

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-cv-20335-BLOOM/Elfenbein

RICHEMONT INTERNATIONAL SA,

Plaintiff,

v.

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

Defendants.

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**SEALED ORDER GRANTING PLAINTIFF’S *EX PARTE* MOTION  
TO AUTHORIZE ALTERNATE SERVICE OF PROCESS**

**THIS CAUSE** is before the Court upon Plaintiff’s *Ex Parte* Motion for Order Authorizing Alternate Service of Process on Defendants Pursuant to Federal Rule of Civil Procedure 4(f)(3), ECF No. [11] (“Motion”). In its Complaint, Plaintiff, Richemont International SA (“Plaintiff”), set forth claims against Defendants for (1) trademark counterfeiting and infringement, (2) false designation of origin, (3) common law unfair competition, and (4) common law trademark infringement. *See generally* ECF No. [1]. More specifically, Plaintiff alleges that Defendants promote, sell, offer for sale, and distribute goods bearing and/or using counterfeits and confusingly similar imitations of Plaintiff’s trademarks, thereby infringing Plaintiff’s trademarks. *Id.* Plaintiff contends that Defendants are accomplishing these infringement activities by operating Internet based e-commerce stores under their respective seller names (the “E-commerce Store Names”) identified on Schedule “A” hereto. The Court has carefully reviewed the Motion, the evidence

submitted in support of the Motion, and the applicable law, and is otherwise duly advised. For the reasons that follow, the Motion is granted.

Plaintiff contends that Defendants operate via the Internet and utilize electronic means as reliable forms of contact. *See* ECF No. [11] at 3-5. According to Plaintiff, it has reasonable cause to suspect that Defendants are residing and/or operating from the People's Republic of China ("China"), Islamic Emirate of Afghanistan ("Afghanistan"), Australia, Iceland, the United Kingdom of Great Britain and Northern Ireland ("United Kingdom"), Socialist Republic of Viet Nam ("Vietnam"), or other foreign countries, and/or redistribute products from sources in those locations. *Id.* at 12. Plaintiff further contends that Defendants have at least one operational form of electronic contact, demonstrating that this means of contact is not just effective, but the most reliable means of communicating with Defendants. *Id.* at 3-5. Consequently, Plaintiff asserts that e-mail, including onsite contact forms, private messaging applications and/or services, and the designated registrar, are the most reliable means of providing Defendants with notice of this action. *Id.* at 8-11.

Rule 4(f)(3) allows a district court to order an alternate method for service to be effected upon foreign defendants, provided that it is not prohibited by international agreement, and is reasonably calculated to give notice to the defendants. *See Brookshire Bros. v. Chiquita Brands Int'l, Inc.*, No. 05-CIV-21962, 2007 WL 1577771, at \*2 (S.D. Fla. May 31, 2007) ("[D]istrict courts have found broad discretion under Rule 4(f)(3) to authorize other methods of service that are consistent with due process and are not prohibited by international agreements." (citing *Prewitt Enters., Inc. v. Org. of Petroleum Exporting Countries*, 353 F.3d 916, 921, 927 (11th Cir. 2003)); *Rio Props., Inc. v. Rio Int'l Interlink*, 284 F.3d 1007, 1015 (9th Cir. 2002)). The plain language of

Rule 4(f)(3) reflects that the decision to issue an order allowing alternate means of service lies within the discretion of the district court.

Service by e-mail is not prohibited under international agreement in this case. Although the United States, China, Australia, Iceland, the United Kingdom, and Vietnam are signatories to the Hague Convention on the Service Abroad of Extra-Judicial Documents in Civil and Commercial Matters (the “Hague Convention”),<sup>1</sup> the Hague Convention does not specifically preclude service of process via e-mail or by posting on a designated website. Where a signatory nation has objected to the alternative means of service provided by the Hague Convention, that objection is expressly limited to those means and does not represent an objection to other forms of service, such as e-mail or website posting.<sup>2</sup> *Stat Med. Devices, Inc. v. HTL-Strefa, Inc.*, No. 15-cv-20590, 2015 WL 5320947, at \*1 (S.D. Fla. Sept. 14, 2015) (noting that an objection to the alternative forms of service set forth in the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Nov. 15, 1965, 658 U.N.T.S. 16, is limited to the specific forms of service objected to). A court acting under Rule 4(f)(3), therefore, remains free to order alternative means of service where a signatory nation has not expressly objected to those means. *See Gurung v. Malhotra*, 279 F.R.D. 215, 219 (S.D.N.Y. 2011) (noting that a court acting under Rule 4(f)(3) remains free to order alternative means of service that are not specifically referenced in Article X of the Hague Convention where a signatory nation has objected only to those means of service listed in that article). Accordingly, service by e-mail or internet communication does not violate an international agreement. Further, as Plaintiff has been

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<sup>1</sup> Afghanistan is not a signatory to the Hague Convention. *See* ECF No. [11] at 12.

<sup>2</sup> China, Australia, Iceland, the United Kingdom, and Vietnam have not expressly objected to service via e-mail or website posting. *See generally* ECF No. [11] at 13-14.

unable to identify a valid address for service of process upon Defendants, according to Article 1 of the Hague Convention, “[the] convention shall not apply where the address of the person to be served with the document is not known.” *See* Hague Convention, Art. 1, 20 U.S.T. 361 (1969).

Rule 4(f)(3) was “adopted in order to provide flexibility and discretion to the federal courts in dealing with questions of alternative methods of service of process in foreign countries.” *In re Int’l Telemedia Assoc., Inc.*, 245 B.R. 713 (Bankr. N.D. Ga. 2000). What constitutes appropriate service varies depending on the circumstances of the case and turns on the court’s determination of whether the alternative method is reasonably calculated to apprise the parties of the pendency of the action and afford them an opportunity to present their objections. *Philip Morris USA, Inc. v. Veles Ltd.*, No. 06 CV 2988 (GBD), 2007 WL 725412, at \*2 (S.D.N.Y. Mar. 12, 2007).

Here, the Court finds that Plaintiff has shown good cause for leave to allow service of the Summonses, Complaint, and all future filings in this matter upon each Defendant via e-mail and via posting on a designated website.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff’s Motion, **ECF No. [11]**, is **GRANTED**.
2. Plaintiff shall serve the Summonses, Complaint, and all filings in this matter upon Defendants via e-mail by providing the address to Plaintiff’s designated serving notice website to Defendants via the e-mail addresses provided by each Defendant as part of the data related to its e-commerce store, including onsite contact forms, private messaging applications and/or services, or via the e-mail address for the designated Registrar for each of the e-commerce stores. *See* Schedule “A” (listing Defendants by Defendant number, E-commerce Store Name, and associated means of contact).

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3. Plaintiff shall serve Defendants via website posting by posting a copy of the Summonses, Complaint, and all filings in this matter on Plaintiff's designated serving notice website appearing at the URL <http://servingnotice.com/RUM7tz/index.html>.

**DONE AND ORDERED** in Chambers at Miami, Florida, on January 24, 2025.

A handwritten signature in black ink, appearing to be 'JB' or similar, written over a horizontal line.

**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to: Counsel of Record

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

<b>Def. No.</b>	<b>Defendant / E-commerce Store Name</b>	<b>Means of Contact</b>
1	aaawatch.to	aaamontre@gmail.com aaa-watch@outlook.com
2	astonishing.top	tingxicm@outlook.com
2	fashiones.top	tingxicm@outlook.com iwcslife@outlook.com
3	bestwatches.to	13912343095@139.com ibestwatches2020@hotmail.com
4	betterlifego.com	CustomerService@ashoesfactory.com
4	shoefactory.top	CustomerService@ashoesfactory.com
5	blog.12h.to	leonberenguer445@gmail.com WhatsApp: +852 6703 0781 WhatsApp: +852 6403 5279
6	buyonbest.com a.k.a. bobjewelry.com	hatranha833@gmail.com support@buyonbest.com sale@buyonbest.com
6	bobjewelry.com	support@bobjewelry.com support@buyonbest.com
7	cashial.online	interhz11@163.com
7	grgdger.online	interhz11@163.com
8	cheercash.online	Service via Registrar
9	chicstime.com	byrondeems3138@gmail.com byrondeems3138@gmail.com
10	chris-luxury.shop	cbx19977@outlook.com 115070853475@gmail.com vipservicecenter@outlook.com Mailiuy@outlook.com swissmadeluxury.cai@gmail.com
11	clothes.nu	soonzai227@gmail.com depursesbag@hotmail.com WhatsApp: +86 186 6602 1721

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13	cysenwk.shop a.k.a. yewugu.store	Customer.service@henwinto.com order.service@henwinto.com
13	kwsdrfh.shop	Customer.service@henwinto.com
14	daxiewatch.shop	kezhuowei0514@gmail.com
15	emuobag.shop	support@emuobag.shop worldsroderickthiyiqph@gmail.com sales@emuobag.shop
15	wwcbag.shop	asd763881227@163.com cntopshoes@gmail.com support@wwcbag.shop sales@wwcbag.shop
		support@wwcbag.shop cntopshoes@gmail.com sales@wwcbag.shop
15	zvldbagg.shop	support@zvldbagg.shop worldsroderickthiyiqph@gmail.com sales@zvldbagg.shop
16	ffluxury.top	djteknoservice@gmail.com service@luxurydpt.com
17	getjewelrys.com	maryjohna@hotmail.com kerytony88@gmail.com
18	gilltime.com	vipwatchesreplica@hotmail.com
19	goodv-jewellery.store	support@goodv-jewelry.com info@roejewels.com business@goodv-jewelry.com WhatsApp: +852 5108 3462
19	goodv-jewellery.com	chenglizhu95@gmail.com info@roejewels.com info@rosetomorrow.com WhatsApp: + 852 6337 7012
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22	supermanluxury.com	dx18605886632@163.com Andrewchun69@gmail.com WhatsApp: +86 190 1281 5052
23	kohvjewelry.com	support@kohvjewelry.com
24	marielco.com	support@marielco.com
25	mqs2.shop	mqbee88@gmail.com
25	sdyy.shop	mqbee88@gmail.com
26	primetickers.com	contact@primetickers.com 3CF0EA2B6C524D4A9787E74AC513B837.PROTECT@WITHHELDFORPRIVACY.COM
27	puhfjyhj.online	ieu9989@163.com
28	rariate.com	admin@elttes.com PW- 50A9F0166DEF5832FC2841216DCBBCA9@PRIVACYGUARDIAN.ORG
29	replicabest.store	Service via Registrar
30	repicaluxuryshop.com	contact@repicaluxuryshop.com
31	repicawatch.shop	PankratzCooner445@gmail.com service@repicawatch.shop
32	repicawatchesworld.com	repicawatchesworldus.com@gmail.com 5C2360736F934E32BDADBC7C2EAD6CE6.PROTECT@WITHHELDFORPRIVACY.COM
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35	royal-jewelry.shop	Tongtaozhong@gmail.com info@royal-jewelrys.com support@charmaries.com WhatsApp: +852 4688 3784
36	shoppingservices.top	support@shoppingserv.com
36	us.watchswiss.top	support@shoppingserv.com
37	storeluxury.top	linhuodan@yeah.net us@onlinshoppingservices.com
38	superreplica.shop	support@superreplica.shop
39	swisswatchesf.com	info@sportsservir.com PW- 5F897A95B33D888339F8C2484FCDC731@PRIVACY GUARDIAN.ORG
39	watchesdd.com	info@sportsservir.com PW- CCB114C5EA35472289F6CA71DE275D8D@PRIVACY GUARDIAN.ORG
40	tickunique.is	vinking-wiio@outlook.com cstickunique@gmail.com WhatsApp: +44 7355 236610
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