

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 21-62079-CIV-ALTMAN**

CHANEL, INC.,

Plaintiff,

vs.

FAKESCHANELSHOP.COM, *et al.*,

Defendants.

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**PLAINTIFF’S *EX PARTE* MOTION FOR ORDER AUTHORIZING ALTERNATE  
SERVICE OF PROCESS ON DEFENDANTS PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 4(f)(3) AND MEMORANDUM OF LAW IN SUPPORT THEREOF**

Plaintiff, Chanel, Inc. (“Chanel” or “Plaintiff”), hereby moves this Honorable Court, on an *ex parte* basis,<sup>1</sup> for an order authorizing alternate service of process on Defendants, the Individuals, Business Entities, and Unincorporated Associations identified on Schedule “A” hereto (“Defendants”) pursuant to Federal Rule of Civil Procedure 4(f)(3). In support thereof, Plaintiff submits the following memorandum of law.

**I. INTRODUCTION**

Plaintiff is suing Defendants for trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement. Defendants are knowingly and intentionally promoting, advertising,

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<sup>1</sup> On October 6, 2021, Plaintiff filed its *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction (the “Application for Temporary Restraining Order”), which is currently pending before the Court. (See Declaration of Stephen M. Gaffigan in Support of Plaintiff’s *Ex Parte* Motion for Order Authorizing Alternate Service of Process on Defendants [“Gaffigan Decl.”] ¶ 2, n.1, filed herewith.) This Motion makes reference to Plaintiff’s Application for Temporary Restraining Order, and as such, Plaintiff seeks to prevent premature disclosure of that filing. (*Id.*) However, Plaintiff is filing this Motion so that, in the event this Motion is granted, Plaintiff can effectuate service of process pursuant to Rule 4 of the Federal Rules of Civil Procedure simultaneously with providing notice of the Court’s Order. (*Id.*)

distributing, offering for sale, and selling goods bearing and/or using counterfeits and infringements of Plaintiff's registered trademarks within this district and throughout the United States, through the interactive, commercial Internet websites and supporting domains operating under the domain names identified on Schedule "A" hereto (the "Subject Domain Names").

Pursuant to Federal Rule of Civil Procedure 4(f)(3), Plaintiff requests an order authorizing service of process on Defendants via electronic mail ("e-mail") and via website posting. Alternative service by e-mail and by posting on a designated website are appropriate and necessary in this case, because Defendants (1) operate via the Internet; and (2) rely on electronic communications to operate their businesses. As such, Plaintiff can contact Defendants directly and provide notice of Plaintiff's claims against them electronically via e-mail to Defendants' known e-mail addresses, including onsite contact forms embedded directly in Defendants' respective websites. Additionally, Plaintiff has created a website and will be posting copies of the Complaint, the Application for Temporary Restraining Order, this Motion, and all other documents filed in this action. Plaintiff respectfully submits that an order allowing service of process and service of all filings and discovery via e-mail and by posting on a designated website in this case will benefit all parties and the Court by ensuring Defendants receive immediate notice of the pendency of this action and allowing this action to move forward expeditiously. Absent the ability to serve Defendants by e-mail and/or by website posting, Plaintiff will almost certainly be left without the ability to pursue a remedy.

## **II. STATEMENT OF FACTS**

### **A. Defendants Identify Electronic Means for Contact.**

Defendants operate Internet-based businesses and identify e-mail, including onsite contact forms, as a means of communication. Specifically, Defendants can receive notice of this

action electronically via e-mail to Defendants' e-mail addresses provided as part of the domain registration for the Subject Domain Names, via e-mail to the e-mail addresses provided in connection with Defendants' respective Internet websites, including customer service e-mail addresses and onsite contact forms, or via e-mail to Defendants' registrars. (See Gaffigan Decl. ¶¶ 3-5, n.2.) As a practical matter, it is necessary for merchants who operate entirely online, such as Defendants, to provide customers with an accurate electronic means of contact by which customers may contact the merchants to ask questions about the merchants' products, place orders from the merchants, and receive information from the merchants regarding the shipments of orders. Moreover, e-commerce defendants generally must maintain accurate e-mail addresses where the domain registrar may communicate with them regarding issues related to the purchase, transfer, and maintenance of their domain name accounts. Additionally, Plaintiff has created a serving notice website that will be appearing at the URL <http://servingnotice.com/c30pZ/index.html> ("Plaintiff's Website"), such that anyone accessing Plaintiff's Website will find copies of all documents filed in this action. (Gaffigan Decl. ¶ 6.)

Plaintiff's counsel obtained the publicly available domain name registration records ("WHOIS" records) for each of the Subject Domain Names identifying the contact e-mail addresses Defendants provided their registrars. (Id. at ¶ 4.) Additionally, Plaintiff's counsel obtained the available e-mail addresses and onsite contact forms Defendants identified in connection with their respective Internet websites. (Id.) Each Defendant will be provided with notice of this action electronically via e-mail by providing the address to Plaintiff's Website to the e-mail addresses provided by Defendants as part of the domain registration data for each of the Subject Domain Names or on their respective websites operating thereunder, including customer service e-mail addresses and onsite contact forms, or via their designated Registrar's

domain owner contact form or e-mail address.<sup>2</sup> (Gaffigan Decl. ¶ 5.) In this manner, Defendants will receive a web address at which they can access all electronic filings to view, print, or download any document filed in the case similar to the court's CM/ECF procedures. (Id.)

Furthermore, Plaintiff will be able to provide each Defendant notice of this action via public announcement on Plaintiff's designated website. (See id. at ¶ 6.) Plaintiff has created its Website that will be appearing at the URL <http://servingnotice.com/c30pZ/index.html>, whereon copies of the Complaint, the Application for Temporary Restraining Order, this Motion, and all other pleadings, documents, and orders on file in this action will be posted, such that anyone accessing Plaintiff's Website will find copies of all documents filed in this action. (Id.) The address for Plaintiff's Website will be provided to Defendants via their known e-mail accounts, and will be included as part of service of process in this matter. (Id.)

#### **B. Defendants Rely on Electronic Communications.**

Defendants have structured their website businesses so that the means for customers to purchase Defendants' counterfeit goods at issue is by placing an order electronically. (Gaffigan Decl. ¶ 3, n.2.) Defendants purport to take and confirm orders online as well as via e-mail and communicate with customers via electronic means, including e-mail and onsite contact forms. (See id.; see also relevant web captures from Defendants' Internet websites operating under the Subject Domain Names attached as Comp. Ex. "2" to Plaintiff's Complaint [ECF Nos. 1-3 through 1-4], incorporated herein by reference.) Clearly, Defendants rely on electronic means as a reliable form of contact.

### **III. ARGUMENT**

Pursuant to Federal Rule of Civil Procedure 4(h)(2), a foreign partnership or other

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<sup>2</sup> The e-mail addresses and other means of electronic contact for Defendants are provided on Schedule "A" hereto. (See Gaffigan Decl. ¶ 4.)

unincorporated association may be served with process in any manner prescribed by Rule 4(f) for serving foreign individuals. Federal Rule of Civil Procedure 4(f)(3), in turn, allows a district court to authorize an alternate method for service to be effected upon a foreign defendant, provided that it is not prohibited by international agreement and is reasonably calculated to give notice to the defendant. In the present matter, alternate service of process by e-mail and by posting on Plaintiff's Website are appropriate given that Defendants have established Internet-based businesses by which they rely on electronic communication for their operation. Accordingly, this Court should permit service on Defendants by e-mail and website posting.

**A. The Court May Authorize Service via Electronic Mail and Website Posting Pursuant to Federal Rule of Civil Procedure 4(f)(3).**

Federal Rule of Civil Procedure 4(h)(2) allows a foreign business entity to be served with process "in any manner prescribed by Rule 4(f)," including any manner ordered under Rule 4(f)(3). U.S. Commodity Futures Trading Comm'n v. Aliaga, 272 F.R.D. 617, 619 (S.D. Fla. 2011). A foreign partnership or other unincorporated association can therefore be served in the same manner as serving a foreign individual pursuant to Rule 4(f)(3). Id. Federal Rule of Civil Procedure 4(f)(3) allows alternative methods for service of process, so long as those methods are not prohibited by international agreement and are directed by the Court. See Prewitt Enters., Inc. v. The Org. of Petrol. Exporting Countries, 353 F.3d 916, 923 (11th Cir. 2003). See also Brookshire Bros., Ltd. v. Chiquita Brands Int'l, Case No. 05-CIV-21962, 2007 WL 1577771, at \*3 (S.D. Fla. May 31, 2007); Rio Props., Inc. v. Rio Int'l Interlink, 284 F.3d 1007, 1014 (9th Cir. 2002). In fact, "as long as court-directed and not prohibited by an international agreement, service of process ordered under Rule 4(f)(3) may be accomplished in contravention of the laws of the foreign country." Chanel, Inc. v. Zhixian, Case No. 10-cv-60585-JIC, 2010 WL 1740695, at \*3 (S.D. Fla. April 29, 2010) (quoting Rio Props., Inc., 284 F.3d at 1014 and citing Mayoral-

Amy v. BHI Corp., 180 F.R.D. 456, 459 n.4 (S.D. Fla. 1998)).

The plain language of Rule 4(f)(3) reflects that the decision to issue an order allowing an alternate means of service lies within the sole discretion of the District Court. Prewitt Enters., Inc., 353 F.3d at 921; Rio Props., Inc., 284 F.3d at 1116. See, e.g., Brookshire Bros., Ltd., 2007 WL 1577771, at \*2 (noting that “district courts have broad discretion under Rule 4(f)(3) to authorize other methods of service”); In re Int’l Telemedia Assocs., 245 B.R. 713, 720 (N.D. Ga. 2000) (noting that Rule 4(f)(3) is designed to allow courts discretion and broad flexibility to tailor the methods of service for a particular case). Rule 4 does not require a party attempt service of process by those methods enumerated under subsections (f)(1) and (f)(2), including by diplomatic channels and letters rogatory, before petitioning the court for alternative relief under subsection 4(f)(3). Rio Props., Inc., 284 F.3d at 1114-15; see also Brookshire Bros., Ltd., 2007 WL 1577771, at \*1. In Brookshire, the Honorable Judge Marcia G. Cooke allowed substitute service on a party’s attorney pursuant to Rule 4(f)(3) holding as follows:

Rule 4(f)(3) is one of three separately numbered subsections in Rule 4(f) and each subsection is separated from the one previous merely by the simple conjunction ‘or.’ Rule 4(f)(3) is not subsumed within or in any way dominated by Rule 4(f)’s other subsections; it stands independently, on equal footing. Moreover, no language in Rules 4(f)(1) or 4(f)(2) indicates the primacy, and certainly Rule 4(f)(3) indicates no qualifiers or limitations which indicate its availability only after attempting service of process by other means.

Brookshire Bros., Ltd., 2007 WL 1577771, at \*1 (quoting Rio Props., Inc., 284 F.3d at 1015). Accord TracFone Wireless, Inc. v. Bitton, 278 F.R.D. 687, 692 (S.D. Fla. Jan. 11, 2012) (noting that, in regards to Rule 4(f)(3), “there is no indication from the plain language of the Rule that the three subsections, separated by the disjunctive “or,” are meant to be read as a hierarchy.”) Judge Cooke further held, “[t]he invocation of Rule 4(f)(3), therefore, is neither a last resort nor extraordinary relief.” Brookshire Bros., Ltd., 2007 WL 1577771, at \*2.

Additionally, the Constitution itself does not mandate that service be effectuated in any particular way. Rather, Constitutional due process considerations require only that the method of service selected be “reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” Brookshire Bros., Ltd., 2007 WL 1577771, at \*1 (quoting Mullane v. Cent. Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950)); see also TracFone Wireless, Inc., 278 F.R.D. at 692; Rio Props., Inc., 284 F.3d at 1016. Accordingly, federal courts have allowed a variety of alternative service methods, including service by e-mail and service by posting on a designated website, where a plaintiff demonstrates the likelihood that the proposed alternative method of service will notify a defendant of the pendency of the action. See, e.g., Rio Props., Inc., 284 F.3d at 1017 (holding, “without hesitation,” that e-mail service of an online business defendant “was constitutionally acceptable”); In re Int’l Telemedia Assocs., 245 B.R. at 721 (“If any methods of communication can be reasonably calculated to provide a defendant with real notice, surely those communication channels utilized and preferred by the defendant himself must be included among them.”); National Association for Stock Car Auto Racing, Inc. v. Does, 584 F. Supp. 2d 824, 826 (W.D.N.C. 2008) (in “acknowledging the realities of the twenty-first century and the information age, the Court determined that the most appropriate place for publication was [plaintiff’s website].”).

Here, service on Defendants by e-mail and/or by posting on Plaintiff’s Website will satisfy due process by apprising them of the action and giving them the opportunity to answer Plaintiff’s claims. Plaintiff has verified that each Defendant has at least one form of electronic means of contact, demonstrating that this means of contact is not just effective, but the most reliable means of communicating with that Defendant, and consequently, the most reliable means

of providing Defendants with notice of this action. (See Gaffigan Decl. ¶¶ 4-5.) Moreover, service by posting on Plaintiff's Website will be an additional source of reliability as Defendants will be able to see copies of the Complaint and all other documents in this matter electronically via their Internet browser. (Id. at ¶ 6.) The suggested methods are the most reliable means of providing Defendants with notice of this action.

E-mail service on an online business defendant is appropriate and constitutionally acceptable in a case such as this when the plaintiff has proven that e-mail is the most effective means of providing the defendant notice of the action. See Rio Props., Inc., 284 F.3d at 1017 (concluding "not only that service of process by e-mail was proper—that is, reasonably calculated to apprise [the defendant] of the pendency of the action and afford it an opportunity to respond—but in this case, it was the method of service most likely to reach [the defendant]."). See also Popular Enters., LLC v. Webcom Media Group, Inc., 225 F.R.D. 560, 562 (E.D. Tenn. 2004) ("Under the facts and circumstances presented here, Rule 4(f)(3) clearly authorizes the court to direct service upon defendant by e-mail. The rule is expressly designed to provide courts with broad flexibility in tailoring methods of service to meet the needs of particularly difficult cases. Such flexibility necessarily includes the utilization of modern communication technologies to effect service when warranted by the facts.") (citation omitted). The Rio Properties, Inc. and Popular Enters., LLC courts each determined e-mail service to be appropriate in part because, as in this case, the defendants conduct their business online, use e-mail, including onsite contact forms, in their business, and encourage parties to contact them via e-mail and onsite contact forms. See id.

In cases that are factually similar to this one, a number of Courts have held that alternate forms of service pursuant to Rule 4(f)(3), such as e-mail service, are appropriate and may be the



only means of effecting service of process “when faced with an international e-business scofflaw.” Rio Props., Inc., 284 F.3d at 1018; see also Chanel, Inc. v. Zhixian, 2010 WL 1740695, at \*3 (e-mail service “reasonably calculated to notify Defendants of the pendency of this action and provide him with an opportunity to present objections.”); TracFone Wireless, Inc., 278 F.R.D. at 693 (finding that service of process by e-mail was reasonably calculated to apprise the defendants of the action and give it an opportunity to respond); Popular Enters., LLC, 225 F.R.D. at 563 (same); In re Int’l Telemedia Associates, 245 B.R. at 722 (“A defendant should not be allowed to evade service by confining himself to modern technological methods of communication not specifically mentioned in the Federal Rules. Rule 4(f)(3) appears to be designed to prevent such gamesmanship by a party.” (concluding e-mail and facsimile service to be appropriate)); Chanel, Inc. v. Zhibing, Case No. 09-cv-02835, 2010 WL 1009981, at \*4 (W.D. Tenn. March 17, 2010) (stating that e-mail service has the “greatest likelihood” of reaching e-commerce merchants and noting, “The federal judiciary’s own CM/ECF system alerts parties . . . by e-mail messages.” Alternate service via e-mail granted).<sup>3</sup> Plaintiff submits that allowing e-mail service in the present case is appropriate and comports with constitutional notions of due process, particularly given Defendants’ decisions to conduct their illegal businesses using the Internet and utilizing e-mail as a primary means of communication.

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<sup>3</sup> See, e.g., Chanel, Inc. v. 9ureplicachanel.com, No. 20-60858-CIV-ALTMAN, 2020 U.S. Dist. LEXIS 204542 (S.D. Fla. April 30, 2020) (Order authorizing alternate service of process via, *inter alia*, e-mail); Gucci Am. Inc. v. Guccibagshk.com, No. 19-62983-CIV-ALTMAN, 2019 U.S. Dist. LEXIS 229656 (S.D. Fla. Dec. 6, 2019) (same); Goyard St-Honore v. Bagsgoyard.us, Case No. 21-cv-61346-RKA (S.D. Fla. July 1, 2021) (same); Abercrombie & Fitch Trading Co. v. Abercrombieturkeys.com, Case No. 21-cv-60552-RKA (S.D. Fla. Mar. 15, 2021) (same); Chanel, Inc. v. Handbagsreplica.ru, Case No. 20-cv-62604-RKA (S.D. Fla. Dec. 18, 2020) (same). See also Malletier v. Aaalvsale.com, No. 21-60790-CIV-BLOOM, 2021 U.S. Dist. LEXIS 72733 (S.D. Fla. April 14, 2021) (same); Chanel, Inc. v. Replicaschanelstore.com, No. 20-62554-CIV-RUIZ, 2020 U.S. Dist. LEXIS 248399 (S.D. Fla. Dec. 17, 2020) (same).

Additionally, service of a defendant by posting on a designated website, such as a plaintiff's website, has been deemed an appropriate means of service by website posting. See National Association for Stock Car Auto Racing, 584 F. Supp. 2d at 826.<sup>4</sup> A proposed method of website posting need only be "reasonably calculated under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." National Association for Stock Car Auto Racing, 584 F. Supp. 2d at 826 (citing Mullane v. Cent. Hanover Bank & Trust Co., 339 U.S. 306, 315-16, 70 S. Ct. 652, 94 L. Ed. 865 (1950)). In National Association for Stock Car Auto Racing, Inc. v. Does, the United States District Court for the Western District of North Carolina determined that the plaintiff could serve "Doe" defendants and apprise those defendants of a pending preliminary injunction hearing by posting on the plaintiff's website. Id.

Accordingly, Plaintiff has created its Website that will be appearing at the URL <http://servingnotice.com/c30pZ/index.html>, whereon copies of the Complaint, the Application for Temporary Restraining Order, this Motion, and all other pleadings, documents, and orders on file in this action will be posted. (Gaffigan Decl. ¶ 6.) The address for Plaintiff's Website will be provided to each Defendant via its known e-mail accounts and will be included as part of service of process in this matter. (Id.) Plaintiff respectfully submits that alternative service by posting the Summonses and Complaint on Plaintiff's Website will provide notice to Defendants sufficient to

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<sup>4</sup> See, e.g., Chanel, Inc. v. 9ureplicachanel.com, No. 20-60858-CIV-ALTMAN, 2020 U.S. Dist. LEXIS 204542 (S.D. Fla. April 30, 2020) (Order granting alternative service via e-mail and by posting on plaintiff's designated website); Gucci Am. Inc. v. Guccibagshk.com, No. 19-62983-CIV-ALTMAN, 2019 U.S. Dist. LEXIS 229656 (S.D. Fla. Dec. 6, 2019) (same); Goyard St-Honore v. Bagsgoyard.us, Case No. 21-cv-61346-RKA (S.D. Fla. July 1, 2021) (same); Abercrombie & Fitch Trading Co. v. Abercrombieturkeys.com, Case No. 21-cv-60552-RKA (S.D. Fla. Mar. 15, 2021) (same); Chanel, Inc. v. Handbagsreplica.ru, Case No. 20-cv-62604-RKA (S.D. Fla. Dec. 18, 2020) (same). See also Malletier v. Aaalvsale.com, No. 21-60790-CIV-BLOOM, 2021 U.S. Dist. LEXIS 72733 (S.D. Fla. April 14, 2021) (same); Chanel, Inc. v. Replicaschanelstore.com, No. 20-62554-CIV-RUIZ, 2020 U.S. Dist. LEXIS 248399 (S.D. Fla. Dec. 17, 2020) (same).

meet the due process requirements for service of process and notice pursuant to Federal Rule of Civil Procedure 4, apprise Defendants of the pendency of this action, and afford Defendants and any other interested parties an opportunity to present their answers and objections.

**B. Service of Process Via Electronic Means Are Not Prohibited by International Agreement.**

Service via e-mail and via posting on a designated website are not prohibited by international agreement. Based upon the data provided in connection with Defendants' domain name registrations and Internet websites, including all of the investigative data provided thereunder, Plaintiff has good cause to suspect Defendants are all residing in and/or shipping from the People's Republic of China ("China"), Russian Federation ("Russia"), Republic of Turkey ("Turkey"), United Kingdom of Great Britain and Northern Ireland ("UK"), or other foreign countries, and/or redistribute products from sources in those countries. (See Gaffigan Decl. ¶ 7.) The United States, China, Russia, Turkey, and the UK are signatories to the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters (the "Hague Service Convention"). (Id. at ¶ 8 and Comp. Ex. "1" thereto, Hague Service Convention and list of signatory Members.) However, the Hague Service Convention does not preclude the Court from authorizing service of process via e-mail or posting on a designated website.

Alternative means of service, such as e-mail and website posting, are not prohibited by the Hague Service Convention where a signatory nation has not expressly objected to those means. See Stat Med. Devices, Inc. v. HTL-Strefa, Inc., Case No. 15-cv-20590-FAM, 2015 U.S. Dist. LEXIS 122000 (S.D. Fla. Sept. 14, 2015) (noting that an objection to the alternative forms of service set forth in the Hague Convention is limited to the forms of service expressly objected

to).<sup>5</sup> Article 10 to the Hague Service Convention allows service of process through means other than a signatory's Central Authority, such as "postal channels" and "judicial officers," provided the State of destination does not object to those means. See Hague Convention, Art. 10, 20 U.S.T. 361 (1969). China, Russia, Turkey, and the UK have objected, either fully or partially, to the alternative means of service outlined in Article 10 of the Convention. (Gaffigan Decl. ¶ 8.) However, those objections are specifically limited to the means of service enumerated in Article 10, and neither China, Russia, Turkey, nor the UK has expressly objected to service via e-mail or website posting. (Id. and Comp. Ex. "1" thereto, which includes true and correct printouts of China's, Russia's, Turkey's, and UK's respective Declaration/Reservation/Notification in regards to the Hague Convention.) Because the declarations to the Hague Convention filed by China, Russia, Turkey, and the UK do not object to e-mail and website posting service, "a court acting under Rule 4(f)(3) remains free to order alternative means of service that are not specifically referenced in Article [10]." Gurung v. Malhotra, 279 F.R.D. 215, 219 (S.D.N.Y. 2011); see also WhosHere, Inc. v. Orun, Case No. 13-cv-00526-AJT, 2014 U.S. Dist. LEXIS 22084, at \*9 (E.D. Va. Feb. 20, 2014) (authorizing e-mail service, noting objection to means of service listed in Article 10 "is specifically limited to the enumerated means of service in Article 10.").

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<sup>5</sup> See Chanel, Inc. v. 9ureplicachanel.com, No. 20-60858-CIV-ALTMAN, 2020 U.S. Dist. LEXIS 204542 (S.D. Fla. April 30, 2020) (authorizing e-mail service and by posting on plaintiff's designated website, noting an objection to the alternative means of service provided by the Hague Convention is expressly limited to those means and does not represent an objection to other forms of service, such as e-mail or website posting); Gucci Am. Inc. v. Guccibagshk.com, No. 19-62983-CIV-ALTMAN, 2019 U.S. Dist. LEXIS 229656 (S.D. Fla. Dec. 6, 2019) (same); Goyard St-Honore v. Bagsgoyard.us, Case No. 21-cv-61346-RKA (S.D. Fla. July 1, 2021) (same); Abercrombie & Fitch Trading Co. v. Abercrombieturkeys.com, Case No. 21-cv-60552-RKA (S.D. Fla. Mar. 15, 2021) (same); Chanel, Inc. v. Handbagsreplica.ru, Case No. 20-cv-62604-RKA (S.D. Fla. Dec. 18, 2020) (same). See also Malletier v. Aaalvsale.com, No. 21-60790-CIV-BLOOM, 2021 U.S. Dist. LEXIS 72733 (S.D. Fla. April 14, 2021) (same); Chanel, Inc. v. Replicaschanelstore.com, No. 20-62554-CIV-RUIZ, 2020 U.S. Dist. LEXIS 248399 (S.D. Fla. Dec. 17, 2020) (same).

Moreover, an objection to the alternative means of service provided in Article 10 does not represent a *per se* objection to other forms of service, such e-mail or website posting. See In re S. African Apartheid Litig., 643 F. Supp. 2d 423, 434, 437 (S.D.N.Y. 2009) (requiring express objection to alternative method of service by signatory nation to preclude that particular means of service). Consequently, China's, Brazil's, Japan's, UK's, and Vietnam's objections to the means of alternative service provided in Article 10 is no bar to court-directed service and does not prevent this Court from authorizing alternative service of process via e-mail or website posting. See, e.g., Gurung, 279 F.R.D. at 220 (approving service of process on foreign defendants via e-mail despite India's objection to Article 10, stating that an "objection to service through postal channels does not amount to an express rejection of service via electronic mail."); Stat Med. Devices, Inc., 2015 U.S. Dist. LEXIS 122000, at \*8-9 (permitting service of process on foreign defendants via e-mail and substituted service on domestic counsel despite Poland's objection to Article 10, noting "This Court and many other federal courts have permitted service by electronic mail and determined that an objection to Article 10 of the Hague Convention . . . does not equate to an express objection to service via electronic mail."); FTC v. PCCare247 Inc., Case No. 12-cv-7189-PAE, 2013 U.S. Dist. LEXIS 31969, at \*10 (S.D.N.Y. March 7, 2013) (authorizing service of process via e-mail and Facebook, explaining that "Numerous courts have held that service by email does not violate any international agreement where the objections of the recipient nation are limited to those means enumerated in Article 10."); WhosHere, Inc., 2014 U.S. Dist. LEXIS 22084 (authorizing service of process on foreign defendants via e-mail despite Turkey's objection to Article 10); Richmond Techs., Inc. v. Aumtech Bus. Solutions, Case No. 11-CV-02460-LHK, 2011 U.S. Dist. LEXIS 71269 (N.D. Cal. July 1, 2011) ("[N]umerous courts have authorized alternative service under Rule 4(f)(3) even where the

Hague Convention applies. This is true even in cases involving countries that, like India, have objected to the alternative forms of service permitted under Article 10 of the Hague Convention.”).

#### IV. CONCLUSION

For the foregoing reasons, Plaintiff, Chanel, Inc., respectfully requests this Court grant the present motion and authorize service of the Summonses, the Complaint, and all filings and discovery in this matter upon each Defendant in this action:

(1) via e-mail by providing the address to Plaintiff’s designated serving notice website to Defendants via the e-mail accounts provided by Defendants as part of the domain registration records for each of their respective domain names, including service via registrar, or on the Internet websites operating under each of their respective corresponding domain names, including customer service e-mail addresses and onsite contact forms, as identified on Schedule “A” hereto; and

(2) via website posting by posting a copy of the Complaint, Summonses, and all other filings and discovery in this matter on Plaintiff’s Website appearing at the URL <http://servingnotice.com/c30pZ/index.html>.

DATED: October 6, 2021.

Respectfully submitted,  
STEPHEN M. GAFFIGAN, P.A.

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**SCHEDULE “A”**  
**DEFENDANTS BY NUMBER, SUBJECT DOMAIN NAME,**  
**AND MEANS OF CONTACT**

<b>Def. No.</b>	<b>Defendant / Subject Domain Name</b>	<b>Means of Contact</b>
1	fakeschanelshop.com	pw-260d2c8e77d3a5afe718561f2f3b4409@privacyguardian.org millerlisa105@gmail.com
2	esluxury.ru essenc.ru essenceofluxury.cn essenceofluxury.vip essenceofluxury106.ru fantasticluxury.ru k2-2.com ofessentials.com	essenceofluxury@foxmail.com huafeihua116@qq.com
3	fabagg.net fabags03.com	pw-9755a1148985b1b3ac241ea109e7d7a7@privacyguardian.org rosedenver1988@163.com flower@fabagsmail.com winnie@shoes crazy.net
4	e8afashions.net e8bagru.co e8gogo.com fashion8shops.net	coolebag@163.com amytong88@aliyun.com pw-1558cdc1bed875d0ca80ddde45f903fc@privacyguardian.org
5	bowlmar.com gerochip.com	officialshopservice@gmail.com
6	cheapbagsshoppping.com handbagsfakeshop.com replicaschanelshop.com replicashandbagsale.com	pw-a6772d4235eb8597e372a571e6935f9b@privacyguardian.org pw-8adedd7b7bd80332223f52ad537987e0@privacyguardian.org shayewmallory23@gmail.com lisapeel95@gmail.com mollyjoan10@gmail.com pw-4dedc605e124933b34f71f4161bb7db3@privacyguardian.org pw-ead43294bec53cb31c717316f545b117@privacyguardian.org
7	repicaluxbags.com repicaluxurybags.com	support@repicaluxbags.com support@repicaluxurybags.com
8	cis-rhone-alpes.fr payssl-365.top shopsping365.xyz	service@service7s.com
9	luxurymybags.com qualityluxurybags.com replicapa.com	pw-1d1373fc1ff93acbcc30b4443dd015a7@privacyguardian.org watchwhirl@gmail.com polliyrosee@gmail.com pw-c713e590917734215565ede2167f0467@privacyguardian.org pw-421374f9097579d2892f3b22fb2b37df@privacyguardian.org
10	bagsrightdesigner.com replicaxe.com	pw-6571c98a8b5bed4d6168b90430d50fea@privacyguardian.org salestores666@gmail.com pw-e84cd373cd5b5753aeaa49c42d34f4f0@privacyguardian.org

Def. No.	Defendant / Subject Domain Name	Means of Contact
11	1creplicachanel.com fakescgc.com	pw-783a41dcd1de15149c79b025e5796fd2@privacyguardian.org michelle@designeronseil.com michellecoo1996@protonmail.com pw-da274eff709738db3941db81bbaf0ec9@privacyguardian.org
12	12procase.com	gobuycase@gmail.com
13	aescat.com	aescat@outlook.com
14	alexcn.ru	lyfhzfrom2012@gmail.com
15	ashion.ru	cw2992059@gmail.com
16	bagluxus.com	info@bagluxus.com
17	better7a.com	dobestservic@outlook.com bess9a@hotmail.com
18	borsaoutlet.net	borsesconto@gmail.com borsedisconto@gmail.com
19	brandandbox.ru	brandandbox@gmail.com
20	bratzcloset.co	<a href="https://www.bratzcloset.co/index.php?route=information/contact">https://www.bratzcloset.co/index.php?route=information/contact</a>
21	bzmpa.cn	158250986@qq.com rose@bzmpa.cn
22	cheap-bags.ru	365bagoutlet@gmail.com
23	cnnoobs.com	<a href="https://cnnoobs.com/contact-us">https://cnnoobs.com/contact-us</a>
24	comingfashions.com	comingfashionservice@gmail.com
25	crisandco.co	crisandcocoluxury@protonmail.com
26	defeiyybags.com	861199616@qq.com
27	famousheels.to	orders_famousheels@yahoo.com
28	fashioncheapbag.com	pw-581af6de17a2b21affbb574656e0f54a@privacyguardian.org aurorasaleshop@gmail.com
29	goldwatcheshop.com	watchesc@outlook.com
30	ibyluxury.com	ibyluxury@gmail.com
31	japanchannel.vip	sales@clientvip.tokyo
32	jingbags.com	service@jewinston.com
33	kalizeylux.com	support@kalizey.com
34	lucybags.ru	lucybags.ru@gmail.com
35	lussoeborseit.com	pw-c6605e30e6e59a0c9ef36ab9c0612b97@privacyguardian.org info@lussoeborseit.com
36	luxier.co.uk	luxier.uk@gmail.com
37	luxshion.com	winwen2021@gmail.com
38	luxupurse.com	luxupurse@163.com
39	luxury500.net	hw77maysonlong@gmail.com w505290163@gmail.com
40	luxury-baron.com	<a href="https://luxury-baron.com/pages/contact-us">https://luxury-baron.com/pages/contact-us</a>
41	luxurybellissimo.co.uk	sales@bellissimo-luxury.com
42	luxurytasticreps.ru	info@luxurytasticmail.com
43	lvbase.ru	luxurybagsplaza@gmail.com



<b>Def. No.</b>	<b>Defendant / Subject Domain Name</b>	<b>Means of Contact</b>
44	lvluxurybag.ga	patel@apexscore.com myllvv@yahoo.com myllvv01@gmail.com
45	mainoov.com	mainoov3@gmail.com
46	mumus.top	service@egameschina.net
47	myaalist.com	cnshoppe@gmail.com
48	mythick.ru	yoursluxurybags@gmail.com
49	outletshops2021.ru	izqpqv74787@gmail.com
50	replicafashion.ru	bestdiscountonline@yahoo.com bestdiscountonline@aliyun.com
51	shoptobags.com	designerspurses@gmail.com
52	shoptywl.com	<a href="https://www.shoptywl.com/?route=information/contact">https://www.shoptywl.com/?route=information/contact</a>
53	solebags.ru	lovesarastudio@gmail.com
54	sportmall1.com	361620944@qq.com
55	thebagsilove.com	aafricanbeast@hotmail.com cheryljhlu@hotmail.com
56	thefashiondesigner.ru	thefashiondesigner@163.com
57	topluxury-buy.com	jopliherbeck34@gmail.com
58	ustarbiz.ru	ustarbiz@163.com
59	wenwenluxury.com	pw-13c0ed5053135a0318852eb534228f5c@privacyguardian.org support@woomall.top
60	yimahandbags.cn	qxp@usavps.cn yimatrading@outlook.com
61	yoongxifengkaixing.com	1292564643@qq.com 434947252@qq.com