

**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.

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**DECLARATION OF EMMA-JANE TRITTON IN SUPPORT OF  
PLAINTIFF’S *EX PARTE* APPLICATION FOR ENTRY OF  
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, Emma-Jane Tritton, declare and state as follows:

1. I am over 18 years of age and have personal knowledge of the facts set forth herein.

I submit this declaration in support of Plaintiff’s *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction (the “Application for Temporary Restraining Order”) against Defendants, the Individuals, Business Entities, and Unincorporated Associations Identified on Schedule “A” attached hereto (“Defendants”). If called as a witness, I could and would testify competently to the following facts set forth below.

2. I am employed by Richemont International Limited in the Intellectual Property Department as Lead Counsel, Anti-Counterfeiting and Brand Protection. I have been employed by Richemont International Limited since 2013. Richemont International Limited is an affiliate of Compagnie Financière Richemont SA. Plaintiff, Richemont International SA (“Plaintiff”), is a subsidiary of Compagnie Financière Richemont SA, which is one of the world’s leading luxury goods groups.

3. In my capacity as Lead Counsel, Anti-Counterfeiting and Brand Protection in Richemont International Limited's Intellectual Property Department, I coordinate intellectual property matters and help manage Plaintiff's anti-counterfeiting efforts in North America. As a result, I am fully familiar with most aspects of the manufacture, sale, and distribution of genuine versions of Plaintiff's products, and I have been trained to identify the distinctions between genuine merchandise and counterfeit copies of the same.

4. Richemont International Limited's Intellectual Property Department uses Corsearch Inc.'s ("Corsearch") services to analyze and review products bearing and/or using Plaintiff's trademarks offered for sale by Defendants. Corsearch acts under my direct supervision and control. Corsearch's reviewing representatives have been fully trained by Richemont International Limited about the manufacture, sale, and distribution of genuine versions of Plaintiff's products, and have the ability to distinguish between genuine merchandise and counterfeit copies of the same.

#### **PLAINTIFF'S TRADEMARK RIGHTS**


5. Plaintiff, Richemont International SA, is a public limited company organized and existing under the laws of Switzerland, having its principal place of business at 10 Route des Biches, Villars-sur-Glane, Fribourg, Switzerland. Plaintiff's Maisons include, *inter alia*, Cartier and IWC Schaffhausen.

6. Plaintiff is the owner of all rights, title, and interest in and to the Cartier and IWC Schaffhausen trademarks identified below, which are valid and registered on the Principal Register of the United States Patent and Trademark Office ("Plaintiff's Marks"):

### Cartier Trademarks

Registered Trademark	Registration Number	Registration Date	Class/Goods
CARTIER	0,411,239	January 9, 1945	IC 014 - Precious-Metal Ware-namely, the following articles made, in whole or in part, of Precious Metals or Plated With the Same; Jewel Boxes, Fobs, Bracelets, Watch Bracelets And Buckles Therefore, not including Watches, Cuff Links, Brooches, Earrings, Eyeglass Cases, Cigarette Lighters, Ash Trays, Envelope Openers, Wallets, Money Clips, Perfume Bottles, Desk Sets, Handbags, Key Chains, Finger Rings.
<i>Cartier</i>	0,411,240	January 9, 1945	IC 014 - Articles of Jewelry for Personal Wear and for Precious-Metal Ware-Namely, the Following Articles Made, in Whole or in Part, of Precious Metals or Plated with the Same-- viz, Jewel Boxes, Fobs, Bracelets, Watch Bracelets and Buckles Therefor, Not Including Watches, Cuff Links, Brooches, Earrings, Eyeglass Cases, Cigarette Lighters, Ash Trays, Envelope Openers, Wallets, Money Clips, Perfume Bottles, Desk Sets, Handbags, Key Chains, Finger Rings
CARTIER	0,759,201	October 29, 1963	IC 014 - Watches and Clocks
TANK	1,006,321	March 11, 1975	IC 014 - Watches
SANTOS	1,344,284	June 25, 1985	IC 014 - Watches
BALLON BLEU	3,476,888	July 29, 2008	IC 014 - Watches, Chronometers, Clocks
<i>Cartier</i>	4,178,047	July 24, 2012	IC 014 - Jewelry and watches

**IWC Schaffhausen Trademarks**

<b>Trademark</b>	<b>Registration Number</b>	<b>Registration Date</b>	<b>Class / Goods</b>
IWC	1,205,403	August 17, 1982	IC 014 - Watches
PORTOFINO	1,846,680	July 26, 1994	IC 014 – Watches and parts therefore
	4,270,382	January 8, 2013	IC 014 - Watches, chronometers, clocks; straps for wristwatches, boxes of precious metal for watches and all the aforementioned goods from Switzerland
IWC	4,322,600	April 23, 2013	IC 014 - Watches, chronometers, clocks, watch bands, boxes of precious metal for watches
PORTUGIESER	4,412,785	October 8, 2013	IC 014 - Watches, chronometers, clocks, watch straps, watch bracelets, and boxes of precious metals for watches

Plaintiff's Marks are used in connection with the manufacture and distribution of high-quality goods in the categories identified above. True and correct copies of the Certificates of Registration for Plaintiff's Marks are attached to the Complaint as Composite Exhibit "1."

7. For many years, Plaintiff has used Plaintiff's Marks in connection with the marketing and sale of Plaintiff's high-quality products in the United States and worldwide.

8. Genuine products are marketed and sold throughout the United States and worldwide at Plaintiff's boutiques, at prestigious retailers, and via the Internet on its own websites. During the time that Plaintiff's products have been sold in interstate commerce under Plaintiff's Marks, Plaintiff has spent millions of dollars to extensively advertise and promote its products and the associated trademarks. In the last five years alone, Plaintiff has experienced substantial sales of its high-quality luxury goods.

9. As a result of the foregoing, Plaintiff's Marks have acquired fame in the consumer market for a wide variety of products. Plaintiff's Marks are among the most widely recognized trademarks in the United States, and the trademarks have achieved secondary meaning as an identifier of high-quality goods. Plaintiff's Marks have come to symbolize the enormous goodwill of Plaintiff's products throughout the United States and the world. Plaintiff's Marks have never been abandoned. Plaintiff actively polices and enforces its trademark rights.

10. Plaintiff's Marks are vital to Plaintiff's business, as the Marks represent a significant value to the company and its associated image. Plaintiff suffers irreparable harm to its goodwill, as well as a direct monetary loss, any time any third parties, including the Defendants, sell counterfeit and infringing products bearing and/or using identical or substantially similar trademarks.

#### **Investigation of Defendants' Counterfeiting Activities**

11. Plaintiff learned Defendants are promoting, advertising, offering for sale and/or selling various products bearing and/or using counterfeit and infringing trademarks that are exact copies of one or more of Plaintiff's Marks, without 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"). Defendants do not have, nor have they ever had, the right or authority to use Plaintiff's Marks for any purpose. Further, Plaintiff's Marks have never been assigned or licensed to be used in connection with any of the E-commerce Store Names.

12. Prior to filing this Declaration, under my direct supervision, Corsearch's reviewing representatives reviewed the various products bearing and/or using Plaintiff's Marks offered for sale by Defendants via the Internet based e-commerce stores operating under each of the E-commerce Store Names, and determined the products were non-genuine, unauthorized versions of

Plaintiff's branded products. (See Declaration of Stephen M. Gaffigan in Support of Plaintiff's Application for Temporary Restraining Order ¶ 2 and Composite Exhibit "1" attached thereto.) Corsearch's reviewing representatives reached this conclusion through their observations of the pricing, which is far below the prices of Plaintiff's genuine products of similar style and design. Corsearch's reviewing representatives also observed certain product and marking characteristics which are not consistent with Plaintiff's genuine products. Further, Corsearch's reviewing representatives noted disclaimers on many of Defendants' websites in which they expressly acknowledge the Plaintiff's branded goods sold thereon are "replica." Moreover, I personally know Plaintiff does not conduct business with Defendants or their e-commerce stores, nor have the Plaintiff's Marks ever been assigned or licensed to be used by Defendants or the Internet based e-commerce stores operating under the E-commerce Store Names.

13. In view of the foregoing, I can confirm the products Defendants are offering for sale and/or promoting under Plaintiff's Marks via the E-commerce Store Names are non-genuine, unauthorized versions of Plaintiff's products. Additionally, I can confirm Defendants do not have authorization to use Plaintiff's Marks or name in connection with any of the E-commerce Store Names.

#### **Harm Caused To Plaintiff By Defendants' Activities**

14. Plaintiff's genuine branded goods are widely and legitimately advertised, promoted, offered for sale, and discussed by Plaintiff, its authorized distributors, and unrelated third parties via the Internet.

15. Visibility on the Internet, particularly via Internet search and social media platforms, is important to Plaintiff's overall marketing and consumer education efforts. Thus, Plaintiff expends significant monetary and other resources on Internet marketing and consumer

education regarding its products, including search engine optimization, search engine marketing, and social media strategies, which allow Plaintiff and its authorized retailers to educate consumers fairly and legitimately about the value associated with Plaintiff's brand and the goods sold thereunder and the problems associated with the counterfeiting of Plaintiff's trademarks.

16. Plaintiff also expends significant monetary resources in connection with trademark enforcement efforts, including global law enforcement training, legal fees, and investigative fees.

17. Each individual counterfeiter's actions, alone, cause Plaintiff irreparable harm. However, the sheer number of counterfeit e-commerce store operators act as a force multiplier of those individual harms and create a massive single reputation harm to Plaintiff. Plaintiff faces significant economic and logistical challenges in enforcing its trademark rights against each online store individually. Single defendant enforcement in the face of the overwhelming infringement points of sale made possible by the unregulated and anonymous nature of the Internet is wholly ineffective and does not remedy the actual harm to Plaintiff caused by the crushing weight of all of Defendants' simultaneous counterfeiting.

18. During its investigations, Plaintiff has repeatedly found that the anonymity and mass reach afforded by the Internet serves to create nearly impenetrable obstacles in identifying the full extent and scope of targeted counterfeiting operations. Online counterfeiters, such as those in this case, typically use false or concealed identifying information in their e-commerce store registrations and on their e-commerce stores themselves, false or concealed Internet Protocol ("IP") addresses to conceal their true location, and inaccurate or unrelated origination information for logistics and freight forwarding services. Most often, online sellers set up multiple storefronts which appear unrelated to evade detection or complete closure of their entire operation once they are detected. Plaintiffs, such as Plaintiff herein, have no way of determining those connections pre-

enforcement and very little chance of receiving any meaningful discovery to assist in that task post-enforcement. In fact, Plaintiff can typically only determine the actual relationships between Defendants when they appear through counsel and identify all of the stores in a particular group for the purpose of resolution.

19. Additionally, even after detection, online counterfeiters often simply set up shop elsewhere quickly and easily, before Plaintiff's enforcement efforts, including litigation, are complete. The quick moving nature of online counterfeiting allows Defendants to quickly set up and dump payment accounts and e-commerce stores, leaving Plaintiff with no recourse for the damage done in the time that would be eaten up by filing individual lawsuits. Without permissive joinder, in the end, Plaintiff would be left filing large numbers of lawsuits often against the same sellers over and over without ever obtaining any meaningful relief.

20. Plaintiff regularly sees repeat offenders in unrelated matters or multiple e-commerce stores operated by the same individuals or organizations, creating an elaborate game of "whack-a-mole." Given the ease for counterfeiters to create an e-commerce store template, those individuals or organizations can quickly and easily use that template to set up infinite storefronts without the time and investment Plaintiff puts into developing and marketing its products. Defendants, in cases such as this, simply steal the latest designs, slap together a storefront, and begin competing *en masse* with Plaintiff on its own products across dozens of e-commerce stores.

21. Despite utmost difficulty to specifically identify active, concerted relationships between the Defendants herein, Plaintiff readily sees and suffers from the combined harm caused by the Defendants' concurrent counterfeiting activities. Successfully addressing the common harm caused by the Defendants necessitates Plaintiff grouping concurrently acting Defendants together



to obtain any reasonable relief and prevent the drowning out of Plaintiff's legitimate online product information and sales.

22. By benefiting from advertising and market targeting strategies based upon an unlawful use of Plaintiff's Marks online, Defendants are jointly obliterating the otherwise open and available marketplace space in which Plaintiff has the right to fairly market its goods and associated message. Specifically, Defendants use unauthorized counterfeits of Plaintiff's trademarks to make their e-commerce stores appear more relevant and attractive to consumers searching for Plaintiff's goods and information online. Such concurrent wrongful use of Plaintiff's trademarks directly impairs Plaintiff's ability to compete for visibility on the World Wide Web, including within search engine results space and across social media platforms.

23. The combined force of Defendants' unlawful actions are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiff's genuine goods. Defendants are causing individual, concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff of its right to fairly compete for space online and within search engine results and reducing the visibility of Plaintiff's genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with Plaintiff's Marks by viewing inferior products in either the pre or post sale setting, and/or, (iii) increasing Plaintiff's overall cost to market its goods and educate consumers about its brand via the Internet.

24. As a result of the availability of the non-genuine versions of Plaintiff's branded goods being offered for sale by Defendants, Plaintiff is highly likely to experience irreparable damage to its reputation among consumers absent the entry of an appropriate injunction.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct. Executed on: 2025-03-10 in London, England.

*Emma-Jane Tritton*

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Emma-Jane Tritton

**SCHEDULE “A”**  
**DEFENDANTS BY NUMBER AND E-COMMERCE STORE NAME**

<b>Defendant Number</b>	<b>Defendant / E-commerce Store Name</b>
1	allswisswatchs.com
1	allwatchesen.com
1	bestwatchss.com
1	swissrepicass.com
1	swisswatchesale.com
2	any-replica-watches.com
2	arwwatchpro.com
3	bestcartierrep.com
4	bestfakejewelry.com
4	luxuryjewelrywarehouse.com
5	buywatchesindubai.com
5	replicawatchesinuae.com
5	superclonewatchesdubai.com
6	chreplica.is
6	clean-factory.is
7	clonewatch.is
8	dubai-watchesuae.com
9	hagobuy.ru
10	geektime.watch
11	getwatches.ru
12	giftwatchesboutique.in
13	goldluxurys.com
14	hellorolex.watch
15	hontwatch-replica.si
16	hotwatchsreplica.com
16	replicawatchshop.cc
17	intime06.co
18	iwatchclone.co
19	luxe-us.com
20	myswissclones.com
20	super-clones.com
20	swissauth.com
20	swissclones.com
21	perfectrepwatches.com
22	relojesreplicastarlujos.com

23	replicaorologi.co
24	replicawatchescheap.com
24	reptime.us
25	replicawatchesusa.com
25	royal-watches-pakistan.com.pk
25	Royalwatchespakistan.com.pk
25	timezone.com.pk
26	replicawatchtr.com
27	rolexreplica.design
28	ukwatches.io
28	ukshop.io
29	watchcopiesale.co
30	18kcoraljewelry.com