

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

CASE NO. 24-cv-23663-BLOOM/Elfenbein

GOYARD ST-HONORE,

Plaintiff,

v.

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

Defendants.

**ORDER GRANTING PLAINTIFF’S MOTION
FOR ENTRY OF PRELIMINARY INJUNCTION**


THIS CAUSE is before the Court upon Plaintiff’s Motion for Entry of a Preliminary Injunction (“Motion”), ECF No. [9]. The Court has carefully considered the Motion, the record in this case, the applicable law, and is otherwise fully advised.

Plaintiff, Goyard St. Honore (“Goyard” or “Plaintiff”), moved for entry of a preliminary injunction against Defendants¹ for alleged violations of the Lanham Act, 15 U.S.C. §§ 1114, and 1125(a) and (d). The Court held a hearing on October 11, 2024, which was attended by counsel for Plaintiff only. During the hearing, Plaintiff directed the Court to evidence supporting the Motion. None of the Defendants formally responded to the Motion, nor have they made any appearance or filing in this case, either individually or through counsel. Because Plaintiff has satisfied the requirements for the issuance of a preliminary injunction, the Court grants the Motion.



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

I. BACKGROUND²


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

Trademark	Registration Number	Registration Date	Class / Goods
	1,709,953	August 25, 1992	<p>IC 016 – Office requisites; namely, agendas and spare sheets therefor, repertories, desk pads, pen holders, stamp boxes for the storage of postage stamps, writing pads, address pads, pencil jars for desk use, ink wells, mail trays for desk use, note books, check cases and pen cases.</p> <p>IC 018 – Articles of fancy leather, leather, cloth and skin articles; namely, valises, travel trunks, cosmetic cases, travelling bags, handbags, brief cases, attache cases, brief case type document cases, toilet cases sold empty, makeup cases sold empty, sewing cases, wallets, hat boxes for travel, business card cases, key cases, drawstring pouches, garment bags for travel, necktie cases, jewel cases, umbrellas, saddle covers, cloth carriers, articles for dogs; namely, dog collars, dog leashes, dog clothes and carrying bags.</p>

² The factual background is taken from Plaintiff’s Amended Complaint, ECF No. [20], Plaintiff’s Motion, ECF No. [9], and supporting evidentiary submissions. Plaintiff filed declarations and exhibits annexed thereto in support of its Motion. The declarations are available in the docket at the following entries: Thierry Decl., ECF No. [9-1], Wiborg-Rodriguez Decl., ECF No. [9-2], and Burns Decl., ECF No. [9-3].

Trademark	Registration Number	Registration Date	Class / Goods
GOYARD	1,821,224	February 15, 1994	<p>IC 016 – Office requisites; namely, agendas, repertories, note books, check cases and pen cases.</p> <p>IC 018 – Articles of fancy leather, leather, cloth and skin articles; namely, valises, travel trunks, cosmetic cases sold empty, traveling bags, handbags, briefcases, attache cases, briefcase type document cases, toilet cases sold empty, make-up cases sold empty, wallets, hat boxes for travel, business card cases, key cases, draw string pouches, garment bags for travel, necktie cases, umbrellas, saddlebags, saddle covers, and articles for dogs; namely, dog collars, dog leashes, dog clothes and carrying bags.</p>
 (E. Goyard Honore Paris)	3,418,288	April 29, 2008	<p>IC 018 – Bags and traveling sets, namely, traveling bags; garment bags for travel; luggage trunks; valises, vanity cases sold empty, rucksacks, handbags, beach bags, school bags; suitcases, briefcases, pocket wallets, purses, not of precious metal, leather key cases; business card cases; umbrellas, parasols, walking sticks.</p>
	4,036,898	October 11, 2011	<p>IC 003 – Toilet soap; perfumes; eau de toilette and eau de cologne; cosmetic preparations; essential oils for personal use; cosmetic milks; lotions for face and body care; cosmetic creams; emulsions for cosmetic use; shampoos; gels to be used on the face and body for aesthetic purposes; deodorants for personal use.</p> <p>IC 009 – Spectacles; spectacle frames; sunglasses; spectacle cases; photographic apparatus, namely, cameras.</p> <p>IC 014 – Precious metals and their alloys, other than for dental use; goods</p>


Trademark	Registration Number	Registration Date	Class / Goods
			<p>made of precious metals and their alloys, other than for dental use, in the nature of jewelry, namely, rings, earrings, bracelets, charms, chains, watch chains, necklaces, pins, ornaments, fashion pins, ring bands; goods made of precious metals and their alloys, other than for dental use, namely, buckles of precious metal, hat ornaments of precious metal, jewellery cases of precious metal, jewellery caskets of precious metal; jewellery, precious stones, semi-precious stones, jewelry in the nature of pearls, horological and chronometric instruments; watches, watch straps, wristwatches; boxes for watches, jewelry boxes; cuff links.</p> <p>IC 018 – Goods of leather and imitations of leather, namely, travelling bags, travelling sets comprised of luggage, and garment bags for travel; trunks; suitcases; unfitted vanity cases; rucksacks; handbags; sports bags; beach bags; school bags; attaché cases; document cases; briefcases; school satchels; under-arm bags, namely, handbags; leather goods, namely, wallets, purses not of precious metal, leather key cases, card holders for wallets; umbrellas; parasols; sunshade parasols; walking sticks.</p> <p>IC 024 – Fabrics for textile use; textile goods, namely, bath linen not for clothing, household linen, bed linen, textile table linen, bathroom linen of textile, handkerchiefs of textile.</p> <p>IC 025 – Clothing for men, women and children, namely, dresses, skirts,</p>

Trademark	Registration Number	Registration Date	Class / Goods
			<p>petticoats, culottes, ladies' suits, trousers, shorts, Bermuda shorts, swimming drawers, shirts, ladies' shirts, blouses, tee-shirts, sweatshirts, waistcoats, jackets, cardigans, pullovers, sweaters, parkas, anoraks, coats, gaberdines, raincoats, furs, sashes for wear, shawls, scarf, gloves, neckties, belts, socks, stockings, tights, underwear, pajamas, dressing gowns, swimsuits, bath robes; footwear, except orthopedic footwear, namely, shoes, sandals, boots, half-boots, boot liners, slippers; hats, berets, caps.</p> <p>IC 028 – Games, namely, chess games; gymnastic and sporting articles not included in other classes, namely, baseball gloves, bats for games, boxing gloves, golf gloves, golf clubs, golf bags; decorations for Christmas trees.</p>
	5,532,309	August 7, 2018	<p>IC 009 – Spectacles, sunglasses, spectacle cases, spectacle frames, spectacle cords; protective cases for portable telephones, tablet computers, electronic diaries and computers; portable telephones shell cases, portable telephone straps; cases especially made for photographic apparatus and instruments; binoculars being optics; cases for binoculars; magnifying glasses being optics; cases for magnifying glasses; digital photo frames; blank USB flash drives; mouse pads; barometers; dog whistles, cases for dog whistles.</p> <p>IC 014 – Jewelry, namely, finger rings, key rings, earrings, cufflinks, cases for cuff links, bracelets, charms, brooches, jewelry chains, necklaces, presentation boxes for jewelry, ornaments being</p>

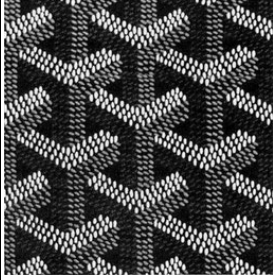
Trademark	Registration Number	Registration Date	Class / Goods
			<p>jewelry, medallions being jewelry, jewelry boxes; tie pins, tie clips; timepieces and chronometric apparatus and instruments, namely, watches, straps for wrist watches, presentation boxes for watches, cases being parts of watches, alarm clocks; boxes of precious metals, their alloys or coated therewith.</p> <p>IC 016 – Printed matter, namely, posters, photo albums, greeting cards, postcards; printed matter, namely, books, magazines, orientation manuals, photographs, periodicals in the field of leather goods, travel goods, leather accessories and bags, pet accessories, clothing and fashion accessories; checkbook holders; products made of cardboard or paper, namely, boxes of cardboard or paper, hat boxes of cardboard, bags being envelopes and pouches of cardboard or paper for packaging, paper table cloths, perfumed and non-perfumed drawer liners of paper, money clips, passport holders, table napkins of paper; office requisites excluding furniture, namely, diaries, stationery pads, notebooks, binders, cases for stamps, cases for stationery, paper knives, diary covers being stationery, letter trays, writing sets comprising inkstands and stationery, envelopes being stationery, shields being paper seals, writing paper, trays for sorting and counting money, document holders, paperweights, telephone indexes, desk pads, stamps, namely, sealing stamps; writing instruments, namely, pens, ball-point pens, propelling pencils, pencil holders, pencil cases.</p>

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Trademark	Registration Number	Registration Date	Class / Goods
			<p>IC 018 – Products made of leather or imitations of leather, namely, straps of leather, leather leashes, boxes of leather or imitation leather, wallets of leather or imitation leather, briefcases of leather; traveling trunks, traveling bags, leather traveling sets, namely, leather cases and pouch sets for travel, garment bags for travel; trunks, attache cases, suitcases; unfitted vanity cases, backpacks, handbags, beach bags, sports bags, bags for carrying animals, briefcases, purses, wallets, coin purses, key cases being leather products, card cases being wallets, credit card holders being wallets; umbrellas, umbrella sticks, walking sticks, walking stick seats, collars for animals, animal leashes; clutch bags.</p> <p>IC 024 – Fabrics and textile products, namely, textile wall hangings, household linen, bed linen, table linen of textile, bath linen except clothing, handkerchiefs of textile, covers for cushions, unfitted fabric chair covers, traveling rugs, lap robes.</p> <p>IC 025 – Clothing, namely, suspenders, belts being clothing, neckties, socks, shawls, sashes for wear, scarves, gloves, bathing suits, bath robes, pocket squares being clothing; footwear, namely, sandals, boots, slippers; headgear, namely, hats, berets, caps being headwear.</p>


Trademark	Registration Number	Registration Date	Class / Goods
 <p>The logo features the word "GOYARD" in a stylized, bold, sans-serif font. Below it, the word "PARIS" is written in a smaller, similar font. To the right of "PARIS", the word "HONORE" is written vertically in a smaller, similar font. The entire logo is enclosed in a circular border.</p>	5,742,053	May 07, 2019	<p>IC 009 – Spectacles; sunglasses; spectacle cases; spectacle frames; spectacle cords; protective cases for mobile telephones, tablets, electronic diaries and computers; mobile telephone shell cases; mobile telephone straps; cases especially made for photographic apparatus and instruments; binoculars; cases for binoculars; magnifying glasses; cases for magnifying glasses; digital photo frames; USB flash drives sold blank; mouse pads; barometers; dog whistles; cases for dog whistles</p> <p>IC 014 – Jewelry, namely, finger rings, key rings, earrings, bracelets, charms being jewelry, brooches, chains being jewelry, necklaces, presentation boxes for jewelry, ornaments of precious metal in the nature of jewelry, medallions; cuff links; cases for cuff links; jewelry boxes; tie pins; tie clips; time pieces; chronometric apparatus and instruments, namely, watches; watch bands; watch cases; presentation cases for watches; alarm clocks; boxes of precious metals, their alloys or coated therewith; all the aforesaid goods of French origin or made in France</p> <p>IC 016 – Printed matter, namely, posters, photograph albums, greeting cards, postcards; printed matter, namely, books, magazines, orientation manuals, periodicals all featuring fashion information relating to leather goods, travel products, leather accessories and bags, pet accessories, clothing and fashion accessories; photographs; checkbook holders; products made of cardboard or paper, namely, boxes of cardboard or paper, hat boxes of cardboard, bags being pouches of</p>

Trademark	Registration Number	Registration Date	Class / Goods
			<p>cardboard or paper for packing; paper table cloths; perfumed and non-perfumed drawer liners of paper; money clips; passport holders; table napkins of paper; office requisites, not being furniture, namely, diaries, stationery pads, notebooks, binders, cases for stamps, cases for stationery, paper knives, diary covers being stationery, letter trays, writing sets comprised of inkstands and stationery, envelopes being stationery, shields being paper seals, writing paper, trays for sorting and counting money, document holders, paper weights, telephone indexes, desk pads, stamps; writing instruments, namely, pens, ball-point pens, propelling pencils, pencil holders, pencil cases</p> <p>IC 018 – Products made of leather or imitations of leather, namely, straps in the nature of belts of leather, leather leashes, boxes of leather or imitation leather, wallets of leather or imitation leather, briefcases of leather; traveling trunks; traveling bags; travelling sets consisting of leather cases and pouch sets for travel; garment bags for travel; trunks; attaché cases, suitcases; vanity cases sold empty; backpacks; handbags; beach bags; sports bags; bags for carrying animals; briefcases; purses; wallets; coin purses; key cases of leather; card cases being wallets; credit card holders being wallets; umbrellas; umbrella sticks; walking sticks; walking stick seats; collars for animals; leashes for animals; clutch bags; all the aforesaid goods of French origin or made in France</p> <p>IC 024 – Fabrics and textile products, namely, textile wall hangings,</p>

Trademark	Registration Number	Registration Date	Class / Goods
			<p>household linen, bed linen, table linen of textile, bath linen not being clothing, handkerchiefs of textile, covers for cushions, unfitted chair covers not of paper, traveling rugs, lap robes</p> <p>IC 025 – Clothing, namely, suspenders, belts being clothing, neckties, socks, shawls, sashes for wear, scarves, gloves, bathing suits, bath robes, pocket squares; footwear, namely, sandals, boots, slippers; headgear, namely, hats, berets, caps being headwear; all the aforesaid goods of French origin or made in France</p>
	5,753,841	May 21, 2019	<p>IC 003 – Cosmetic kits comprised of non-medicated cosmetics, perfumes, eaux de toilette, scented linen waters, essential oils for personal use; fumigation products, namely, incenses; soaps, namely, skin soaps; cosmetic preparations for toilet use and beauty care, namely, cosmetic preparations for body care and skin care; shoe polish, creams for leather</p> <p>IC 009 – Spectacles; sunglasses; spectacle cases; spectacle frames; spectacle cords; protective cases for portable telephones, tablets, electronic diaries and computers; cases for portable telephones, portable telephone straps; cases especially made for photographic apparatus and instruments; binoculars; cases for binoculars; magnifying glasses; cases for magnifying glasses; digital photo frames; USB flash drives sold blank; mouse pads; barometers; dog whistles; cases for dog whistles</p>

Trademark	Registration Number	Registration Date	Class / Goods
			<p>IC 014 – Jewelry, namely, finger rings, key rings, earrings, cuff links, cases for cuff links, bracelets, charms, brooches, chains, necklaces, jewelry caskets, ornamental lapel pins, jewelry medallions; jewelry boxes; tie pins, tie clips; timepieces; chronometric instruments and apparatus, namely, watches, watchbands, cases for watches, alarm clocks; boxes of precious metals, their alloys or coated therewith</p> <p>IC 016 – Printed matter, namely, posters, photo albums, greeting cards, postcards; printed matter, namely, books, magazines, orientation manuals and periodicals in the field of leather goods, travel goods, leather accessories and bags, pet accessories, clothing and fashion accessories, photographs; checkbook holders; products made of cardboard or paper, namely, boxes of cardboard or paper, hat boxes of cardboard, bags, namely envelopes and pouches of cardboard or paper for merchandise packaging; paper table cloths; perfumed and non-perfumed drawer liners of paper; money clips; passport holders; table napkins of paper; office requisites, excluding furniture, namely, diaries, stationery writing pads, notebooks, binders, cases for stamps, cases for stationery, paper knives, covers for stationery diaries, letter trays, writing sets comprised of inkstands and stationery, stationery envelopes, shields being paper seals, writing paper, trays for sorting and counting money, document holders, paperweights, telephone indexes, desk pads, postage stamps; writing instruments, namely, pens, ball-point pens, propelling pencils, pencil holders, pencil cases</p>

Trademark	Registration Number	Registration Date	Class / Goods
			<p>IC 018 – Goods made of leather or imitations leather, namely, leather shoulder straps, leather cords; leather or imitation leather boxes; leather or imitation leather small handbags; leather briefcases; travel trunks; travel bags; leather cases and pouch sets for travel; garment bags for travel; travelling trunks, attaché cases, suitcases; vanity cases sold empty; backpacks; handbags; beach bags; sports bags; bags for carrying animals; briefcases; wallets; purses; coin purses; leather goods, namely, key cases; card holders in the nature of a wallet; credit card holders in the name of a wallet; umbrellas, umbrella sticks; walking sticks; walking stick seats; collars for animals; animal leashes; clutch bags</p> <p>IC 021 – Soap boxes; glass bottles sold empty; drinking bottles; bowls; tea sets, tea caddies, picnic baskets sold empty; shoe brushes; eyebrow brushes; toilet brushes; nail brushes</p> <p>IC 024 – Fabrics and textile products, namely, textile wall hangings, household linen, bed linen, textile table linen, bath linen, excluding clothing; textile handkerchiefs; covers for cushions; unfitted chair covers; travel blankets; lap robes</p> <p>IC 025 – Clothing, namely, suspenders, belts, neckties, socks, shawls, sashes for wear, scarves, gloves, bathing suits, bath robes, pocket squares; clothing, namely, footwear, sandals, boots, slippers; headwear, namely, hats, berets, caps</p> <p>IC 028 – Parlor games; toys for pets; playing cards; ornaments for Christmas</p>

Trademark	Registration Number	Registration Date	Class / Goods
			trees, except illumination articles and confectionery; golf bags with or without wheels; bags and covers for tennis rackets; covers for petanque balls
	6,641,574	February 15, 2022	<p>IC 009 – Spectacles, sunglasses, spectacle cases, spectacle frames, spectacle accessories namely spectacle cords; protective cases and accessories for mobile telephones, tablets, electronic agendas, and computers namely hand free mobile phone kits, mobile phone earphones, protective cases for mobile phone earphones, special holders for mobile phone, tablets and computers; portable telephones shell cases, portable telephone straps; cases especially made for photographic apparatus and instruments; binoculars used for optics, cases for binoculars; magnifying glasses used for optics, cases for magnifying glasses; digital photo frames; blank USB flash drives; mouse pads; barometers; dog whistles, cases for dog whistles</p> <p>IC 014 – Jewelry, namely, finger rings used as jewelry; key rings; earrings; cuff links; cases for cuff links; bracelets used as jewelry; charms; brooches; chains used as jewelry; necklaces; jewelry caskets; ornaments in the nature of jewelry; medallions in the nature of jewelry; jewelry boxes; tie pins; tie clips; timepieces; chronometric instruments and apparatus, namely, watches; watchbands; cases for watches; boxes for watches; alarm clocks; boxes of precious metals, their alloys or coated therewith</p> <p>IC 024 – Fabric and textile goods, namely, wall hangings of textile</p>

Trademark	Registration Number	Registration Date	Class / Goods
			materials; household linen; bed linen; table linen of textile materials; bath linen with the exception of clothing; beach towels; handkerchiefs of textile materials; cushion covers; unfitted fabric chair covers; traveling rugs; lap robes IC 025 – Clothing, namely, suspenders, belts being clothing, socks, neckties, shawls, long scarves, scarves, gloves, bathing suits, bathrobes, pocket squares being clothing; footwear being clothing, namely, sandals, boots, slippers; headwear, namely, hats, berets, caps
GOYARD	7,008,371	March 28, 2023	IC 009 – Spectacles, sunglasses, spectacle cases, spectacle frames, spectacle cords; protective cases for portable telephones, tablets, electronic diaries and computers; portable telephones shell cases, portable telephone straps; cases especially made for photographic apparatus and instruments; binoculars used for optics, cases for binoculars; magnifying glasses used for optics; cases for magnifying glasses; digital photo frames; blank USB flash drives; mouse pads; barometers; dog whistles, cases for dog whistles

See Decl. of Jean-Laurent Thierry (Thierry Decl.), ECF No. [9-1] ¶ 5; ECF No. [1-2] (containing Certificates of Registrations for the Goyard Marks at issue). The Goyard Marks are used in connection with the manufacture, promotion, distribution, and sale of high-quality goods in the categories identified above. *See* Thierry Decl., ECF No. [9-1] ¶¶ 4-5.

Defendants, by operating the Internet based e-commerce stores under the seller names (the “E-commerce Store Names”) identified on Schedule “A” 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 Goyard Marks. *See id.* ¶¶ 9-13; Decl. of T. Raquel Wiborg-Rodriguez (Wiborg-Rodriguez Decl.), ECF No. [9-2] ¶¶ 2-3; Decl. of Kathleen Burns (Burns Decl.), ECF No. [9-3] ¶ 4.

Although each Defendant may not copy and infringe each Goyard Mark for each category of goods protected, Plaintiff has submitted sufficient evidence showing that each Defendant has infringed at least one or more of the Goyard Marks. *See* Thierry Decl., ECF No. [9-1] ¶¶ 10-13. Defendants are not now, nor have they ever been, authorized or licensed to use, reproduce, or make counterfeits, reproductions, or colorable imitations of the Goyard Marks. *Id.* ¶¶ 9, 12-13.

Plaintiff's counsel retained Invisible Inc, a licensed private investigative firm ("Invisible"), to investigate the promotion and sale of counterfeit and infringing versions of Plaintiff's branded products by Defendants and to document the available payment account data for receipt of funds paid to Defendants for the sale of counterfeit versions of Plaintiff's branded products. *See* Thierry Decl., ECF No. [9-1] ¶ 10; Wiborg-Rodriguez Decl., ECF No. [9-2] ¶ 2; Burns Decl., ECF No. [9-3] ¶ 3.) Invisible accessed the Internet based e-commerce stores³ operating under Defendants' E-commerce Store Names, placed an order from each Defendant for the purchase of a product bearing and/or using counterfeits at least one of the Goyard Marks, and requested each product be shipped to the Southern District of Florida. *See* Burns Decl., ECF No. [9-3] ¶ 4 and ECF Nos. [9-4] – [9-6]. Each order was processed entirely online and following the submission of the orders, Invisible

³ Certain Defendants use their E-commerce Store Names in tandem with electronic communication via private messaging applications and/or services in order to complete their offer and sale of counterfeit and infringing versions of the Plaintiff's branded products. (Burns Decl., ECF No. [9-3] ¶ 4, n.1.)

documented information⁴ for finalizing payment⁵ for the various products ordered on each of the Defendants' e-commerce stores as identified on Schedule "A."⁶ *See id.* At the conclusion of the process, the detailed web page captures of the various products bearing and/or using the Goyard Marks offered for sale and ordered via Defendants' E-commerce Store Names were sent to Plaintiff's representative for inspection. *See* Thierry Decl., ECF No. [9-1] ¶¶ 11-12; Wiborg-Rodriguez Decl., ECF No. [9-2] ¶ 2; Burns Decl., ECF No. [9-3] ¶ 4.

Plaintiff's representative reviewed and visually inspected the detailed web page captures reflecting the products bearing and/or using the Goyard Marks offered for sale and ordered by Invisible and determined the products were non-genuine, unauthorized versions of Plaintiff's goods. *See* Thierry Decl., ECF No. [9-1] ¶¶ 12-13.

On September 24, 2024, the Plaintiff filed its Complaint, ECF No. [1], and thereafter its Amended Complaint on October 4, 2024, ECF No. [20], against Defendants for trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement. On September 25, 2024, Plaintiff filed its *Ex Parte* Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets, ECF No. [9]. On September 26, 2024, this Court entered a Temporary Restraining Order and temporarily restrained Defendants from infringing the Goyard Marks at issue. *See* ECF No. [13], docketed Sept. 27, 2024. The Temporary Restraining Order also

⁴ Defendants use money transfer and retention services with PayPal, Inc. ("PayPal") as a method to receive monies generated through the sale of counterfeit products. *See* Wiborg-Rodriguez Decl., ECF No. [9-2] ¶ 5; Burns Decl., ECF No. [9-3] ¶ 4 n.2.

⁵ Invisible did not transmit the funds to finalize the sale for the orders to avoid adding money to Defendants' coffers. Wiborg-Rodriguez Decl., ECF No. [9-2] ¶ 2 n.1; Burns Decl., ECF No. [9-3] ¶ 4 n.3.

⁶ Some Defendants provided additional contact information in connection with their respective E-commerce Store Names; accordingly, these additional forms of electronic contact are included in Schedule "A." Burns Decl., ECF No. [9-3] ¶ 4 n.4.

directed PayPal, Inc. (“PayPal”), to identify and restrain funds in payment accounts associated with Defendants and to divert those funds to a holding account. Pursuant to the Court’s September 26, 2024 Order, Plaintiff served Defendants with a copy of the Amended Complaint together with copies of the *Ex Parte* Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets, and the Court’s September 26, 2024 Temporary Restraining Order, thereby providing notice and copies of the September 26, 2024 Temporary Restraining Order and Plaintiff’s *Ex Parte* Application for Entry of Temporary Restraining Order, Preliminary Injunction, and Order Restraining Transfer of Assets via email to each Defendant’s corresponding email/online contact form, and by posting copies of the Temporary Restraining Order and all other pleadings and documents on file in this action on the website located at <https://servingnotice.com/Ym35CU/index.html>. Thereafter, Certificates of Service were filed confirming service on each Defendant, ECF Nos. [23]-[24].

II. LEGAL STANDARD

In order to obtain a preliminary injunction, 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).

III. DISCUSSION

The declarations the Plaintiff submitted in support of its Motion support the following conclusions of law:

1. 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 Goyard Marks, and that the products Defendants are selling and promoting for sale are copies of the Plaintiff's products which bear and/or use copies of the Goyard Marks;

2. Because of the infringement of the Goyard Marks, Plaintiff is likely to suffer immediate and irreparable injury if a preliminary injunction is not granted. It appears from the following specific facts, as set forth in Plaintiff's Amended Complaint, Motion, and accompanying declarations on file, that immediate and irreparable loss, damage, and injury will result to Plaintiff and consumers because it is more likely true than not that:

a. Defendants own or control Internet based e-commerce stores operating under their E-commerce Store Names that advertise, promote, offer for sale, and sell products bearing and/or using counterfeit and infringing trademarks in violation of Plaintiff's rights; and

b. There is good cause to believe that more counterfeit and infringing products bearing and/or using the Plaintiff's trademarks will appear in the marketplace; that consumers are likely to be misled, confused, and disappointed by the quality of these products; and that Plaintiff may suffer loss of sales for its genuine products and an unnatural erosion of the legitimate marketplace in which it operates.

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

4. The public interest favors the issuance of the preliminary injunction to protect Plaintiff's trademark interests and to protect the public from being defrauded by the palming off of counterfeit goods as Plaintiff's genuine goods.

5. Under 15 U.S.C. § 1117(a), Plaintiff may be entitled to recover, as an equitable remedy, the illegal profits gained through Defendants' distribution and sales of goods bearing and/or using counterfeits and infringements of the Goyard Marks. *See Reebok Int'l, Ltd. v. Marnatech Enters., Inc.*, 970 F.2d 552, 559 (9th Cir. 1992) (quoting *Fuller Brush Prods. Co. v. Fuller Brush Co.*, 299 F.2d 772, 777 (7th Cir. 1962) ("An accounting of profits under § 1117(a) is not synonymous with an award of monetary damages: '[a]n accounting for profits . . . is an equitable remedy subject to the principles of equity.'")).

6. Requesting equitable relief "invokes the district court's inherent equitable powers to order preliminary relief, including an asset freeze, in order to assure the availability of permanent relief." *Levi Strauss & Co.*, 51 F.3d at 987 (citing *Federal Trade Commission v. United States Oil & Gas Corp.*, 748 F.2d 1431, 1433-34 (11th Cir. 1984)).

7. Considering the inherently deceptive nature of the counterfeiting business, and the likelihood that Defendants have violated federal trademark laws, Plaintiff has good reason to believe Defendants will hide or transfer their ill-gotten assets beyond the jurisdiction of this Court unless those assets are restrained.

IV. CONCLUSION

Accordingly, it is **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 Motion, **ECF No. [9]**, is **GRANTED** 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 enjoined and restrained until further Order of this Court:

a. From manufacturing, importing, advertising, promoting, offering to sell, selling, distributing, or transferring any products bearing and/or using the Goyard 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 Plaintiff, bearing and/or using the Goyard Marks, or any confusingly similar trademarks; (ii) any evidence relating to the manufacture, importation, sale, offer for sale, distribution, or transfer of any products bearing and/or using the Goyard Marks, or any confusingly similar trademarks; or (iii) any assets or other financial accounts subject to this Order, including inventory assets, in the actual or constructive possession of, or owned, controlled, or held by, or subject to access by, any Defendant, including, but not limited to, any assets held by or on behalf of any Defendant.

2. Each Defendant, its officers, directors, employees, agents, subsidiaries, distributors, and all persons in active concert or participation with any Defendants having notice of this Order shall immediately discontinue, until further Order of this Court, the use of the Goyard Marks or any confusingly similar trademarks, on or in connection with all Internet based 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, until further Order of this Court, the use of the Goyard 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 e-commerce stores registered, owned, or operated by any Defendant, including the Internet based 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 continue to 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, to the extent not already done, the true identities and contact information for those registrants;

7. Upon receipt of notice of this Order, Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, PayPal, Inc. ("PayPal"), and their related companies and affiliates, shall immediately, to the extent not already done, (i) identify all financial accounts and/or sub-accounts, associated with the Internet based e-commerce stores operating under the E-commerce Store Names, the payment accounts, payees, merchant identification numbers, and/or the e-mail addresses

identified on Schedule “A” hereto, as well as any other related accounts of the same customer(s); (ii) identify all other accounts that transfer funds into the same financial institution account(s), and/or any of the other financial accounts subject to this Order; (iii) restrain the transfer of all funds, as opposed to ongoing account activity, held or received for their benefit or to be transferred into their respective financial accounts, and any other financial accounts tied thereto; and (iv) divert those restrained funds to a holding account for the trust of the Court;

8. Upon receipt of notice of this Order, Defendants and all financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, including but not limited to, PayPal, and their related companies and affiliates, shall further, to the extent not already done, provide Plaintiff’s counsel with all data that details (i) an accounting of the total funds restrained and identify the financial account(s) and sub-account(s) which the restrained funds are related to, and (ii) the account transactions related to all funds transmitted into the financial account(s) and sub-account(s) which have been restrained. No funds restrained by this Order shall be transferred or surrendered by any financial institution, payment processor, bank, escrow service, money transmitter, or marketplace website, including but not limited to, PayPal, and their related companies and affiliates for any purpose (other than pursuant to a purchase refund chargeback made by a consumer) without the express authorization of this Court;

9. Any Defendant or financial institution account holder subject to this Order may petition the Court to modify the asset restraint set out in this Order;

10. This Order shall apply to the E-commerce Store Names, associated e-commerce stores, and financial accounts, and any other seller identification names, e-commerce stores, private messaging accounts, or financial accounts that are being used by Defendants for the purpose of counterfeiting the Goyard Marks and/or unfairly competing with the Plaintiff;

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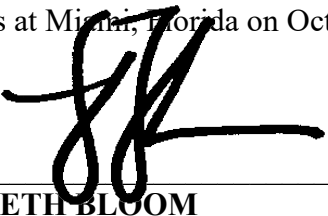
11. As a matter of law, this Order shall no longer apply to any Defendant or associated e-commerce store dismissed from this action or as to which Plaintiff has withdrawn its request for a preliminary injunction;

12. Pursuant to 15 U.S.C. § 1116(d)(5)(D) and Federal Rule of Civil Procedure 65(c), Plaintiff shall maintain its previously posted bond in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) 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. Additionally, for the purpose of providing additional notice of this proceeding, and all other pleadings, orders, and documents filed herein, the owners, operators, and/or administrators of the e-commerce stores, and/or financial institutions, payment processors, banks, escrow services, and money transmitters, and marketplace platforms, including but not limited to, PayPal, and their related companies and affiliates shall, to the extent not already done, at Plaintiff's request, provide Plaintiff's counsel with any e-mail address known to be associated with Defendants' respective E-commerce Store Names; and

14. This Order shall remain in effect during the pendency of this action, or until further Order of this Court.

DONE AND ORDERED in Chambers at Miami, Florida on October 11, 2024.



BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record

SCHEDULE "A"
DEFENDANTS BY NUMBER, E-COMMERCE STORE NAME, FINANCIAL
ACCOUNT INFORMATION, E-MAIL ADDRESS,
AND OTHER MEANS OF CONTACT

Def. No.	Defendant/ E-commerce Store Name	Payee	Merchant ID	Financial Account	E-mail Addresses	Other Means of Contact
1	goyardbagus.com		G76ZM2HEH7VAG		admin@goyardbagus.com	
2	goyarduksale.com	EDDIE GRIGGS @EGRIGGS 408	3V9T945J55BL4		luxuryitemswholesale@gmail.com	
3	aaareplica.nu	齐齐哈尔市变晓商贸有限公司	7Y4W2X69U8JK8	maoxiaohupp@outlook.com	service@aaareplica.nu service@aaareplica.nu	
4	bagscoll.shop	Luybagq	J4F24FFE2DGV6		support@zngogo.com	
4	blissbags.shop	LUXURYBAGSALEssc	A8Y8GSFRHE72J		Support@zngogo.com help@luybagsonline.shop	
4	luxesbag.shop	LUXBAGONLINE Luybagq	MLLCUQ5WLJB2N CPMHBE54LTRD6		Support@zngogo.com	
4	topbagsnew.shop	LUXURYBAGSALEs LUXURYBAGSALEssd	H8WS8VQZYWJEW 5NQJRJ4QRZVYN		Support@zngogo.com 547602388@qq.com Support@zngogo.com help@luybagsonline.shop	
5	buyqualitybags.com		2444YDDM2597J	79886689@qq.com	topbagshub@gmail.com contact@topqualitybags.com	
		Tabren Aubrey Smith	RQLTT8ZY2YWL6	keithgrainger90@outlook.com		
5	topqualitybags.com		KV5T4GV3KAKZJ	Usamamanzoortstripe@gmail.com	topbagshub@gmail.com	

					contact@topqualitybags.com	
6	byaneity.com	Byaneity	GNJEDFUTP XESS		service@unigave.com service@byaneity.com	
7	casebig.com		TFSNLFL6A NVF6		favocase@gmail.com sales@Casebig.com	
8	casefeely.com	CASEFEELY	Y4HM7FMW 95PWW		support@casefeely.com	
9	caseshunter.com		VAYBUU357 F444		admin@caseshunter.com	
10	cinderellastores.com	Rokki Agbotsu	2357NLWTJ3 8GJ		info@cinderellastores.com cinderellastorenz@gmail.com	
11	crozus.com		NJU2X7GLD 5X86 CMGUNSJLVGA6		support@crozus.com	
12	designermusthave.com	Designer Must Have	THGZG4A39 BKW4			designermusthave.com/index.php/contact-us-2
13	qkkbag.shop	文 智弘 @41y8	KF29JLWXM CQWA		support@qkkbag.shop lagreen511@gmail.com sales@qkkbag.shop	
13	qnkbag.shop	文 智弘 @41y8	KF29JLWXM CQWA		support@qnkbag.shop lagreen511@gmail.com sales@qnkbag.shop	
13	whwlbag.shop	文 智弘 @41y8	KF29JLWXM CQWA		support@whwlbag.shop cntopshoes@gmail.com sales@whwlbag.shop	
13	wmtbag.shop	文 智弘 @41y8	KF29JLWXM CQWA		support@wmtbag.shop alexissaveryprpe	

					ws@gmail.com cntopshoes@gmail.com sales@wmtbag.shop	
13	wshubag.shop	文 智弘 @41y8	KF29JLWXM CQWA	asd763881227 @163.com	support@wshubag.shop worldsroderickt hyiqph@gmail.com sales@wshubag.shop	
13	xknbag.shop	文 智弘 @41y8	KF29JLWXM CQWA		support@xknbag.shop cntopshoes@gmail.com sales@xknbag.shop	
14	gorchic.com	Hefei Jiao Kun Trading Co., Ltd.	PT465C2FK4 F7S		service@gorchic.com	
14	gorchic.us	Hefei Jiao Kun Trading Co., Ltd.	PT465C2FK4 F7S		service@gorchic.com	
			ZU5WRREP DXNK4			
				lindashuai1995@gmail.com	service@gorchic.com service@gorchic.net	
15	high-endbags01.com		WHFLXXCT HQ2QY	cong_0617@qq.com	xxx@163.com	
16	jojokkrelicas.com	福根 伍	FZ3HYPANX XR5Q	wufugen1115@163.com	support@jojokkrelicas.net	
17	karanfrank.ru			2315162318@qq.com	karanfrankk@outlook.com	
18	luxeebag.com	LuxeeBag	CM4ECTF5E NA9Y		support@luxeebag.com	
19	luxuryoubag.com	FindingLuxury	8SG3KGHCT C9BG		contact@luxuryoubag.com	
20	mafoi.shop		ZQBVLPZ48 7SS4	segadiarra@gmail.com	customers@mafoi.shop clients@mafoi.shop	
21	merchprintz.com	MerchPrintz	DXS6FASUE QG2Q		support@merchprintz.com	

22	peesty.com		K9NVCKFEB T27W		sale@temafes.biz support@temafes.net	
22	temaap.com		K9NVCKFEB T27W		support@temaap.com support@fasbags.shop	
22	temafes.us		K9NVCKFEB T27W		sale@temafes.biz support@temafes.net	
23	racastudio.com	Raca Studio Pty Ltd	SFNPZT873B UCJ		hello@racastudio.com	
24	tgey.top	Qiansheng TRADING Co.LTD	WE4RF8RW7 CUWG		Allison54321aa @outlook.com	
25	theluxhouse.net	Fashion Venue	LVN357P5CL TWC	davidruffinjr@yahoo.com	info@theluxhouse.net theluxhouse1@gmail.com	
26	thetotetrove.myshopify.com	LuxuryHub	V8A8PG45Z HLVQ		ameliaavaforyou@gmail.com store+79032254753@t.shopifyemail.com avasophiaforyou@gmail.com	
27	vincyrep.ru	林海 柳		liulinhai188@outlook.com	vincystore@hotmail.com admin@liomui.com	
				rongfeng-2022@outlook.com	vincystore@hotmail.com	
				huixiang-2022@outlook.com	vincystore@hotmail.com	
28	viokshop.com		KF44JSYPRD 6SC	wuwupei@outlook.com	besttopstores_service@outlook.com	
29	vittoriaparumbell.com	VittoriaParumbell	3HZNUQB8Y TJY6		vittoriaparumbell.com@gmail.com	

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					sales@vittoriaparmbell.com	
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