

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-cv-21058-ALTMAN

OMEGA SA,

Plaintiff,

v.

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

Defendants.

**ORDER GRANTING EX PARTE APPLICATION
FOR ENTRY OF PRELIMINARY INJUNCTION**

The Plaintiff has filed an Application for Entry of preliminary Injunction (the “Application”) [ECF No. 6]. We have carefully reviewed the Application, the record, and the applicable law. The Plaintiff, Omega SA (“Omega”) moves for entry of a preliminary injunction against Defendants, the Individuals, Business Entities, and Unincorporated Associations Identified on Schedule “A” (“the Defendants”), pursuant to 15 U.S.C. § 1116, Federal Rule of Civil Procedure 65, The All Writs Act, 28 U.S.C. § 1651(a), and the Court’s inherent authority.

The Court convened a hearing on April 15, 2025, at which only counsel for the Plaintiff was present and available to present evidence supporting the Application. Because the Plaintiff has satisfied the requirement for the issuance of a preliminary injunction, the Plaintiff’s Application for Entry of Preliminary Injunction [ECF No. 6] is **GRANTED**.

BACKGROUND

The following factual background is taken from the Plaintiff’s Amended Complaint [ECF No. 17], the Application, and supporting evidentiary submissions and exhibits.

The Plaintiff is the owner of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Omega Marks”):

Trademark	Registration Number	Registration Date	Class / Goods
SEAMASTER	556,602	March 25, 1952	IC 014. Watches, watch parts and watch movements.
OMEGA	566,370	November 4, 1952	IC 014. Watches and parts thereof.
	578,041	July 28, 1953	IC 014. wrist watches with or without straps, bands or bracelets, chronometers, chronographs.
SPEEDMASTER	672,487	January 13, 1959	IC 014. Watches and clocks.
	734,891	July 24, 1962	IC 014. Timepieces and Parts Thereof.
PLANET OCEAN	3,085,659	April 25, 2006	IC 014. Watches and watch parts.
SEAMASTER	3,640,080	June 16, 2009	IC 014. Jewelry, horological and chronometrical instruments.
CO-AXIAL	4,442,192	December 3, 2013	IC 014. Horological and chronometric instruments.
DARK SIDE OF THE MOON	4,735,993	May 12, 2015	IC 014. Horological and chronometric instruments.
	5,094,915	December 6, 2016	IC 014. Horological and chronometric instruments and parts for the aforesaid goods; accessories namely, watch chains, presentation cases for watches and cases for watches.
MOONWATCH	5,211,480	May 30, 2017	IC 014. Horological and chronometric instruments
CO-AXIAL MASTER CHRONOMETER	5,266,563	August 15, 2017	IC 014. Horological and chronometric instruments.

See Am. Complaint [ECF No. 17] at 5–6; *see also* Declaration of Antoine Haller in Support of the Plaintiff’s Application for Preliminary Injunction (“Haller Decl.”) [ECF No. 6-1] ¶ 4. Copies of the Federal Registrations for each of the Omega Marks are attached to the Amended Complaint as Composite Exhibit “1.” *See* United States Trademark Registrations for the Omega Marks [ECF No. 17-1].

“Omega is engaged in the promotion, distribution, and sale of high-quality products in interstate commerce in the United States under the Omega Marks.” Haller Decl. ¶ 5. “Genuine Omega products are marketed and sold throughout the United States at Omega boutiques, at Tourbillon Boutiques, owned by The Swatch Group Les Boutiques Ltd. an affiliated company of the Swatch Group, at select and prestigious retailers, and via the Internet. During the time that Omega products have been sold in interstate commerce under the Omega Marks, Omega has expended significant monetary resources to extensively advertise and promote products under the Omega Marks[.]” *Id.* ¶¶ 7–8; *see also* Application at 3 (“Omega extensively uses, advertises, and promotes the Omega Marks in the United States in interstate commerce, and carefully monitors and polices the use of its trademarks The Omega Marks are widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning; as such, the Omega Marks have come to symbolize the enormous goodwill of Omega’s genuine products throughout the United States.”).

The Plaintiff alleges that the Defendants are “promoting, advertising, offering for sale and/or selling goods using counterfeit and infringing trademarks which are exact copies of one or more the Omega Marks without Omega’s authorization, via at least the Internet based e-commerce stores operating under the seller names identified on Schedule “A” hereto (the “E-commerce Store Names”).” Haller Decl. ¶ 14. The Plaintiff further alleges that the “Defendants do not have, nor have they ever had, the right or authority to use the Omega Marks [T]he Omega Marks have never been assigned or licensed to be used in connection with any of the E-commerce Store Names.” *Ibid.*

The Plaintiff retained a third-party investigator, Invisible Inc (“Invisible”), to investigate the Defendants’ suspected promotion and sale of counterfeit versions of the Plaintiff’s branded products. *Id.* ¶ 15. This investigation established that the Defendants are using e-commerce stores to sell “non-genuine, unauthorized versions of Omega’s branded goods.” Application at 4–5. The Plaintiff’s investigator accessed the Internet-based e-commerce stores operating under the E-commerce Store Names and placed test orders for various products offered for sale bearing counterfeits of the Plaintiff’s trademarks. *See* Haller Decl. ¶ 16. At the conclusion of the process, the Plaintiff received detailed web page captures and images of the various products offered for sale by the Defendants via the E-commerce Store Names. *Ibid.*

The Plaintiff personally reviewed the allegedly counterfeit items “by reviewing the e-commerce stores operating under the E-commerce Store Names, or the detailed web page captures of the goods bearing the Omega Marks[.]” *Id.* ¶ 17; *see also* Application at 5 (“Omega’s representative, who is trained in identifying the distinctions between genuine Omega merchandise and counterfeit copies of the same, reviewed and visually inspected the goods bearing the Omega Marks Invisible ordered via each of the E-commerce Store Names”). The Plaintiff concluded that the products were non-genuine, unauthorized versions of the Plaintiff’s products. *See* Application at 5.

On March 7, 2025, the Plaintiff filed its Complaint [ECF No. 1] and thereafter its Amended Complaint on March 27, 2025 [ECF No. 17] against the Defendants for federal trademark counterfeiting and infringement, false designation of origin, common law unfair competition, and common law trademark infringement. Am. Complaint ¶ 1. On March 10, 2025, the Plaintiff filed its *Ex Parte* Application for Entry of a Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets [ECF No. 6]. On March 18, 2025, this Court issued an Order Granting *Ex Parte* Application for Entry of Temporary Restraining Order (the “TRO”) [ECF No. 9] and temporarily restrained the Defendants from infringing the Plaintiff’s Marks at issue. Pursuant to the

TRO, the Plaintiff properly served the Defendants with a copy of the Amended Complaint, the TRO, and all filings in this matter *see* [ECF Nos. 18, 19].

THE LAW

To obtain a preliminary injunction, a party must demonstrate “(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that the entry of the relief would serve the public interest.” *Schiavo ex. rel Schindler v. Schiavo*, 403 F.3d 1223, 1225–26 (11th Cir. 2005); *see also Levi Strauss & Co. v. 2005Sunrise Int’l. Trading Inc.*, 51 F.3d 982, 985 (11th Cir. 1995) (applying the test to a preliminary injunction in a Lanham Act case).

ANALYSIS

Based on the Application and the declarations submitted in support of the Plaintiff’s Application, we conclude that the Plaintiff has a strong probability of proving at trial that the Defendants have infringed the Plaintiff’s registered trademarks, and that the infringement of the marks will likely cause the Plaintiff to suffer immediate and irreparable injury if a preliminary injunction is not granted.

The following specific facts, as set forth in the Plaintiff’s Amended Complaint, the Application, and accompanying declarations, demonstrate that immediate and irreparable loss, damage, and injury will result to the Plaintiff and to consumers because it more likely true than not that: a) the Defendants own or control e-commerce stores operating under their E-commerce Store Names, which advertise, promote, offer for sale, and sell products bearing and/or using counterfeit and infringing trademarks in violation of the Plaintiff’s rights; and b) there is good cause to believe that more counterfeit and infringing products bearing and/or using the Plaintiff’s trademarks will appear in the marketplace, that consumers are likely to be misled, confused, or disappointed by the quality of these products, and that the Plaintiff may suffer loss of sales for its genuine products.

In light of the inherently deceptive nature of the counterfeiting business, and the likelihood that the Defendants have violated federal trademark laws, the Plaintiff has good reason to believe the Defendants will hide or transfer their ill-gotten assets beyond the jurisdiction of this Court unless those assets are restrained.

Accordingly, having considered the Application and having found good cause, we **ORDER** that the Application [ECF No. 6] is **GRANTED** and that a preliminary injunction be entered as follows:

(1) Each of the Defendants, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order are hereby restrained and enjoined until further Order of this Court:

- a. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing and/or using the Omega Marks, or any confusingly similar trademarks, other than those actually manufactured or distributed by the Plaintiff; and
- b. From secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products, not manufactured or distributed by the Plaintiff, bearing and/or using the Omega Marks, or any confusingly similar trademarks; (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing and/or using the Omega Marks, or any confusingly similar trademarks; or (iii) any assets or other financial accounts subject to this Order, including inventory assets, in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, any Defendant, including, but not limited to, any assets held by or on behalf of any Defendant.

(2) Each of the Defendants, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order of this Court, the use of the Omega Marks or any confusingly similar trademarks, on or in connection with all Internet based e-commerce stores owned and operated, or controlled by them, including the Internet based e-commerce stores operating under the E-commerce Store Names.

(3) Each of the Defendants, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendant having notice of this Order shall immediately discontinue, until further Order of this Court, the use of the Omega Marks, or any confusingly similar trademarks, on e-commerce marketplace platforms, within domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), from any advertising links to other websites, from search engines' databases or cache memory, and any other form of use of such terms which is visible to a computer user or serves to direct computer searches to Internet based e-commerce stores registered, owned, or operated by any Defendant, including the Internet based e-commerce stores operating under the E-commerce Store Names.

(4) Each of the Defendants shall continue to preserve copies of all computer files relating to the use of any of the E-commerce Store Names and shall take all steps necessary to retrieve computer files relating to the use of the E-commerce Store Names that may have been deleted before the entry of this Order.

(5) Upon the Plaintiff's request, the privacy protection service for any of the E-commerce Store Names for which the registrant uses such privacy protection service to conceal the registrant's identity and contact information is ordered to disclose to the Plaintiff, to the extent not already done, the true identities and contact information of those registrants.

(6) Upon receipt of notice of this Order, the Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, PayPal, Inc. ("PayPal"), and their related companies and affiliates shall, to the extent not already done, (i) immediately identify all financial accounts and/or sub-accounts associated with the Internet based e-commerce stores operating under the E-commerce Store Names, financial accounts, payees, Merchant IDs, WhatsApp telephone numbers, and/or the e-mail addresses identified on

Schedule “A” hereto, as well as any other related accounts of the same customer(s); (ii) identify all other accounts which transfer funds into the same financial institution account(s) or any of the other financial accounts subject to this Order; (iii) restrain the transfer of all funds, as opposed to ongoing account activity, held or received for their benefit or to be transferred into their respective financial accounts, and any other financial accounts tied thereto; and (iv) divert those restrained funds to a holding account for the trust of the Court.

(7) Upon receipt of notice of this Order, the Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, PayPal, and their related companies and affiliates, shall further, to the extent not already done, provide the Plaintiff’s counsel with all data that details (i) an accounting of the total funds restrained and identify the financial account(s) and sub-account(s) which the restrained funds are related to, and (ii) the account transactions related to all funds transmitted into the financial account(s) and sub-account(s) which have been restrained. No funds restrained by this Order shall be transferred or surrendered by any financial institution, payment processor, bank, escrow service, money transmitter, or marketplace website, including but not limited to, PayPal, and their related companies and affiliates, for any purpose (other than pursuant to a purchase refund chargeback made by a consumer) without the express authorization of this Court.

(8) Any Defendant or financial institution account holder subject to this Order may petition the Court to modify the asset restraint set out in this Order.

(9) This Order shall apply to the E-commerce Store Names, associated e-commerce stores, private messaging accounts, and financial accounts, and any other e-commerce store names, seller identification names, private messaging accounts, or financial accounts which are being used by the Defendants for the purpose of counterfeiting the Omega Marks and/or unfairly competing with the Plaintiff.

(10) As a matter of law, this Order shall no longer apply to any Defendant or associated e-commerce store dismissed from this action or as to which the Plaintiff has withdrawn its request for a preliminary injunction.

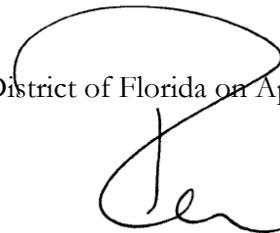
(11) Pursuant to 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), the Plaintiff shall maintain its previously posted bond in the amount of \$10,000.00 as payment of damages to which the Defendants may be entitled for a wrongful injunction or restraint, during the pendency of this action, or until further Order of the Court. In the Court's discretion, the bond may be subject to increase in the interest of justice.

(12) Additionally, for the purpose of providing additional notice of this proceeding, and all other pleadings, orders, and documents filed herein, the owners, operators and/or administrators of the e-commerce stores, messaging services, and/or financial institutions, payment processors, banks, escrow services, and money transmitters, and marketplace platforms, including but not limited to, PayPal, and their related companies and affiliates shall, at the Plaintiff's request, provide the Plaintiff's counsel with any e-mail address known to be associated with the Defendants' respective E-commerce Store Names.

(13) This Order shall remain in effect during the pendency of this action, or until such further date as set by the Court or stipulated by the parties.

(14) The Clerk of Court is directed to **CLOSE** this case for administrative purposes only. Any party may move to reopen the case at any time.

DONE AND ORDERED in the Southern District of Florida on April 18, 2025.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record

SCHEDULE "A"
DEFENDANTS BY NUMBER, E-COMMERCE STORE NAME,
FINANCIAL ACCOUNT INFORMATION, AND MEANS OF CONTACT

Def. No	Defendant / E-commerce Store Name	Merchant ID / Payment Account	Payee	Means of Contact Email and WhatsApp
1	elitetimepiecesusa.com	XF8JX56CLQ4W2		support@elitetimepiecesusa.com support@6188530.brevo.com WhatsApp: +1 (479) 3852889
1	coolsar.com	J79H4KM6LZZ84		support@coolsar.com WhatsApp: 1 (479) 3852889
1	doxsd.com	7KWHCH8PYSKH2		support@doxsd.com WhatsApp: 1 (479) 3852889
1	atinowatch.com	ZFVH3DZH2EV2J		support@atinowatch.com
1	luxyswear.com	ZFVH3DZH2EV2J		support@luxyswear.com WhatsApp: 1 (479) 3852889
1	opulencewrist.com	XF8JX56CLQ4W2		support@opulencewrist.com support@6188530.brevo.com WhatsApp: +1 (479) 3852889
2	ksisx.shop	TVRR7LL3B9XEA	Hong Kong M&K Technology & Trading limited	watchbuybuy@outlook.com hibuynew@gmail.com WhatsApp: 12812360702; 17622611080
2	euex.shop	2ZUFV3JK8Z8JC	Sen Yue Trade Limited	watchbuybuy@outlook.com hibuynew@gmail.com WhatsApp: 12812360702; 17622611080
		3AMZJVC87CY74	Guoqi Trading Co., Limited	
		3RA3PR444BTDY	HK Xinyue Trading Co., Limited	
		CHCDN2AFTE26S	HK Houyu Trading Limited	
		TVRR7LL3B9XEA	Hong Kong M&K Technology & Trading limited	
		W2HXY878SLV3S	Zhikang Limited	
		Z3PJH9X3NGRXJ	Tung Ho Shing Taitrading Co.. Limited	
		EG2PXB8AKBT6Q	Hong Kong Ideal Culture Limited	

2	kibux.site	38WL7SQ4N9H26	Kingdem Culture Industrial Investment(Hong Kong)Company Limited	ultramall@zohomail.com
		78DSD3BNVUY2Y	HK Fanlanoi Clothing Limited	
		DPKQU7PDGXE7U	Haoyuan Home Furnishiing Co., Limited	
		FPRLYDVL5Y6VY	Hong Kong Step Trading Co., Limited	
		JVHPBY2J62WTE	Sino Explore Investment Limited	
		W2HXY878SLV3S	Zhikang Limited	
2	bez.s.shop	DPKQU7PDGXE7U	Haoyuan Home Furnishiing Co., Limited	ultramall@zohomail.com
		Z3PJH9X3NGRXJ	Tung Ho Shing Taitrading Co.. Limited	
		7YUQTNJ8G4P7N	Xinyuan Ornaments Co.. Limited	
		CHUHR5JWZADZC	Weinuo Clothing Limited	
		E62QV2AG8JH3S	Hong Kong Xian Litong Trading Co.Limited	
		KUWBAFX832SFY	HK Shiji Jiali Trading Limited	
2	slrw.shop	DPKQU7PDGXE7U	Haoyuan Home Furnishiing Co., Limited	ultramall@zohomail.com
		W2HXY878SLV3S	Zhikang Limited	
		78DSD3BNVUY2Y	HK Fanlanoi Clothing Limited	
		R34R69PFFDG4G	Goodluck Jewelry Co.. Limmited	
3	aniwattey.shop	WR76DQM5YWGGS	wuyang store	
4	zenithluxys.com	EY6D9CE8EGD6J		support@zenithluxy.com WhatsApp: (+1469) 587-0120
4	luxurytick.com	JPBUGW5YVU24A		support@luxurytick.com WhatsApp: (+1469) 587-0120
4	atinolux.com	K7T5HRLFFR326		support@atinolux.com WhatsApp: (+1469) 587-0120

4	relaxtee.com	JPBUGW5YVU24A		contact@relaxtee.com WhatsApp: +1 (979)-279-8357
5	jobuly.com	9QDAADBVFHFM8A	山东超众阀门管件有限公司	jobulywatch@gmail.com WhatsApp: 18182575506
5	bedliy.com	9QDAADBVFHFM8A	山东超众阀门管件有限公司	bedliyrole@outlook.com WhatsApp: 13462818224
6	camillaluxury.shop	VBMDKUL3KEA3C	广州狎集网络科技有限公司	Wathcesvipcenter@hotmail.com WhatsApp: 12135565295
7	chrono26.com	QDACM53V63EEA	Unlock your imagination	support@chrono26.com suppoprt@chrono26.com support@nuewatch.com
8	clonewatches.com	QPG9CFKC3EZYE	Master	support@clonewatches.com WhatsApp: 447410208835
9	dennistoystore.com	QRS8SS2M3JMKA		473613@qq.com
10	dunekhing.com	WZTXG85P3BVB	Moon Halo Limited	support@roseliay.com
		XXCGH5AV26SF8	厦门玩物上治品牌设计有限公司	WhatsApp: 8613652381765
10	weistwatch.com	K6K9K7VZM923W		support@roseliay.com WhatsApp: 12137919605
10	kimmyis.com	EFSMSNLZY84N6		support@roseliay.com WhatsApp: 15109774882
10	sunfdht.com	TDTCRQZXBYP2	Hong Kong Weixiaoyun Technology Co., Limited	
11	gccista.shop	7PLZRLUFWNN72	Anhui Ningteng Trading Co., Ltd	gccista@outlook.com
12	gclvg.com	SLMPEN3CAFCZ4	Shaanxi Benxin Chaojia Trading Co.,Ltd.	support@gclvg.com WhatsApp: 447856199796
13	getwatchpro.com	G9G82PVAFA6SA	Fashion is unlimited, beauty is unlimited	watcesgot@gmail.com WhatsApp: 12812360778
13	rallx.store	G9G82PVAFA6SA	Fashion is unlimited, beauty is unlimited	watcesgot@gmail.com CortinasHanss@gmail.com WhatsApp: 12812360778
14	high-w.store	ASN8376P57HMS	OMG	nartofortest@gmail.com WhatsApp: 14152258725

14	top-swisstime.com	DPRD9DF7Z7CYE	fanjin	support@top-swisstime.com WhatsApp: 14152258725; 15042363820
15	hy-premium-watch.com	JT4N64HXEG6W4		huangmangman@outlook.com support@hy-premium-watch.com
		2732188342@qq.com		WhatsApp: 18153295760
16	idc022.com	96FCHQ4WMZG2G	IDC022	hitea777@outlook.com WhatsApp: 8613926757799; 8618675426777
17	luxnob.com	2LRHW98MQKWT4	武平县梓靖日用品店	support@luxnob.com riversky@luxnob.com
		15505970418@163.com		WhatsApp: 447477483455; 447443756893
18	luxtick.com	UT4MLXBV65NFQ	Timelesstunes records	support@luxtick.com WhatsApp: 16232020012
19	luxuriousluxurywardrobe.com	7QWGGQ6X83MZG		llwardrobe999@gmail.com WhatsApp: 8613178848887
20	luxurywatchesthlm.com	DNZ7JJB4Q2PXG	YoungSong (HongKong) Co., Limited	support@rrolxwatch.com support@luxurywatchesthlm.com WhatsApp: 46(0)86121088; 13213063327
21	luxuwatchs.com	X9FA8RZRLWF4S	旺达（广州）传媒科 技有限公司	sswisswatchesafter@gmail.com
22	luxyavia.com	7Y4U6FNY7H2HG		support@luxyavia.com
23	menymoon.shop	3K8FZNUZWDWXE	Waiyian Shop	
24	nic-watch.com	PJ3UVFT94E6MN		nicwatch01@gmail.com WhatsApp: 8618285839977
25	ocga.store	YFWP5ZCRAB4DW	Hong Kong Changzhifeng Trading Co.,Limited	nicechicbuy@gmail.com chicsgo@zohomail.com WhatsApp: 18323325572; 4082078438; 12817772895
26	panda188.store	HRH24FFTPLLXS	嘉兴乾源贸易有限公 司	pandaluxurywatch@gmail.com WhatsApp: 12132654084; 15107174505

27	pdkicks.com	MU8VNGD7EMUMS	PD.Kicks.Co.Ltd	ceryslin2424@gmail.com support@pdkicks.com WhatsApp: 8615759912623
28	premiumwatchs.com	87UHSVH32337Q	Hevision Enterprises Pte. Ltd	service@luxuryswatchs.com Support@premiumwatchs.com
29	sayhiy.com	YG7C3GQBDSQ36	深圳市麦尔富电子商 务有限公司	sayhiy01@outlook.com anglebabemia@gmail.com
30	treasurk.com	NPLSBT6RD7QAA	海伦市慕薇诗美甲店	gennapawelek@gmail.com 123456@gmail.com WhatsApp: 85253381445
31	trivorshop.com	GJY3SNFSSSWQ4	randtime	watchvipservice@hotmail.com WhatsApp: 8614739706838
32	vernaculars.shop	9M47DCTGZK6N2	Huzhou Ningdajia Trading Co., Ltd	enuertiom@outlook.com
33	warringtac.shop	6EJK56MM5HWT4	Busby Louise	jsjasmine04@gmail.com service@billuxury.com
34	watchwsr.com	PAPSD5P32WKBL		higherwatch@outlook.com WhatsApp: 8613587735699
35	willy001.willyweb.shop	KU2S9PVJZSMQG	EMAYA—wcc	wzt952541276@gmail.com WhatsApp: 8615170471004