

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-CV-21134-RAR

RICHEMONT INTERNATIONAL SA,

Plaintiff,

v.

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

Defendants.

/

**ORDER GRANTING PLAINTIFF’S *EX PARTE*
APPLICATION FOR ENTRY OF TEMPORARY RESTRAINING ORDER
AND SETTING HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

THIS CAUSE comes before the Court upon Plaintiff, Richemont International SA’s, *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction (“Application”), [ECF No. 8], against various Defendants¹ under 15 U.S.C. § 1116, Federal Rule of Civil Procedure 65, 28 U.S.C. § 1651(a), and the Court’s inherent authority, for alleged violations of the Lanham Act, 15 U.S.C. §§ 1114 and 1125(a). As explained below, Plaintiff has satisfied the requirements for the issuance of a temporary restraining order.

FACTUAL BACKGROUND²

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 (collectively, the “Plaintiff’s

¹ Defendants are the Individuals, Business Entities, and Unincorporated Associations identified on Schedule “A” hereto.


² The factual background is taken from Plaintiff’s Complaint [ECF No. 1], Plaintiff’s Application for Temporary Restraining Order, [ECF No. 8], and supporting evidentiary submissions. Plaintiff also attached declarations and exhibits in support of its Application for Temporary Restraining Order, [ECF Nos. 8-1 through 8-4].

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

Trademark	Registration Number	Registration Date	Class / Goods
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

See Decl. of Emma-Jane Tritton (“Tritton Decl.”), [ECF No. 8-1] at ¶¶ 5–6. The Plaintiff’s Marks are used in connection with the manufacture and distribution of high-quality goods in the categories identified above. *See id.*

Defendants, by operating Internet based e-commerce stores under the seller names identified on Schedule “A” hereto (the “E-commerce Store Names”), have advertised, promoted, offered for sale, or sold goods bearing and/or using what Plaintiff has determined to be counterfeits, infringements, reproductions and/or colorable imitations of the Plaintiff’s Marks. *See* Tritton Decl. ¶¶ 4, 11–13; Decl. of Stephen M. Gaffigan (“Gaffigan Decl.”), [ECF No. 8-2] ¶ 2; Gaffigan Decl. Comp. Ex. 1, [ECF Nos. 8-3, 8-4].

Although each Defendant may not copy and infringe each of Plaintiff’s Mark for each category of goods protected, Plaintiff has submitted sufficient evidence showing each Defendant

has infringed at least one or more of the Plaintiff's Marks. *See* Tritton Decl. ¶¶ 4, 11–13; Gaffigan Decl. ¶ 2; Comp. Ex. 1. Defendants are not now, nor have they ever been, authorized or licensed to use, reproduce, or make counterfeits, reproductions, and/or colorable imitations of the Plaintiff's Marks. *See* Tritton Decl. ¶¶ 11–13. Under the direct supervision of Plaintiffs' representative, Emma-Jane Tritton, Corsearch Inc.'s reviewing representatives reviewed and visually inspected the various items bearing and/or using Plaintiff's Marks offered for sale by Defendants via the Internet based e-commerce stores operating under the E-commerce Store Names and determined the products were non-genuine, unauthorized versions of Plaintiff's branded products. *See* Tritton Decl. ¶¶ 4, 11–13.

LEGAL STANDARD

In order to obtain a temporary restraining order, 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. Sunrise Int'l. Trading Inc.*, 51 F.3d 982, 985 (11th Cir. 1995) (applying the test to a preliminary injunction in a Lanham Act case). Additionally, a court may only issue a temporary restraining order without notice to the adverse party or its attorney if:

- (A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition [and]
- (B) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.

Fed. R. Civ. P. 65(b)(1). *Ex parte* temporary restraining orders “should be restricted to serving their underlying purpose of preserving the status quo and preventing irreparable harm just so long

as is necessary to hold a hearing, and no longer.” *Granny Goose Foods, Inc. v. Bhd. of Teamsters & Auto Truck Drivers Local No. 70 of Alameda Cnty*, 415 U.S. 423, 439 (1974).

ANALYSIS

The declarations Plaintiff submitted in support of its Application for Temporary Restraining Order support the following conclusions of law:

A. Plaintiff has a strong probability of proving at trial that consumers are likely to be confused by Defendants’ advertisement, promotion, sale, offer for sale, and/or distribution of goods bearing and/or using counterfeits, reproductions, or colorable imitations of the Plaintiff’s Marks, and that the products Defendants are selling and promoting for sale are copies of Plaintiff’s products that bear and/or use copies of the Plaintiff’s Marks.

B. Because of the infringement of the Plaintiff’s Marks, Plaintiff is likely to suffer immediate and irreparable injury if a temporary restraining order is not granted. It appears from the following specific facts, as set forth in Plaintiff’s Complaint, Application for Temporary Restraining Order, and accompanying declarations on file, that immediate and irreparable loss, damage, and injury will result to Plaintiff and to consumers before Defendants can be heard in opposition unless Plaintiff’s request for *ex parte* relief is granted:

1. Defendants own or control commercial Internet based e-commerce stores operating under their seller names which advertise, promote, offer for sale, and sell products bearing and/or using counterfeit and infringing trademarks in violation of Plaintiff’s rights;

2. There is good cause to believe that more counterfeit and infringing products bearing and/or using 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 Plaintiff may suffer loss of sales for its genuine products; and

3. There is good cause to believe that if Plaintiff puts Defendants on notice of this Application for Temporary Restraining Order, Defendants can easily and quickly transfer the registrations for many of the E-commerce Store Names, or modify registration data and content, change hosts, and redirect consumer traffic to other e-commerce store names, thereby thwarting Plaintiff's ability to obtain meaningful relief.

C. The potential harm to Defendants in restraining their trade in counterfeit and infringing branded goods if a temporary restraining order is issued is far outweighed by the potential harm to Plaintiff, its reputation, and its goodwill as a manufacturer and distributor of quality products, if such relief is not issued.

D. The public interest favors issuance of the temporary restraining order to protect Plaintiff's trademark interests and protect the public from being defrauded by the palming off of counterfeit goods as Plaintiff's genuine goods.

CONCLUSION

For the foregoing reasons, it is hereby

ORDERED AND ADJUDGED that pursuant to 15 U.S.C. § 1116, Federal Rule of Civil Procedure 65, 28 U.S.C. § 1651(a), and the Court's inherent authority, Plaintiff's Application for Temporary Restraining Order [ECF No. 8], is **GRANTED**. A temporary restraining order is entered as follows:

(1) Each Defendant, 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 temporarily restrained:

- a. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing and/or using the

Plaintiff's Marks, or any confusingly similar trademarks, other than those actually manufactured or distributed by 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 Plaintiff's Marks, or any confusingly similar trademarks; or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing and/or using the Plaintiff's Marks, or any confusingly similar trademarks.

(2) Each Defendant, 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 the use of the Plaintiff's Marks or any confusingly similar trademarks, on or in connection with all 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 Defendant, 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 the use of the Plaintiff's Marks, or any confusingly similar trademarks 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 from any other form of use of such terms that are visible to a computer user or serves to direct computer searches to e-commerce stores registered, owned, or operated by any Defendant, including the e-commerce stores operating under the E-commerce Store Names.

(4) Each Defendant shall not transfer ownership of the E-commerce Store Names during the pendency of this action, or until further Order of the Court.

(5) Each Defendant shall 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.

(6) Upon 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 Plaintiff the true identities and contact information of those registrants.

(7) Upon entry of this Order, Plaintiff shall provide a copy of the Order by e-mail to the registrar of record for each of the E-commerce Store Names. Upon receipt of the Order, the registrar of record for each of the E-commerce Store Names shall immediately lock each of the E-commerce Store Names; and shall provide notice of the locking of the e-commerce store name to the registrant of record. After providing such notice to the registrars so the e-commerce store names may be locked, Plaintiff shall also provide notice and a copy of this Order to the registrant for each E-commerce Store Name via e-mail to the e-mail address provided as part of the domain registration data for each of the E-commerce Store Names identified in the Application for Temporary Restraining Order. If an e-mail address was not provided as part of the domain registration data for an E-commerce Store Name, Plaintiff shall provide notice and a copy of this Order to the operators of the Internet based e-commerce stores via an onsite e-mail address and/or online contact form provided on the e-commerce stores operating under the E-commerce Store Names. Forty-eight (48) hours after e-mailing this Order to the registrars of record and the

registrants, Plaintiff shall provide a copy of this Order to the registrars and the registries for the E-commerce Store Names for the purposes described in Paragraph 8, below.

(8) The registrars for the E-commerce Store Names shall immediately assist in changing the registrar of record for the E-commerce Store Names to a holding account with a registrar of Plaintiff's choosing (the "New Registrar"), excepting any such e-commerce store names which such registrars have been notified in writing by Plaintiff have been or will be dismissed from this action, or as to which Plaintiff has withdrawn its request to immediately transfer such e-commerce store names. To the extent the registrars do not assist in changing the registrars of record for the e-commerce store names under their respective control within one (1) business day of receipt of this Order, the top-level domain (TLD) registries for the E-commerce Store Names or their administrators, including backend registry operators or administrators, within five (5) business days of receipt of this Order, shall change, or assist in changing, the registrar of record for the E-commerce Store Names to a holding account with the New Registrar, excepting any such e-commerce store names which such registries have been notified in writing by Plaintiff have been or will be dismissed from this action or as to which Plaintiff has withdrawn its request to immediately transfer such e-commerce store names. Upon the change of the registrar of record for the E-commerce Store Names, the New Registrar will maintain access to the E-commerce Store Names in trust for the Court during the pendency of this action. Additionally, the New Registrar shall immediately institute a temporary 302 domain name redirection which will automatically redirect any visitor to the E-commerce Store Names to the following Uniform Resource Locator ("URL") <http://servingnotice.com/Rsf5ca/index.html> whereon copies of the Complaint, this Order, and all other documents on file in this action shall be displayed. Alternatively, the New Registrar may update the Domain Name System ("DNS") data it maintains for the E-commerce Store

Names, which link the e-commerce store names to the IP addresses where their associated websites are hosted, to 45.63.17.51, which will cause the e-commerce store names to resolve to the website where copies of the Complaint, this Order, and all other documents on file in this action shall be displayed. After the New Registrar has effected this change, the E-commerce Store Names shall be placed on lock status by the New Registrar, preventing the modification or deletion of the domains by the New Registrar or Defendants.

(9) This Order shall apply to the E-commerce Store Names, associated e-commerce stores, and any other e-commerce store names which are being used by Defendants for the purpose of counterfeiting Plaintiff's Marks at issue in this action and/or unfairly competing with 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 Plaintiff has withdrawn its request for a temporary restraining order.

(11) This Order shall remain in effect until the date for the hearing on the Motion for Preliminary Injunction set forth below, or until such further dates as set by the Court or stipulated to by the parties.

(12) Under 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), Plaintiff shall post a bond in the amount of \$10,000.00 by _____, **2025**, as payment of damages to which 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.

(13) A telephonic hearing is set before this Court on _____, **2025**, at ____:____.M., at which time Defendants and/or any other affected persons may challenge the appropriateness of this Order and move to dissolve the same and at which time the Court will hear

argument on Plaintiff's requested preliminary injunction. **The parties are instructed to call (833) 568-8864 by no later than __:___.M. on _____, 2025. The phone conference ID is 161 447 5225# and the passcode is 550308. The Court requires that the parties appear via a landline (i.e., not a cellular phone or a speaker phone), if possible, for clarity.**

(14) Plaintiff shall serve a copy of the Complaint, Application for Temporary Restraining Order, and this Order on each Defendant by e-mail via their corresponding e-mail address and/or online contact provided on the e-commerce stores operating under the respective E-commerce Store Names, or by providing a copy of this Order by e-mail to the registrar of record for each of the E-commerce Store Names so that they, in turn, notify each Defendant of the Order, or by other means reasonably calculated to give notice which is permitted by the Court. In addition, Plaintiff shall post copies of the Complaint, Application for Temporary Restraining Order, and this Order, as well as all other documents filed in this action on the website located at <http://servingnotice.com/Rsf5ca/index.html> and shall provide the address to the website to Defendants via e-mail/online contact form, and such notice so given shall be deemed good and sufficient service thereof. Plaintiff shall continue to provide notice of these proceedings and copies of the documents on file in this matter to Defendants by regularly updating the website located at <http://servingnotice.com/Rsf5ca/index.html> or by other means reasonably calculated to give notice which is permitted by the Court.

(15) Any response or opposition to Plaintiff's Motion for Preliminary Injunction must be filed and served on Plaintiff's counsel forty-eight (48) hours prior to the hearing. Plaintiff shall file any Reply Memorandum twenty-four (24) hours prior to the hearing. The above dates may be revised upon stipulation by all parties and approval of this Court. Defendants are hereby on notice that failure to appear at the hearing may result in the imposition of a preliminary injunction against

them pursuant to 15 U.S.C. § 1116(d), Fed. R. Civ. P. 65, The All Writs Act, 28 U.S.C. § 1651(a), and this Court's inherent authority.

(16) The Court will consider Plaintiff's request for a preliminary injunction after notice has been provided to Defendants. *See* Fed. R. Civ. P. 65(a)(1) ("The court may issue a preliminary injunction only on notice to the adverse party.").

(17) The Clerk of Court is hereby directed to unseal all docket entries in this case and return those portions of the Court file to the public records.

DONE AND ORDERED in Miami, Florida, this ____ day of _____, 2025.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

SCHEDULE “A”
DEFENDANTS BY NUMBER, E-COMMERCE STORE NAME,
AND E-MAIL ADDRESSES

Defendant Number	Defendant / E-commerce Store Name	E-Mail Addresses
1	allswisswatchs.com	watchesc@outlook.com 2010watches@gmail.com
1	allwatchesen.com	2010watches@gmail.com
1	bestwatchss.com	watchesc@outlook.com
1	swissrepicass.com	2010watches@gmail.com
1	swisswatchesale.com	2010watches@gmail.com
2	any-replica-watches.com	anyreplicawatches@gmail.com Chrisanyreplicawatches@gmail.com Order@any-replica-watches.com
2	arwwatchpro.com	anyreplicawatches@gmail.com Chrisanyreplicawatches@gmail.com
3	bestcartierrep.com	bestcartierrep@gmail.com hello@unitedluxuryshop.com
4	bestfakejewelry.com	bestfakejewelry@gmail.com
4	luxuryjewelrywarehouse.com	replicajewelry98@gmail.com
5	buywatchesindubai.com	watchesindubai@gmail.com
5	replicawatchesinuae.com	watchesindubai@gmail.com
5	superclonewatchesdubai.com	watchesindubai@gmail.com
6	chreplica.is	chstore269@gmail.com
6	clean-factory.is	chstore269@gmail.com
7	clonewatch.is	contact@clonewatch.io
8	dubai-watchesuae.com	contact@dubai-watchesuae.com PW- F8E41551A887EB740C2AEE9048841C7B@PRI VACYGUARDIAN.ORG
9	hagobuy.ru	
10	geektime.watch	geektimewatch@outlook.com
11	getwatches.ru	kerytony88@gmail.com
12	giftwatchesboutique.in	Sales@giftwatchesboutique.in
13	goldluxurys.com	watchgood@gmail.com info@goldluxurys.com
14	hellorolex.watch	sales@HelloRolex.com hellorolex@gmail.com hellook_sally@hotmail.com yuansunet@gmail.com

15	hontwatch-replica.si	oskarjohnatan54@gmail.com
16	hotwatchsreplica.com	salesreplicas@gmail.com
16	replicawatchshop.cc	salesreplicas@gmail.com
17	intime06.co	
18	iwatchclone.co	watchesppaservice@gmail.com
19	luxe-us.com	support@luxe-us.com
20	myswissclones.com	swisseta43@gmail.com
20	super-clones.com	swisseta43@gmail.com SUPER-CLONES.COM@WIX- DOMAINS.COM
20	swissauth.com	info@swissclones.com swisseta43@gmail.com SWISSAUTH.COM@WIX-DOMAINS.COM
20	swissclones.com	swisseta43@wixsiteautomations.com info@swissclones.com swisseta43@gmail.com
21	perfectrepwatches.com	info@perfectrepwatches.com 607D412D4ED1B7B05F30C43340E21AF2- 38626461@CONTACT.GANDI.NET
22	relojesreplicastarlujos.com	luxurys.club1@gmail.com relojesstarlujos@gmail.com 2508030trabajosstarlujos@gmail.com
23	replicaorologi.co	noobfactory@protonmail.ch
24	replicawatchescheap.com	Watchonlinestore1988@gmail.com carloasmatrix@gmail.com
24	reptime.us	watchonlinestore1988@gmail.com VATIFENS9@GMAIL.COM
25	replicawatchesusa.com	ReplicaWatches333@hotmail.com info@Royalwatchespakistan.com.pk info@Bob-Watches.com
25	royal-watches-pakistan.com.pk	info@Royalwatchespakistan.com.pk
25	Royalwatchespakistan.com.pk	
25	timezone.com.pk	info@TimeZone.com.pk
26	replicawatchtr.com	
27	rolexreplica.design	orders@rolexreplica.design
28	ukwatches.io	
28	ukshop.io	
29	watchcopiesale.co	popreplicaservice@gmail.com

30	18kcoraljewelry.com	coralperfect@gmail.com PW- 566B00F8A6987DB564DC9152F80FADC9@PR IVACYGUARDIAN.ORG
----	---------------------	---