

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

CASE NO. 22-CV-62000-RAR

**FEDERATION OF THE SWISS
WATCH INDUSTRY FH, *et al.*,**

Plaintiffs,

v.

BESTINTIMES.ME, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFFS' *EX PARTE*
APPLICATION FOR ENTRY OF TEMPORARY RESTRAINING ORDER
AND SETTING HEARING ON MOTION FOR PRELIMINARY INJUNCTION**

THIS CAUSE comes before the Court upon Plaintiffs' *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction [ECF No. 5] ("Application for Temporary Restraining Order") against various Defendants¹ under 15 U.S.C. § 1116, Federal Rule of Civil Procedure 65, 28 U.S.C. section 1651(a), and this Court's inherent authority, for alleged violations of the Lanham Act, 15 U.S.C. §§ 1114, 1125(a), and 1125(d). As explained below, Plaintiffs have satisfied the requirements for the issuance of a temporary restraining order.

BACKGROUND²

The Federation of the Swiss Watch Industry FH is the owner of the following certification trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the "Swiss Marks"):


¹ Defendants are the Individuals, Business Entities, or Unincorporated Associations identified on Schedule "A" hereto.

² The factual background is taken from Plaintiffs' Complaint [ECF No. 1], Plaintiffs' Application for

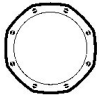

Trademark	Registration Number	Registration Date	Class / Goods
SWISS MADE	3,038,819	January 10, 2006	IC A. Horological and chronometric instruments, namely, watches, clocks and their component parts and fittings thereof.
SWISS	3,047,277	January 24, 2006	IC A. Horological and chronometric instruments, namely, watches, clocks and their component parts and fittings thereof

See Decl. of David Luther (“Luther Decl.”) [ECF No. 5-2] ¶ 5. The Swiss Marks are used in connection with watches and other horological instruments of Swiss origin. *See id.*

Audemars Piguet Holding SA is the owner of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Audemars Piguet Marks”):

Trademark	Registration Number	Registration Date	Class / Goods
AUDEMARS PIGUET	913,296	June 8, 1971	IC 014.Watch straps, and jewelry.
Royal Oak	965,112	July 31, 1973	IC 014. Watches and clocks and parts thereof.
AUDEMARS PIGUET	1,591,934	April 17, 1990	IC 014. Watches, clocks, stop watches, time recorders, chronometers, chronographs, watch movements, and parts of all the foregoing.
	2,866,069	July 27, 2004	IC 014. Watches, wristwatches, [chronometers,] chronographs for use as watches, watch faces and cases, all the aforesaid goods being of Swiss origin.
AP AUDEMARS PIGUET	2,873,707	August 17, 2004	IC 014. Namely, watch cases, watch bands, watches, wristwatches.



Temporary Restraining Order [ECF No. 5] and supporting evidentiary submissions. Plaintiffs also attached declarations and exhibits in support of their Application for Temporary Restraining Order [ECF Nos. 5-2 through 5-4].

ROYAL OAK	2,885,834	September 21, 2004	IC 014. Watch cases, watch bands, watches, wristwatches.
	3,480,826	May 20, 2008	IC 014. Cuff links, pendants; jewelry, bijouterie, timepieces, namely, watches, watch making materials, namely, alarm clocks, chronographs for use as timepieces and watches, dials for clock-and-watch making, boxes, caskets and cases for timepieces and jewelry.
AP	3,696,017	October 13, 2009	IC 014. Timepieces, namely, watches, wristwatches, clocks, chronographs for use as watches, watch straps; clock dials, watch cases.
	4,683,263	February 10, 2015	IC 014. Precious metals and alloys thereof and goods made of precious metals or coated therewith, namely, cufflinks, pendants, watches, alarm clocks, chronographs for use as timepieces and watches, dials for clock-and-watch making, boxes, caskets and cases for timepieces and jewelry, key rings of precious metal; jewelry; precious stones; timepieces and chronometric instruments.
AUDEMARS PIGUET	4,865,091	December 8, 2015	IC 014. Jewelry, timepieces and chronometric instruments.

See Luther Decl. ¶ 15. The Audemars Piguet Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*


Breitling SA and Breitling U.S.A. Inc. are the owners of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Breitling Marks”):


Trademark	Registration Number	Registration Date	Class / Relevant Goods
NAVITIMER	1,923,563	October 3, 1995	IC 014. Watches, clocks, and parts thereof [; jewelry; and precious gemstones].

 BREITLING	2,352,162	May 23, 2000	IC 014. Horological instruments and chronometrical instruments, namely, watches, wrist-watches, straps for wrist-watches and watchcases, travel clocks, clocks, chronographs, chronometers.
AVENGER	2,572,724	May 28, 2002	IC 014. Horological instruments and chronometrical instruments, namely, watches, wrist-watches, [straps for wrist-watches, watchcases,] clocks and parts thereof, chronographs for use as watches and chronometers.
BREITLING	2,964,474	July 5, 2005	IC 014. Horological instruments and chronometrical instruments, namely, watches, wrist-watches straps for wrist-watches, watchcases, clocks, chronographs, chronometers, and parts thereof.
	3,377,049	February 5, 2008	IC 014. Timepieces and chronometric instruments, namely, watches, watchbands, chronometers, chronographs for use as watches.

See Luther Decl. ¶ 25. The Breitling Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*



Hublot SA, Genève is the owner of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Hublot Marks”):




Trademark	Registration Number	Registration Date	Class / Goods
 HUBLOT	1,222,529	January 4, 1983	IC 014. Watches and Clocks and Parts Therefor; Chronometers; Chronographs; Costume Jewelry and Jewelry Made Wholly or in Part of Precious Metals.

BIG BANG	3,149,003	September 26, 2006	IC 014: Timepieces and chronometric instruments and parts thereof namely watch cases, watch bands, watches used as chronographs, watches used as chronoscopes, chronometers, watches, wristwatches, dress watches, diving watches, movements for clocks and watches, movements for watches.
	3,715,561	November 24, 2009	IC 014: Jewelry; horological and chronometric instruments, namely, watches, wristwatches, watchbands, watch cases, dials, clocks, wall clocks, chronometers, chronographs.

See Luther Decl. ¶ 35. The Hublot Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*


Omega SA is the owner of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Omega Marks”):

Trademark	Registration Number	Registration Date	Class / Goods
 OMEGA	25,036	July 24, 1894	IC 014. Watch movements and watch cases.
SEAMASTER	556,602	March 25, 1952	IC 014. Watches, watch parts and watch movements.
OMEGA	566,370	November 4, 1952	IC 014. Watches and parts thereof.
 OMEGA	578,041	July 28, 1953	IC 014. Watches (including pocket watches, wrist watches with or without straps, bands or bracelets, pendant watches, calendar watches, and stopwatches) either stem-wind or automatic; clocks; chronometers, chronographs, and parts for all of the foregoing.
SPEEDMASTER	672,487	January 13, 1959	IC 014. Watches and clocks.

	734,891	July 24, 1962	IC 014. Timepieces and parts thereof.
CONSTELLATION	1,223,349	January 11, 1983	IC 014. Watches and parts thereof.
 OMEGA	1,290,661	August 21, 1984	IC 014. Watch Cases [, Watch Chains, and Watch Stands Sold as a Unit with Watches].
DE VILLE	1,309,929	December 18, 1984	IC 014. Watches, Wrist Watches, Portfolio Watches, Pendant Watches, and Miniature Clocks; and Parts Thereof.
PLANET OCEAN	3,085,659	April 25, 2006	IC 014. Watches and watch parts.
SEAMASTER	3,640,080	June 16, 2009	IC 014. Jewelry, [precious stones;] horological and chronometrical instruments.
AQUA TERRA	4,299,644	March 12, 2013	IC 014. Watches, watch straps, watch bracelets and parts thereof, chronometers, chronographs for use as watches, watches made of precious metals, watches partly or entirely set with precious stones.
CO-AXIAL	4,442,192	December 3, 2013	IC 014. Horological and chronometric instruments.
DARK SIDE OF THE MOON	4,735,993	May 12, 2015	IC 014. Horological and chronometric instruments.
 OMEGA	5,094,915	December 6, 2016	IC 014. Horological and chronometric instruments and parts for the aforesaid goods; accessories namely, watch chains, presentation cases for watches and cases for watches.
CO-AXIAL MASTER CHRONOMETER	5,266,563	August 15, 2017	IC 014. horological and chronometric instruments.

See Luther Decl. ¶ 45. The Omega Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*

Patek Philippe SA Geneve and Henri Stern Watch Agency, Inc. are the owners of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Patek Philippe Marks”):

Trademark	Registration Number	Registration Date	Class / Goods
PATEK PHILIPPE	520,291	January 24, 1950	IC 014. Watches.
PATEK PHILIPPE	764,655	February 11, 1964	IC 014. Leather Straps for Wrist Watches
AQUANAUT	2,804,346	January 13, 2004	IC 014. [Precious metals and their alloys;] goods formed of precious metals or coated with precious metals, namely, watches, wristwatches, watch cases, watch bands, watch straps, [bracelets, cuff links and necklaces; jewelry, precious stones, namely, diamonds and gemstones;] horological and chronometric instruments, namely, watches, wristwatches, clocks and chronometers.
	5,019,815	August 16, 2016	IC 014. Mechanical and electronic timepieces and spare parts therefor; electronic and mechanical pendulum clocks and small clocks and spare parts for the same; master clocks, secondary clocks; clocks and watches and spare parts therefor; cases and dials for watches and small clocks; stands and holders for small clocks; watch chains, watch straps, watch cases, watch clasps; jewelry; cuff links; precious stones.


See Luther Decl. ¶ 55. The Patek Philippe Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*

Turlen Holding SA is the owner of the following trademark, which is valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Richard Mille Mark”):

Trademark	Registration Number	Registration Date	Class / Goods
RICHARD MILLE	3,117,381	July 18, 2006	IC 014. Horological and chronometric instruments

See Luther Decl. ¶ 65. The Richard Mille Mark is used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*

LVMH Swiss Manufactures SA is the owner of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office (the “Tag Heuer Marks”):

Trademark	Registration Number	Registration Date	Class / Relevant Goods
FORMULA 1	1,435,463	April 7, 1987	IC 014. Mechanical watches, and their constituent parts.
	1,471,988	January 12, 1988	IC 014. Clocks, watches and parts thereof.
TAG HEUER	2,281,436	September 28, 1999	IC 014. Clocks, watches and parts thereof.
AQUARACER	3,046,300	January 17, 2006	IC 014. Jewelry, precious stones; timepieces and chronometric instruments, namely watches, watchbands, chronometers, chronographs for use as watches, clocks.
TAG	4,868,760	December 15, 2015	IC 014. Timepieces and chronometric instruments.
TAG HEUER	5,202,283	May 16, 2017	IC 014. Jewelry; precious stones; horological instruments, namely, watches, wristwatches, and constitutive parts therefor; alarm clocks, clocks and other chronometric instruments, chronometers, chronographs as watches, chronometric apparatus for sports timing, chronometric apparatus for measuring and marking the time; watch bands, watch chains, watch springs, watch dials or watch glasses, watch winders, watch cases being parts of watches, cases and boxes adapted for holding watches; precious metals and their alloys; jewelry

			<p>cases; boxes of precious metal; key rings, trinkets or fobs of precious metals; cuff links; bracelets; rings; medals; watches that also have a function of transmitting and/or receiving data to and/or from personal digital assistants, tablets, smart phones and personal computers through internet websites and other computer and electronic communication networks; watches containing an electronic game function, watches incorporating a telecommunication function; leather boxes adapted for holding watches.</p> <p>IC 035. Retail store services and online retail store services featuring cosmetics, hair care and skin care preparations, perfumes, shaving preparations, toiletries, smartwatches, computers, tablet computers, computer hardware, computer software, computer peripherals, telephones, mobile electronic devices, health, fitness and exercise sensors, monitors and displays, computer gaming machines and electronic games, and accessories for computers, telephones, and mobile electronic devices, sunglasses, spectacles, optical lenses and glasses, spectacle cases, jewelry and precious stones, watches, clocks, chronometric instruments, accessories for watches and chronometric instruments, leather goods, leatherware, bags, briefcases, luggage, wallets, purses, umbrellas, clothing, footwear, and headgear; public relations; advertising services for luxury products, namely, cosmetics, perfumes, optical goods, telephones, wearable electronic devices, jewelry, horological products, watches, connected watches, smartwatches, luggage, leatherware, bags, clothing, clothing accessories; business management and organization consultancy in the field of luxury goods.</p>
	5,314,173	August 8, 2017	<p>IC 014. Jewelry; precious stones; horological instruments, namely, watches, wristwatches, and constitutive parts therefor; alarm clocks, clocks and other chronometric instruments, chronometers, chronographs as watches, chronometric apparatus for sports timing, chronometric apparatus for measuring and marking the time; watch bands, watch chains, watch springs, watch dials or watch glasses, watch winders, watch cases being parts of watches, cases and boxes adapted for holding</p>

			<p>watches; precious metals and their alloys; jewelry cases; boxes of precious metal; key rings trinkets or fobs of precious metals; cuff links; bracelets; rings; medals; watches that also have a function of transmitting and/or receiving data to and/or from personal digital assistants, tablets, smart phones and personal computers through internet websites and other computer and electronic communication networks; watches containing an electronic game function, watches incorporating a telecommunication function; leather boxes adapted for holding watches.</p> <p>IC 035. Retail store services and online retail store services featuring cosmetics, hair care and skin care preparations, perfumes, shaving preparations, toiletries, smartwatches, computers, tablet computers, computer hardware, computer software, computer peripherals, telephones, mobile electronic devices, health, fitness and exercise sensors, monitors and displays, computer gaming machines and electronic games, and accessories for computers, telephones, and mobile electronic devices, sunglasses, spectacles, optical lenses and glasses, spectacle cases, jewelry and precious stones, watches, clocks, chronometric instruments, accessories for watches and chronometric instruments, leather goods, leatherware, bags, briefcases, luggage, wallets, purses, umbrellas, clothing, footwear, and headgear; public relations; advertising services for luxury products, namely, cosmetics, perfumes, optical goods, telephones, wearable electronic devices, jewelry, horological products, watches, connected watches, smartwatches, luggage, leatherware, bags, clothing, clothing accessories; business management and organization consultancy in the field of luxury goods.</p>
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See Luther Decl. ¶ 75. The Tag Heuer Marks are used in connection with the manufacture and distribution of high-quality watches and other horological instruments. *See id.*

Defendants, by operating interactive, commercial Internet websites under their domain names identified on Schedule “A” (“Subject Domain Names”),³ offered for sale or sold goods bearing and/or using what Plaintiffs have determined to be counterfeits, infringements, reproductions, or colorable imitations of the Swiss Marks, Audemars Piguet Marks, Breitling Marks, Hublot Marks, Omega Marks, Patek Philippe Marks, Richard Mille Mark, and Tag Heuer Marks (collectively “Plaintiffs’ Marks”). *See* Luther Decl. ¶¶ 85–87; Gigante Decl. ¶ 2.

Although each Defendant may not copy and infringe each Plaintiffs’ Mark for each category of goods protected, Plaintiffs have submitted sufficient evidence showing that each Defendant has infringed, at least, one or more of Plaintiffs’ Marks. *See* Luther Decl. ¶¶ 86–87. Defendants are not now, nor have they ever been, authorized or licensed to use, reproduce, or make counterfeits, reproductions, or colorable imitations of Plaintiffs’ Marks. *See* Luther Decl. ¶ 86. Plaintiffs’ representative reviewed and visually inspected the various items bearing Plaintiffs’ trademarks offered for sale by Defendants through the Internet websites operating under the Subject Domain Names and determined the products were non-genuine, unauthorized versions of Plaintiffs’ products and do not comply with the certification standards for use of the Swiss Marks. *See* Luther Decl. ¶¶ 86–87.

³ Some Defendants use their Subject Domain Names to act as supporting domain names to direct traffic to their fully interactive, commercial websites operating under other Subject Domain Names, from which consumers can complete purchases. *See* Decl. of Virgilio Gigante [ECF No. 5-3] ¶ 2, n.1. Some of the supporting domain names, when accessed directly, appear to be blog style or non-operating websites; however, when visited from a search engine such as Google, visitors are redirected to the fully interactive websites operating under other Subject Domain Names. *Id.* Other supporting domain names either automatically redirect and forward to a fully interactive, commercial Internet website operating under one of the Subject Domain Names or redirect a consumer to a fully interactive, commercial Internet website operating under one of the Subject Domain Names upon clicking a product or link on the website. *Id.* Accordingly, the redirecting websites are identified as such in Schedule “A.” *Id.*

LEGAL STANDARD

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 issue a temporary restraining order without notice to the adverse party or its attorney only 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 Cty.*, 415 U.S. 423, 439 (1974).

ANALYSIS

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

A. Plaintiffs have a strong probability of proving at trial that consumers are likely to be confused by Defendants’ advertisement, promotion, sale, offer for sale, or distribution of goods bearing and/or using counterfeits, reproductions, or colorable imitations of Plaintiffs’ Marks, and

that the products Defendants are selling and promoting for sale are copies of Plaintiffs' branded products that use copies of Plaintiffs' Marks.

B. Because of the infringement of Plaintiffs' Marks, Plaintiffs are 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 Plaintiffs' Complaint, Application for Temporary Restraining Order, and accompanying declarations on file, that immediate and irreparable loss, damage, and injury will result to Plaintiffs and to consumers before Defendants can be heard in opposition unless Plaintiffs' request for *ex parte* relief is granted:

1. Defendants own or control commercial Internet websites operating under their domain names that advertise, promote, offer for sale, and sell products bearing and/or using counterfeit and infringing trademarks in violation of Plaintiffs' rights;

2. There is good cause to believe that more counterfeit and infringing products bearing and/or using Plaintiffs' trademarks will appear in the marketplace; that consumers are likely to be misled, confused, or disappointed by the quality, origin, and certification of these products; and that Plaintiffs may suffer loss of sales for their genuine products and an unnatural erosion of the legitimate marketplace for genuine products bearing Plaintiffs' Marks in which they operate; and

3. There is good cause to believe that if Plaintiffs proceed on notice to Defendants of this Application for Temporary Restraining Order, Defendants can easily and quickly transfer the registrations for many of the Subject Domain Names, or modify domain

registration data and content, change hosts, and redirect consumer traffic to other websites, thereby thwarting Plaintiffs' ability to obtain meaningful relief.

C. The balance of potential harm to Defendants in restraining their trade in counterfeit and infringing branded goods if a temporary restraining order is issued is outweighed by the potential harm to Plaintiffs, their reputations, and their goodwill as manufacturers, distributors, or licensors of quality products if such relief is not issued.

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

CONCLUSION

For the foregoing reasons, it is hereby

ORDERED AND ADJUDGED that that pursuant to 15 U.S.C. section 1116, Federal Rule of Civil Procedure 65, 28 U.S.C. section 1651(a), and this Court's inherent authority, Plaintiffs' Application for Temporary Restraining Order [ECF No. 5] 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 Plaintiffs' Marks, or any confusingly similar trademarks, other than those actually manufactured, distributed, or certified by Plaintiffs; and

- b. From secreting, concealing, destroying, selling off, transferring, or otherwise disposing of: (i) any products, not manufactured, distributed, or certified by Plaintiffs, bearing and/or using Plaintiffs' Marks, or any confusingly similar trademarks; or (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, transfer, or certification of any products bearing and/or using Plaintiffs' 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 Plaintiffs' Marks, or any confusingly similar trademarks, on or in connection with all Internet websites and domain names owned and operated, or controlled by them, including the Internet websites operating under the Subject Domain 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 Plaintiffs' 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 any other form of use of such terms that are visible to a computer user or serves to direct computer searches to Internet websites registered, owned, or operated by each Defendant, including the Internet websites operating under the Subject Domain Names.

(4) Each Defendant shall not transfer ownership of the Internet websites operating under the Subject Domain 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 Internet websites operating under the Subject Domain Names and shall take all steps necessary to retrieve computer files relating to the use of the Internet websites operating under the Subject Domain Names that may have been deleted before the entry of this Order.

(6) Upon Plaintiffs' request, the privacy protection service for any of the Subject Domain Names for which the registrant uses such privacy protection service to conceal the registrant's identity and contact information is ordered to disclose to Plaintiffs the true identities and contact information of those registrants.

(7) Upon entry of this Order, Plaintiffs shall provide a copy of the Order by e-mail to the registrar of record for each of the Subject Domain Names. Upon receipt of the Order, the registrar of record for each of the Subject Domain Names shall immediately lock each of the Subject Domain Names; shall notify each registrant of record of the Order; and shall provide notice of the locking of the domain name to the registrant of record. After providing such notice to the registrars so the domain names may be locked, Plaintiffs shall also provide notice and a copy of this Order to the registrant for each Subject Domain Name via e-mail to the e-mail address provided as part of the domain registration data for each of the Subject Domain 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 a Subject Domain Name, Plaintiffs shall provide notice and a copy of this Order to the operators of the Internet websites via an onsite e-mail address and/or online contact form provided on the Internet websites operating under such Subject Domain Names. Forty-eight (48) hours after e-mailing this Order to the registrars of record and the registrants, Plaintiffs shall provide a copy of this Order to the registrars and the registries for the Subject Domain Names for the purposes described in Paragraph 8, below.

(8) The domain name registrars for the Subject Domain Names shall immediately assist in changing the registrar of record for the Subject Domain Names to a holding account with a registrar of Plaintiffs' choosing ("New Registrar"), excepting any such domain names which such registrars have been notified in writing by Plaintiffs have been or will be dismissed from this action, or as to which Plaintiffs have withdrawn their request to immediately transfer such domain names. To the extent the registrars do not assist in changing the registrars of record for the domains under their respective control within one business day of receipt of this Order, the top-level domain ("TLD") registries for the Subject Domain Names or their administrators, including backend registry operators or administrators, within five business days of receipt of this Order, shall change, or assist in changing, the registrar of record for the Subject Domain Names to a holding account with the New Registrar, excepting any such domain names which such registries have been notified in writing by Plaintiffs have been or will be dismissed from this action or as to which Plaintiffs have withdrawn their request to immediately transfer such domain names. Upon the change of the registrar of record for the Subject Domain Names, the New Registrar will maintain access to the Subject Domain 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 that will automatically redirect any visitor to the Subject Domain Names to the Uniform Resource Locator ("URL") <http://servingnotice.com/WoS5n1/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 Subject Domain Names, which link the domain names to the IP addresses where their associated websites are hosted, to NS1.MEDIATEMPLE.NET and NS2.MEDIATEMPLE.NET, which will cause the domain 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 Subject Domain 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 Subject Domain Names, associated websites, and any other domain names or websites being used by Defendants for the purpose of counterfeiting Plaintiffs' Marks at issue in this action and/or unfairly competing with Plaintiffs.

(10) As a matter of law, this Order shall no longer apply to any Defendant or associated domain name dismissed from this action or as to which Plaintiffs have withdrawn their 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 by the parties.

(12) Under 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), Plaintiffs shall post a bond in the amount of \$10,000.00 by _____, 2022, 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 should an application be made in the interest of justice.

(13) A telephonic hearing is set before the Court on _____, 2022 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 Plaintiffs' requested preliminary injunction. **The parties are instructed to call 1-877-402-9753 by no later than __:__.M. on _____, 2022. The access code is 9372453, and the**

password is 0918. 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) Plaintiffs shall serve a copy of the Complaint, the Application for Temporary Restraining Order, and this Order on each Defendant via its corresponding e-mail/online contact form or other means of electronic contact provided on the Internet websites operating under the respective Subject Domain Names, or by providing a copy of this Order by e-mail to the registrar of record for each of the Subject Domain Names so that the registrar, in turn, notifies each Defendant of the Order, or by other means reasonably calculated to give notice that is permitted by the Court. In addition, Plaintiffs shall post a copy 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 URL <http://servingnotice.com/WoS5n1/index.html>, and shall provide the website address to Defendants via e-mail/online contact form, and such notice so given shall be deemed good and sufficient service thereof. Plaintiffs 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 URL <http://servingnotice.com/WoS5n1/index.html>, or by other means reasonably calculated to give notice that is permitted by the Court.

(15) Any response or opposition to Plaintiffs' Motion for Preliminary Injunction must be filed and served on Plaintiffs' counsel forty-eight (48) hours prior to the hearing. Plaintiffs 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 the 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 the Court's inherent authority.

(16) The Court will consider Plaintiffs' 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 is directed to **UNSEAL** all docket entries in this case.

(18) Under Federal Rule of Civil Procedure 65(b)(2), this Temporary Restraining Order expires at __:__.M. on _____, 2022, unless extended for good cause.

DONE AND ORDERED in Fort Lauderdale, Florida, this ____ day of _____, 2022.

RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

SCHEDULE “A”
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Subject Domain Name	Associated Redirect
1	bestintimes.me	
1	1-1clone.com	
1	aaa-replica.com	hellorolex.so
1	amazingwatches.org	
1	apwatch.net	
1	apwatchchat.com	bestintimes.me
1	apwatches.net	apwatch.net
1	bassreplica.com	
1	bestapwatch.com	
1	bestenuhren.net	replicauhrenat.com
1	bestenuhrens.com	replicauhrenat.com
1	bestintimes.com	bestintimes.me
1	bestreplica.org	timereps.org
1	cchopardtimes.com	
1	ccluxury.org	
1	chattimes.me	
1	chopardforum.com	cchopardtimes.com
1	cinwatches.me	rolexforsale.me
1	clocktowerss.com	kuvarsitshop.com
1	cloneppwatch.com	finetimepieces.net
1	cmblogwatch.net	pureintime.net
1	cuwatch.com	
1	dermowatch.org	
1	detimer.net	replicauhrenat.com
1	dreampanerai.com	holapanerai.me
1	emyoku.com	bassreplica.com
1	fakewatchesswiss.com	usreplicas.com
1	falsiorologi.it	
1	farleftwatch.org	bassreplica.com
1	finetimepieces.net	
1	gradeclonewatch.com	perfect-clones.com
1	gradeonewatch.com	
1	hbuyings.me	
1	hellointimes.com	rolexforsale.me
1	holopanerai.net	holapanerai.me

1	hellorolex.so	
1	hellorolexwatch.com	hellorolex.so
1	hellorollie.com	hellorolex.so
1	highreplicasshop.com	hellorolex.so
1	hireplica.com	ireplicas.com
1	holapanerai.me	
1	holatime.me	
1	hotreplicas.net	
1	innotizen.com	perfect-clones.com
1	ireplicas.com	
1	jfppwatch.com	pureintime.net
1	jfreplicawatch.com	ppfake.net
1	joinwatch.net	
1	juliuswatch.info	
1	king-watches.cn	
1	kuvarsitshop.com	
1	kuvarsitwatches.com	kuvarsitshop.com
1	linkpops.net	replicauhrenat.com
1	lreplica.com	ireplicas.com
1	luxurypaneraisale.com	hellorolex.so
1	magicrolex.com	finetimepieces.net
1	menwatchessell.com	bassreplica.com
1	mrepwatches.com	paywatches.net
1	multiluxury.com	bassreplica.com
1	nurrawatches.com	hellorolex.so
1	ok-replica.net	
1	okreplicaclock.com	tswatchesltd.com
1	okreplicawatch.com	pureintime.net
1	okrepliquemontre.com	
1	omegachat.me	
1	omegaforsale.me	king-watches.cn
1	omegasweden.org	paywatches.net
1	paybestwatch.net	paywatches.net
1	paywatches.me	paywatches.net
1	paywatches.net	
1	perfake.me	
1	perfect-clones.com	
1	pfcmarek.me	
1	popwatch.org	king-watches.cn
1	porwatch.com	paywatches.net

1	ppfake.net	
1	pureintime.net	
1	puretime03.me	
1	puretimes.me	
1	puretimeswatch.com	puretimes.me
1	replicachopard.com	cchopardtimes.com
1	replicaomegasale.com	zowatch.com
1	replicatopwatches.com	
1	replicauhrenat.com	
1	replica-watch.net	bassreplica.com
1	replicawatchonline.com	usreplicas.com
1	repswatch.org	hellorolex.so
1	rmclone.com	
1	rolexforreplica.com	
1	rolexforsale.me	
1	roowatch.com	zowatch.com
1	skytime.biz	
1	skytimepiece.com	winreplicas.com
1	skytimepiece.org	skytime.biz
1	swisspanerai.com	holapanerai.me
1	swisswatchessales.com	puretimes.me
1	swisswatchessite.com	hellorolex.so
1	tagsea.me	
1	timepiecebuy.org	
1	timereps.org	
1	topgradewatch.com	perfect-clones.com
1	toppuretime.com	puretimes.me
1	topswissclock.com	topwatchesstore.com
1	topwatchesstore.com	
1	topwatchshop.org	perfake.me
1	trustytime88.com	
1	trustytimewatch.com	
1	tswatches.me	tswatchesltd.com
1	tswatchesltd.com	
1	tswatchshop.com	tswatchesltd.com
1	tttime.co	
1	usjaeger.com	watchesclocks.me
1	usreplicas.com	
1	uswisssale.me	hellorolex.so
1	vreplicawatches.com	

1	vshublot.com	trustytime88.com
1	watchesclocks.me	
1	watchindiscount.com	bassreplica.com
1	watchpig.com	bassreplica.com
1	winreplicas.com	
1	ywatch.org	king-watches.cn
1	zowatch.com	
1	zowatch.me	zowatch.com
2	affactorywatches.com	
2	arfactory.com.cn	
2	arwatches.org	
2	bestreplicawatch.cn	
2	bestswiss.net	
2	bestwatchesrolex.com	
2	breitlingreplicawatch.com	
2	copypatekphilippe.com	
2	copyrolexdaytona.com	
2	discountwatches.cn	
2	fakepatekwatches.com	
2	fakewatchesrolex.com	
2	menswatches.com.cn	
2	newlongines.com	
2	omegashop.net.cn	
2	patek-philipe.com	
2	repicalongines.net	
2	repicapatekphilippe.com	
2	replicawatch.ac.cn	
2	replicawatchesmap.org	
2	watchesoutlet.com.cn	
3	omegafamily.co	
4	allswisswatch.eu	allswisswatch.is
4	allswisswatch.is	
4	elitereplicawatch.eu	elitereplicawatch.is
4	elitereplicawatch.is	
4	replicahaus.ca	
4	replicahause.com.au	
4	replicahause.fr	
4	replicahause.is	
4	shopreplica.eu	
4	thereplicahaus.es	

5	betterbuywatches.com	replicamagicwatch.to
5	betterbuywatches.me	replicamagicwatch.to
5	e-luxurywatches.com	replicamagicwatch.to
5	e-luxurywatches.me	replicamagicwatch.to
5	replicamagic.is	
5	replicamagicwatch.me	
5	replicamagicwatch.to	
5	suitewatches.com	replicamagicwatch.to
5	swissexpert.me	replicamagicwatch.to
5	swissexpert.net	replicamagicwatch.to
5	swissreplicas.to	
5	watchsourceguide.com	replicamagicwatch.to
6	luxurywatchreplica.com	
6	noobfactorywatch.com	
6	noobreplicawatches.com	
6	repicaluxurywatch.com	
6	repिकासale.online	
6	repिकासale.vip	
6	repicawatchprice.com	
6	swissclonewatch.com	
6	swissluxuryreplica.com	
6	swissreplicashop.com	
6	swisswatches.vip	
7	361watches.com	
8	aaareplicawatch.co	aaa-replicawatch.co
8	aaa-replicawatch.co	
9	affordablewatches.ru	
10	annashop.com.ua	
11	biao.sr	
12	avenwatchesalike.co	
13	bywatch.co	
14	chasy-vip.by	
15	chinanoobwatch.cx	
15	replicachinawatch.cc	
16	chinwatch.co	
17	choosepopwatches.co	
18	cheapestwrist.co	
18	cheapestwrist.com	cheapestwrist.co
18	chrono4usale.co	
18	chronosale.co	chrono4usale.co

18	highluxurystore.co	
19	classicwatchess.com	
20	clonesuperwatch.io	
20	clonesuperwatch.ru	clonesuperwatch.io
21	cloudwatches.co	
21	x-watch.co	x-watches.co
21	x-watches.co	
22	contests4moms.com	watchcopy.live
22	watchcopy.live	
23	copwatchalike.co	copywatchalike.is
23	copywatchalike.co	copywatchalike.is
23	copywatchalike.is	
24	dealerclocks.shop	
24	dealerclocks.to	
25	deuhr.de	
26	donghosieure.vn	
27	eta-uhren.de	
28	fakewatchesforsell.com	
28	salefakewatches.com	
29	frmontre.fr	
29	replicareloj.co	
29	rrwatch.co	
29	watchfeed.co	
30	frs.fo	
31	hahabags.ru	ihahabags.ru
31	ihahabags.ru	
32	hontwatch.ru	
33	intime05.co.uk	
34	intime06.co	
35	intimereplica.co	
36	intimewatch.net	
37	iwatchclone.co	
38	jemontres.co	
39	jtime.io	
40	luxurypurse.cn	
40	replicaswatches.co	
40	ukwatches.cn	
41	magazin1.replicano.org	
42	minutka.by	
43	montrereplique.co	

44	montresdeluxe.co	
45	mywatches.com.pk	
45	replicawatches.pk	
45	rshop.com.pk	
46	noobwristwatch.net	
47	onlinewatcha.com	
48	orologiit.it	
49	orologireplicablog.com	
50	oscarfreirerelojoaria.com.br	
51	otxwatches.net	
52	perfectreplicawatch.to	perfectreplicawatches.to
52	perfectreplicawatches.to	
53	pkwatchstore.com	
54	pro-watch.co	
54	relojline.co	
54	watch-demo.cc	
54	watchesgoing.co	pro-watch.co
55	relojesreplicas.es	
55	relojessuizosdelujo.com	
55	replicasrelojesbaratos.com	
55	replikuhrenshop.de	
56	replicamade.is	
57	replica-relojes.es	
57	replicas-relojs.es	
58	replicashop1.com.ua	
59	replicas-relojes.es	
60	replica-uhren-shop.cc	
61	replicawatchreport.co	replicawatchreports.co
61	replicawatchreports.co	
62	rolexwanduhr.de	
63	royalwatches.pk	
64	skywalt.com	
65	teatorivellino.it	
66	thefakewatches.com	
67	time-expert.com.ua	
68	trb88.club	
69	trustytimewatch88.io	
70	vipwatches.eu	
71	vogkopi.com	
72	vollmer-replica.com	

73	watchesi.co	
73	watchi.co	watchesi.co
74	watchesproduct.com	
74	watcheswork.com	
75	watchesyoga.io	
76	watchhutuk.com	
77	watch-paradise-1.ru	
77	watch-paradise-1.su	watch-paradise-1.ru
78	wristclone.ru	
79	yupoo.com.ru	yupoobrand.ru
79	yupoobrand.ru	