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12 *Attorneys for Plaintiff TIFFANY (NJ), LLC.*

13 THE UNITED STATES DISTRICT COURT
 14 FOR THE DISTRICT OF NEVADA
 15

16 TIFFANY (NJ), LLC,)	Case No.
Plaintiff,)	
17)	
18 v.)	PLAINTIFF'S <i>EX PARTE</i> APPLICATION
19 THE PARTNERSHIPS and)	FOR ENTRY OF TEMPORARY
UNINCORPORATED ASSOCIATIONS)	RESTRAINING ORDER AND
20 IDENTIFIED ON SCHEDULE "A" and)	PRELIMINARY INJUNCTION
DOES 1-1000,)	
21 Defendants.)	

22 Plaintiff Tiffany (NJ), LLC ("Plaintiff" or "Tiffany"), will and hereby does apply, on an *ex*
 23 *parte* basis, for entry of a temporary restraining order and, upon expiration of the temporary
 24 restraining order, a preliminary injunction against Defendants, The Partnerships and Unincorporated
 25 Associations indentified on Schedule "A" hereto and Does 1-1000 (collectively Defendants")
 26 pursuant to 15 U.S.C. § 1116 and Fed. R. Civ. P. 65.

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1 Good cause exists for the foregoing orders. As set forth in the accompanying Memorandum
2 of Points and Authorities, the named Defendants and various unknown associates are promoting,
3 selling, offering for sale and distributing counterfeit and infringing Tiffany branded products within
4 this Judicial District through various fully interactive commercial Internet websites. The activities of
5 Defendants constitute willful and intentional infringement and counterfeiting of Tiffany's
6 trademarks in total disregard of Tiffany's rights, and have taken place in spite of Defendants'
7 knowledge that their use of Tiffany's trademarks was and is in direct contravention of Tiffany's
8 rights. Moreover, Defendants' registration of several domain names, which incorporate at least one
9 of Tiffany's registered trademarks, constitutes cyberpiracy in violation of 15 U.S.C. § 1125(d).
10 Defendants' unlawful activities have caused and will continue to cause irreparable injury to Tiffany.
11

12 This Application is brought on an *ex parte* basis pursuant to Federal Rule of Civil Procedure
13 65 and Civil Local Rule 7-5. Temporary restraining orders are available on an *ex parte* basis when
14 there is a threat of intervening irreparable harm before the preliminary injunction may be heard. Fed.
15 R. Civ. P. 65(b); LR-7-5. As set forth in detail in the accompanying Memorandum of Points and
16 Authorities and Declaration of Stephen M. Gaffigan ("Gaffigan Decl."), Plaintiff is seeking *ex parte*
17 relief because if it proceeds on notice to Defendants of this *Ex Parte* Application prior to modifying
18 control of the domain names at issue, Defendants can easily and quickly transfer the registrations for
19 many of the domain names, or modify registration data and content, change hosts, and redirect traffic
20 to other websites, thereby thwarting Plaintiff's ability to obtain meaningful relief. (Gaffigan Decl. ¶
21 4-7.) No stipulation can be obtained with these defendants under these circumstances. This Court
22 should prevent an injustice from occurring by issuing an *ex parte* temporary restraining order which
23 precludes Defendants from continuing to display their infringing content via the websites operating
24 under the domain names at issue and which temporarily removes control over the websites from
25 Defendants. Only such an order will prevent ongoing irreparable harm to Tiffany.

26 This Application is based upon the accompanying Memorandum of Points and Authorities
27 and the Declarations of Stephen M. Gaffigan, Steven Costello, and Brandon Tanori, and exhibits
28

1 thereto, filed concurrently herewith, and the complete files and records of this action, and such other
2 matters as Tiffany may call to the Court's attention at or before the time of hearing.

3
4 WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests this Court grant
5 its *ex parte* application and enter a temporary restraining order, and schedule a hearing on Plaintiff's
6 Application for Preliminary Injunction before the expiration of the Temporary Restraining Order.

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8 Dated: April 18th, 2011.

Respectfully submitted,

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10 By: /s/ David S. Kahn

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17 *Of Counsel:*

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SCHEDULE A
THE PARTNERSHIPS and UNINCORPORATED ASSOCIATIONS

- Defendant 1: 925ly.com
- Defendant 2: 925silverangel.com
- Defendant 3: 925silvershop.com
- Defendant 4: 925tiffany.com
- Defendant 5: 925tiffany.net
- Defendant 6: 925wholesaler.com
- Defendant 7: aliexpressuk.com
- Defendant 8: amytrade.com
- Defendant 9: atjewelry.com
- Defendant 10: atopsilver.com
- Defendant 11: australiatiffanystore.com
- Defendant 12: autiffany4sale.com
- Defendant 13: b2bvogue.com
- Defendant 14: bestbuytiffany.com
- Defendant 15: better-tiffany.com
- Defendant 16: beyeshop.com
- Defendant 17: brandtiffany.com
- Defendant 18: buy-tiffanyjewelry.com
- Defendant 19: bybybuy.com
- Defendant 20: canadatiffanystore.com
- Defendant 21: cartiereshop.com
- Defendant 22: casualtiffany.com
- Defendant 23: cheapchinawholesale.org
- Defendant 24: cheapdesignerwholesale.com
- Defendant 25: cheaptiffanyjewelry.com a/k/a tiffanysales.org a/k/a 925silversale.com
- Defendant 26: cheaptiffanys.com
- Defendant 27: chinafamousproducts.com
- Defendant 28: chinawholesalejewelry.com
- Defendant 29: cityjewels.net
- Defendant 30: coachjewelry.com
- Defendant 31: coboen.com
- Defendant 32: colorstrends.com
- Defendant 33: cooltiffany.com
- Defendant 34: crowntco925.com
- Defendant 35: designerjewelry.net
- Defendant 36: designertiffanyjewelry.org a/k/a alltiffanyjewelry.com
- Defendant 37: diorgirl.com a/k/a tiffanyandcostore.com
- Defendant 38: discounttiffany.com
- Defendant 39: discounttiffanyjewelry.us
- Defendant 40: doreplica.com
- Defendant 41: eshopping-replica.com
- Defendant 42: etiffanybag.com
- Defendant 43: europeantiffany.com
- Defendant 44: fakettiffany.org
- Defendant 45: fakettiffanyjewelry.org a/k/a goldtiffanyjewelry.com
- Defendant 46: fashionjewelryzone.com
- Defendant 47: fashion-wigs.com a/k/a tiffanybraceletscheap.com
- Defendant 48: forsaletiffany.com
- Defendant 49: globlefashion.com
- Defendant 50: goecshop.com

1 Defendant 51: goldtiffanyjewelry.com
Defendant 52: goolcool.com
2 Defendant 53: greatgolden.com
Defendant 54: handbagsforcheap.com
3 Defendant 55: hot-tiffany.com
Defendant 56: hotwholesaleonline.com
4 Defendant 57: idolbags.com a/k/a rwholesalejewelry.com
Defendant 58: ilikejewellery.com
5 Defendant 59: ilovetiffany.net
Defendant 60: istiffany.com
6 Defendant 61: ixreplicajewelry.com
Defendant 62: jewellery888.com
7 Defendant 63: jewellerybi.com
Defendant 64: jewelleryhotsale.com
8 Defendant 65: jewelleryus.com
Defendant 66: jewelry-925.com
9 Defendant 67: jewelrycheapbuy.com
Defendant 68: jewelrykt.com a/k/a tiffanyjewelrynet.com
10 Defendant 69: jewelryorwatches.com a/k/a alltiffanyjewelry.com
Defendant 70: jewelryover.com
11 Defendant 71: jewelrystain.com
Defendant 72: jewelrysale925.com
12 Defendant 73: jwely.com
Defendant 74: kfjewelry.com a/k/a tiffanyjewelrynet.com
13 Defendant 75: ktop.com
Defendant 76: linkworldco.com
14 Defendant 77: lipwu.com
Defendant 78: lovetiffanyjewelry.com
15 Defendant 79: luckyjewelryshop.com
Defendant 80: luxurysandals2u.com
16 Defendant 81: lzsaler.net
Defendant 82: mirrorjewelry.com
17 Defendant 83: msmrapparel.com a/k/a tiffanyjewelrynet.com
Defendant 84: myfaketiffany.com
18 Defendant 85: mytiffanycity.com
Defendant 86: mytiffanyonline.com
19 Defendant 87: mytiffanysjewelry.com
Defendant 88: mytiffanysonline.com
20 Defendant 89: new925silverjewelry.com
Defendant 90: newtiffany.com
21 Defendant 91: newtiffanys.com a/k/a alltiffanyjewelry.com
Defendant 92: ojewellery.com
22 Defendant 93: onlytobuy.com
Defendant 94: onsaletiffany.com
23 Defendant 95: pocvt.com
Defendant 96: populartiffany.com
24 Defendant 97: pradashoeschina.com a/k/a pradashoechina.com
Defendant 98: pursestrade.com
25 Defendant 99: replicagalleryonline.com
Defendant 100: replicasilverjewelry.com
26 Defendant 101: replicasky.com
Defendant 102: replicatiffany.net
27 Defendant 103: saarcaa.com
Defendant 104: saletiffanyjewelry.org a/k/a tiffanysalejewelry.com a/k/a 925silversale.com

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1 Defendant 105: sghgate.com
Defendant 106: sheloves925silver.com
2 Defendant 107: shoes51.com
Defendant 108: silver-bulk.com
3 Defendant 109: silverjewelryblog.net a/k/a silvertiffanyshop.com
Defendant 110: silverjewelryworld.com
4 Defendant 111: silverliker.com
Defendant 112: silvertiffanyshop.com
5 Defendant 113: silverurban.com
Defendant 114: solid925silver.com
6 Defendant 115: sterlingtiffany.com
Defendant 116: super925.com
7 Defendant 117: taltoo.com
Defendant 118: tco1837.com
8 Defendant 119: tcogift.com
Defendant 120: thesalesky.com
9 Defendant 121: tiffany4ever.com
Defendant 122: tiffany4girls.com
10 Defendant 123: tiffany4u.us
Defendant 124: tiffany7.com
11 Defendant 125: tiffanya.com
Defendant 126: tiffanyamerica.com
12 Defendant 127: tiffanyandcojewelry.com
Defendant 128: tiffany-and-co-jewelry.com
13 Defendant 129: tiffanyandcooutlet.com
Defendant 130: tiffanyandco-outlet.com
14 Defendant 131: tiffanyandcooutlet.org
Defendant 132: tiffanyandcosale.com
15 Defendant 133: tiffanyandcostore.com
Defendant 134: tiffanyboss.com
16 Defendant 135: tiffanybraceletscheap.com
Defendant 136: tiffanybuying.com
17 Defendant 137: tiffanycol837.com
Defendant 138: tiffanycosale.com a/k/a tiffanycosale.net
18 Defendant 139: tiffanycouk.com
Defendant 140: tiffanycow.com
19 Defendant 141: tiffanycows.com
Defendant 142: tiffany-fashion.com
20 Defendant 143: tiffanyforsale.com
Defendant 144: tiffanyforu.com
21 Defendant 145: tiffany-guide.com
Defendant 146: tiffanyhere.com
22 Defendant 147: tiffanyhotsale.com
Defendant 148: tiffanyinfo.com
23 Defendant 149: tiffanyinlove.com
Defendant 150: tiffanyjewelersuk.com
24 Defendant 151: tiffany-jewellery-shop.com
Defendant 152: tiffanyjewelry.co
25 Defendant 153: tiffanyjewelry1837.com
Defendant 154: tiffanyjewelry2011.com
26 Defendant 155: tiffanyjewelry2u.com
Defendant 156: tiffanyjewelry4sale.com
27 Defendant 157: tiffanyjewelryauctions.com
Defendant 158: tiffanyjewelryforsale.com

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1 Defendant 159: tiffanyjewelrygift.com
Defendant 160: tiffanyjewelrynet.com
2 Defendant 161: tiffany-jewelry-on-sale.com
Defendant 162: tiffanyjewelryonsale.org
3 Defendant 163: tiffanyjewelryoutlet.com
Defendant 164: tiffanyjewelry-outlet.com
4 Defendant 165: tiffanyjewelrysale.com
Defendant 166: tiffanyjewelrysales.com
5 Defendant 167: tiffanyjewelryshops.com a/k/a tiffanyjewelrynet.com
Defendant 168: tiffanyjewelrystores.com
6 Defendant 169: tiffanyjewelrystyle.com
Defendant 170: tiffanyknockoffs.com
7 Defendant 171: tiffany-mine.com
Defendant 172: tiffanynew.com
8 Defendant 173: tiffanyo.com
Defendant 174: tiffanyonlinestoreus.com
9 Defendant 175: tiffanyonsale.net a/k/a ustiffany4sale.com
Defendant 176: tiffanyoutlet.com
10 Defendant 177: tiffanyoutlet.org
Defendant 178: tiffanyoutletcheap.com
11 Defendant 179: tiffanyoverstock.com
Defendant 180: tiffanys1837jewelry.com
12 Defendant 181: tiffanysalesstore.com
Defendant 182: tiffanysave.com
13 Defendant 183: tiffanyselected.com
Defendant 184: tiffany-seller.com
14 Defendant 185: tiffanysforever.com
Defendant 186: tiffanysilversale.com
15 Defendant 187: tiffanysjewelryonline.com
Defendant 188: tiffanysjewelryshop.com
16 Defendant 189: tiffanysjewelryworld.com
Defendant 190: tiffanysky.com
17 Defendant 191: tiffanysocool.com
Defendant 192: tiffanysonly.com
18 Defendant 193: tiffany-sterling-silvers.com
Defendant 194: tiffanystock.com
19 Defendant 195: tiffanystore.uk.com
Defendant 196: tiffanysupplier.com
20 Defendant 197: tiffanytopsale.com
Defendant 198: tiffanyuksale.com
21 Defendant 199: tiffanyusonsale.com
Defendant 200: tiffanywto.com
22 Defendant 201: toopgood.com
Defendant 202: topltiffany.com
23 Defendant 203: towholesalejewelry.com
Defendant 204: uktiffanyonsale.com
24 Defendant 205: upoun.com
Defendant 206: urbanclothingchina.com
25 Defendant 207: usdesignerjewelry.com
Defendant 208: ustiffany4sale.com
26 Defendant 209: utiffany.com
Defendant 210: vogueonsale.com
27 Defendant 211: watches-trade.com
Defendant 212: wholesale1837.com

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1 Defendant 213: wholesaleabc.net
Defendant 214: wholesaleanywhere.com
2 Defendant 215: wholesalecm.com
Defendant 216: wholesale-tiffany-jewellery.com
3 Defendant 217: wholesaletiffanyjewelry.net a/k/a tiffanyonlineus.com
Defendant 218: whslecn.com
4 Defendant 219: winlo.com
Defendant 220: wowyahoo.com
5 Defendant 221: x-jewelrybox.com
Defendant 222: yahoowholesaler.com
6 Defendant 223: yasajewelry.com a/k/a tiffanyjewelrynet.com

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