

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 24-62388-CIV-SINGHAL**

ADIDAS AG, *et al.*,

Plaintiffs,

vs.

THE INDIVIDUALS, BUSINESS ENTITIES,
AND UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A,"


Defendants.

**DECLARATION OF VIRGILIO GIGANTE IN SUPPORT OF PLAINTIFFS'
EX PARTE RESPONSE TO THE COURT'S ORDER TO SHOW CAUSE**

I, Virgilio Gigante, state and declare as follows:

1. I am an attorney duly authorized and licensed to practice law before this Court, and I am one of the counsels of record for Plaintiffs, adidas AG, adidas International Marketing B.V., and adidas America, Inc. (collectively "adidas") in the above captioned action. I submit this declaration in support of Plaintiff's Response to the Court's Order to Show Cause. I am personally knowledgeable of the matters set forth in this declaration and, if called upon to do so, I could and would competently testify to the following facts set forth below.

2. In the course of investigating the facts underlying this case and gathering evidence of the activities of each of the Defendants named in this lawsuit, my firm captured the web pages reflecting samples of the Internet websites operating under the Subject Domain Names displaying Plaintiffs' branded items offered for sale. True and correct copies of the relevant web pages my firm captured reflecting samples of Defendants' Internet websites displaying Plaintiffs' branded items offered for sale are attached as Composite Exhibit "1" to my Declaration filed in support of Plaintiffs' *Ex Parte* Application of Temporary Restraining Order [ECF No. 6-3]

3. As reflected on the web page captures [ECF No. 6-3], all of the Defendants share the same WhatsApp contact number, +447383308176. The WhatsApp contact numbers are visible by hovering over the WhatsApp Icon  identified on the web pages. (See [ECF No. 6-3, pp. 2, 24, 38, 42, 51, 60, 70, 79, 92, 101, 113, 117, 126, 135, 144, 153, 165, 177, 189, 193, 202, 211, 220, 229, 236, 248, 256, 268, 272, 281, 290, 299, 308, 317, 327, *Sealed*]. Additionally, my firm captured the source code pages for each website, which also identify the “+447383308176” contact number used in connection with each of the websites. True and correct copies of the source code pages for the websites identifying the WhatsApp contact number, +447383308176 are attached hereto as Composite Exhibit “1.”

4. Defendants’ counterfeiting activities are all emanating from the same interrelated websites, offering for sale the same adidas counterfeit branded goods using identical product images, identical product descriptions, and similar pricing. Attached hereto as Exhibit “2” is a chart prepared for the convenience of the Court showing the product image used on each website, as well as the product description and price for each item, with citations to the evidence filed in support of Plaintiffs’ *Ex Parte* Application of Temporary Restraining Order [ECF No. 6-3].)

5. Additionally, as reflected on the web page captures [ECF No. 6-3], Defendants’ acts of infringement occurred during the same time period, with the investigation captured on the same day within about a 7-hour period.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed January 16, 2025, at Fort Lauderdale, Florida.


Virgilio Gigante