

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 25-cv-21814-JB

TIFFANY (NJ) LLC,

Plaintiff,

v.

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

Defendants.

/

**ORDER GRANTING PLAINTIFF'S MOTION TO AMEND
DEFAULT FINAL JUDGMENT**

THIS CAUSE is before the Court on Plaintiff's Motion to Amend Default Final Judgment and Permanent Injunction to Include Additional E-commerce Store Names Operated By Defendant Number 9 (the "Motion" or "Motion to Amend"). ECF No. [63]. The Court has carefully considered the Motion, ECF No. [63], and is otherwise fully advised in the premises.

On October 6, 2025, Plaintiff filed its Motion for Entry of Default Final Judgment Against Defendants, the Individuals, Business Entities, or Unincorporated Associations identified on Schedule "A" thereto ("Defendants") for failure to appear, answer or otherwise plead to the complaint filed herein within the time required. *See* ECF No. [51]. On October 22, 2025, the Court entered a Default Final Judgment and Permanent Injunction (the "Permanent Injunction"), ECF No. [55], which permanently enjoined Defendants from, *inter alia*, manufacturing or causing to be

manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods bearing and/or using Plaintiff's trademarks, or any confusingly similar trademarks, identified in Paragraph 15 of the Amended Complaint and from falsely representing themselves as being connected with Plaintiff through sponsorship or association. The Permanent Injunction was served upon Defendants by e-mail and website posting on October 23, 2025. *See* ECF Nos. [61]; [62].

After the entry of the Court's Permanent Injunction, Plaintiff learned Defendant Number 9 - eliesa.shop a/k/a rosemarymenard.com a/k/a shop.gorchic.com (the "Noncomplying Defendant") continued to wrongfully use Plaintiff's trademarks through newly discovered alias e-commerce store names identified on Schedule "A" to Plaintiff's instant Motion, ECF No. [63] at ¶¶ 3-6, in violation of the Court's Permanent Injunction.


A Court that issues a permanent injunction retains continuing jurisdiction to modify it whenever the principles of equity require it to do so. Permanent injunctions may be modified to impose more stringent requirements to ensure the original purposes of the injunction are met. *Exxon Corp. v. Texas Motor Exchange of Houston, Inc.*, 628 F.2d 500, 503 (5th Cir. 1980). If the relief originally ordered has not produced the intended result, the Court "should modify the decree so as to achieve the required result with all appropriate expedition." *United States v. United Shoe Machinery Corp.*, 391 U.S. 244, 252, 88 S. Ct. 1496, 7401 (1968). Modification of an injunction is particularly appropriate where, as here, the defendant has acted to frustrate the

purpose of the original injunction. *See Philip Morris USA, Inc. v. Otamedia Ltd.*, 331 F. Supp. 2d 228 (S.D.N.Y. 2004) (amending permanent injunction).

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

1. Plaintiff's Motion to Amend, ECF No. [63], is **GRANTED**.
2. In accordance with Federal Rule of Civil Procedure 58, a separate amended final judgment will be entered.
3. Plaintiff is ordered to serve a copy of this Order upon the Noncomplying Defendant by providing the address to Plaintiff's designated serving notice website to the Noncomplying Defendant's e-mail addresses provided by the Noncomplying Defendant as part of the data related to its e-commerce store, including customer service e-mail addresses and/or onsite contact forms, or via the registrar of record for each of the e-commerce stores; and by publicly posting a true and accurate copy of the foregoing on Plaintiff's designated serving notice website appearing at <http://servingnotice.com/TH8uE5/index.html>.

DONE AND ORDERED in Miami, Florida this 4th day of June, 2026.



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE