendant 137: tiffanyco1837.com

1 Defendant 138: tiffanyco-mall.com a/k/a tiffanyco-mall.net a/k/a tiffanyonlinejewelry.com
2 a/k/a tiffanyscheapjewellery.com
3 Defendant 139: tiffanycouk.com
4 Defendant 142: tiffany-fashion.com
5 Defendant 143: tiffanyforsale.com
6 Defendant 144: tiffanyforu.com
7 Defendant 145: tiffany-guide.com
8 Defendant 146: tiffanyhere.com
9 Defendant 147: tiffanyhotsale.com
10 Defendant 148: tiffanyinfo.com
11 Defendant 149: tiffanyinlove.com
12 Defendant 150: tiffanyjewelersuk.com
13 Defendant 151: tiffany-jewellery-shop.com
14 Defendant 153: tiffanyjewelry1837.com
15 Defendant 155: tiffanyjewelry2u.com
16 Defendant 156: tiffanyjewelry4sale.com a/k/a alltiffanys.com a/k/a buytiffanyonline.com
17 a/k/a cheapdiscounttiffanystore.com a/k/a discountswatcheshop.com a/k/a
18 discounttiffanystore.com a/k/a jewellery4love.com a/k/a jewelleryonline-
19 store.com a/k/a jewelrtytiffanysale.com a/k/a shoptiffanysilver.com a/k/a
20 shoptiffanysilver.net a/k/a tffanyjewelry-store.com a/k/a
21 tiffany1837jewellerys.com a/k/a tiffanyandconline.com a/k/a tiffany-au.org
22 a/k/a tiffanybrandmall.com a/k/a tiffany-classic.com a/k/a
23 tiffanyclassicmall.com a/k/a tiffanyco-us.org a/k/a tiffanyesale.com a/k/a
24 tiffany-jewellery.net a/k/a tiffanyjewelleryoutlet.com a/k/a
25 tiffanyjewellerypalace.com a/k/a tiffanyjewellerypalace.net a/k/a
26 tiffanyjewellerysales.com a/k/a tiffany-jewelleryuk.com a/k/a
27 tiffanyjewellery-uk.net a/k/a tiffanyjewelrycheap.net a/k/a tiffany-mall.com
28 a/k/a tiffanymall-uk.com a/k/a tiffanyonlinejewellerys.com a/k/a

1 tiffanyonlinejewelry.net a/k/a tiffanysaleonline.com a/k/a tiffany-sales.net
2 a/k/a tiffany-saleuk.com a/k/a tiffanys-au.com a/k/a tiffanyscharms.com a/k/a
3 tiffanyscheapjewellery.com a/k/a tiffanyshopuk.com a/k/a
4 tiffanysingapore.com a/k/a tiffanys-jewellery.com a/k/a
5 tiffanysjewelleryau.com a/k/a tiffanysjewelleryonline.com a/k/a
6 tiffanysjewellerypalace.com a/k/a tiffanysjewellerysale.com a/k/a
7 tiffanysjewellery-us.com a/k/a tiffanysjewellery-us.net a/k/a tiffanystore-
8 jewellery.com a/k/a tiffanyuk-jewellery.com a/k/a tiffanyukjewellery.net a/k/a
9 tiffanyukonlinejewelry.com a/k/a tiffanyukonlinejewelry.net a/k/a
10 tiffukjewellery.co.uk a/k/a tiffukjewellery.com a/k/a ukjewellerytiffany.com
11 a/k/a ukjewellerytiffany.net a/k/a ukonlinejewelry.net a/k/a
12 ukonlinejewelry.org
13 Defendant 158: tiffanyjewelryforsale.com
14 Defendant 159: tiffanyjewelrygift.com
15 Defendant 160: tiffanyjewelrynet.com
16 Defendant 161: tiffany-jewelry-on-sale.com
17 Defendant 163: tiffanyjewelryoutlet.com
18 Defendant 164: tiffanyjewelry-outlet.com
19 Defendant 166: tiffanyjewelrysales.com
20 Defendant 167: tiffanyjewelryshops.com a/k/a tiffanyjewelrynet.com
21 Defendant 168: tiffanyjewelrystores.com
22 Defendant 170: tiffanyknockoffs.com
23 Defendant 171: tiffany-mine.com a/k/a minesale.com
24 Defendant 172: tiffanynew.com
25 Defendant 173: tiffanyo.com
26 Defendant 174: tiffanyonlinestoreus.com
27 Defendant 175: tiffanysale.net a/k/a ustiffany4sale.com
28 Defendant 176: tiffanyoutlet.com

1 Defendant 178: tiffanyoutletcheap.com
2 Defendant 179: tiffanyoverstock.com
3 Defendant 180: tiffanys1837jewelry.com
4 Defendant 181: tiffanysalesstore.com
5 Defendant 182: tiffanysave.com
6 Defendant 183: tiffanyselected.com
7 Defendant 184: tiffany-seller.com
8 Defendant 185: tiffanysforever.com
9 Defendant 187: tiffanysjewelryonline.com a/k/a brandjewelryonline.com
10 Defendant 188: tiffanysjewelryshop.com a/k/a jewelrisonlineshop.com
11 Defendant 189: tiffanysjewelryworld.com a/k/a myjewelryworld.com
12 Defendant 190: tiffanysky.com
13 Defendant 191: tiffanysocool.com
14 Defendant 192: tiffanysonly.com
15 Defendant 193: tiffany-sterling-silvers.com a/k/a bvlgari2.com
16 Defendant 194: tiffanystock.com
17 Defendant 196: tiffanysupplier.com
18 Defendant 197: tiffanytopsale.com
19 Defendant 198: tiffanyuksale.com
20 Defendant 199: tiffanyusonsale.com
21 Defendant 200: tiffanywto.com a/k/a loveiseverying.com a/k/a tiffanyceo.com
22 Defendant 201: toopgood.com
23 Defendant 202: top1tiffany.com a/k/a tiffanysalesonline.com
24 Defendant 203: towholesalejewelry.com
25 Defendant 204: uktiffanyonsale.com
26 Defendant 205: upoun.com
27 Defendant 206: urbanclothingchina.com a/k/a coogiwarehouse.com
28 Defendant 208: ustiffany4sale.com

1 Defendant 209: utiffany.com a/k/a vtiffany.com
2 Defendant 210: vogueonsale.com
3 Defendant 211: watches-trade.com a/k/a hongwron.com a/k/a lvvuittonkorea.com
4 Defendant 212: wholesale1837.com
5 Defendant 213: wholesaleabc.net
6 Defendant 214: wholesaleanywhere.com
7 Defendant 216: wholesale-tiffany-jewellery.com
8 Defendant 217: wholesaletiffanyjewelry.net a/k/a tiffanyonlineus.com a/k/a
9 silvertiffanyonline.com
10 Defendant 218: whslecn.com
11 Defendant 220: wowyahoo.com
12 Defendant 221: x-jewelrybox.com
13 Defendant 222: yahoowholesaler.com a/k/a shop4tiffany.com
14 Defendant 223: yasajewelry.com a/k/a tiffanyjewelrynet.com

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