

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 25-21134-CIV-RUIZ**

RICHEMONT INTERNATIONAL SA,

Plaintiff,

vs.

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

Defendants.

PLAINTIFF'S MOTION TO FILE UNDER SEAL

Pursuant to Local Rule 5.4(b)(1), Plaintiff, Richemont International SA ("Plaintiff"), by and through its undersigned counsel, submits this Motion to File Under Seal. Plaintiff seeks an Order allowing Plaintiff to file under seal Schedule "A" to Plaintiff's Complaint, which identifies the Defendants and their associated e-commerce stores.

Good cause exists for the foregoing order. Plaintiff has learned that Defendants are engaged in the promotion, advertisement, distribution, offering for sale, and sale of goods bearing and/or using counterfeits and confusingly similar imitations of Plaintiff's registered trademarks within this district, without authorization, through various Internet based e-commerce stores. Defendants' counterfeiting and infringing activities are causing irreparable injury to Plaintiff and causing an overall degradation of the reputation and goodwill associated with Plaintiff's brand. Accordingly, Plaintiff is seeking *ex parte* relief in this action.

Temporarily sealing this portion of the court file will prevent Defendants from prematurely receiving notice of Plaintiff's investigation into the operation of their unlawful businesses. In light of the illicit nature of the counterfeiting business and the ability of counterfeiters to practically

eliminate their evidentiary trails by conducting their business entirely over the Internet, Plaintiff has good reason to believe that providing advance notification of Plaintiff's claims would cause Defendants to quickly transfer the registrations for the e-commerce store names or modify registration data and content, change hosts, redirect traffic to other e-commerce store names, hide or transfer their inventory and related records beyond the jurisdiction of this Court and thereby thwart the Court's ability to grant meaningful relief. See Dell Inc. v. BelgiumDomains, LLC, Case No. 07-22674, 2007 U.S. Dist. LEXIS 98676, at *19 (S.D. Fla. Nov. 21, 2007) (granting motion to seal where the defendants, who operate their counterfeiting business electronically, "will likely destroy evidence or move it out of the jurisdiction" if provided with advance notice of the plaintiff's filings). As Defendants engage in unlawful trademark counterfeiting activities, Plaintiff has no reason to believe Defendants will adhere to the authority of this Court any more than they have adhered to federal trademark law.

Plaintiff requests that Schedule "A" to Plaintiff's Complaint remain under seal until the Court has the opportunity to rule on Plaintiff's request for temporary *ex parte* relief.¹ At that time, Plaintiff will make all pleadings and orders filed in this matter available to Defendants and will enter Defendants' names into the Court's CM/ECF system.

Dated: March 11, 2025.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **Stephen M. Gaffigan**

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¹ Plaintiff's request for temporary *ex parte* relief will include a request that the Court unseal all docket entries upon ruling on Plaintiff's request for temporary *ex parte* relief.

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