

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

CASE NO. 20-CIV-62335-RAR

CHANEL, INC.,

Plaintiff,

v.

CHANELBAGS.RU, et al.,

Defendants.

DEFAULT FINAL JUDGMENT AND PERMANENT INJUNCTION

THIS CAUSE comes before the Court on Plaintiff’s Motion for Entry of Final Default Judgment [ECF No. 25] (“Motion”). For the reasons set forth in the Order Granting the Motion [ECF No. 26] entered separately, it is hereby

ORDERED AND ADJUDGED that judgment is hereby entered in favor of Plaintiff, Chanel, Inc. (“Plaintiff”), and against Defendants, the Individuals, Partnerships, and Unincorporated Associations identified on Schedule “A” hereto (“Defendants”), as follows:

(1) **Permanent Injunctive Relief**

Defendants and their officers, directors, employees, agents, subsidiaries, distributors, and all persons acting in concert or participation with Defendants are permanently restrained and enjoined from:

a. manufacturing or causing to be manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods bearing Plaintiff’s trademarks, or any confusingly similar trademarks identified in Paragraph 17 of the Complaint (the “Chanel Marks”);

b. using the Chanel Marks in connection with the sale of any unauthorized goods;

c. using any logo and/or layout that may be calculated to falsely advertise the services or products of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;

d. falsely representing themselves as being connected with Plaintiff, through sponsorship or association;

e. engaging in any act that is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Plaintiff;

f. using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants;

g. affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by Defendants as being those of Plaintiff or in any way endorsed by Plaintiff and from offering such goods in commerce;

h. otherwise unfairly competing with Plaintiff;

i. using the Chanel Marks, or any confusingly similar trademarks within domain name extensions, metatags or other markers within website source code, from use on any webpage (including as the title of any web page), from any advertising links to other websites, from search engines' databases or cache memory, and from any other form of use of such terms

which are visible to a computer user or serves to direct computer searches to websites registered by, owned, or operated by Defendants; and

j. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.

(2) **Additional Equitable Relief**

a. In order to give practical effect to the Permanent Injunction, the domain names identified on Schedule “A” hereto (“Subject Domain Names”) are hereby ordered to be immediately transferred by Defendants, their assignees and/or successors in interest or title, and the Registrars to Plaintiff’s control. To the extent the current Registrars do not facilitate the transfer of the Subject Domain Names to Plaintiff’s control within five (5) days of receipt of this Judgment, upon Plaintiff’s request, the top level domain (TLD) Registry for each of the Subject Domain Names, or their administrators, including backend registry operators or administrators, shall, within thirty (30) days, (i) change the Registrar of Record for the Subject Domain Names to a Registrar of Plaintiff’s choosing, and that Registrar shall transfer the Subject Domain Names to Plaintiff, or (ii) place the Subject Domain Names on Registry Hold status for the life of the current registration, thus removing them from the TLD zone files maintained by the Registries which link the Subject Domain Names to the IP addresses where the associated websites are hosted.

b. Plaintiff may serve this injunction on any e-mail service provider with a request that the service provider permanently suspend the e-mail addresses identified on Schedule “B” hereto, which are used by Defendants in connection with Defendants’ promotion, offering for sale, and/or sale of goods using counterfeits, and/or infringements of the Chanel Marks.

c. Plaintiff may serve this injunction on any Internet search engines with a request that they permanently disable, deindex or delist any specific URLs identified by Plaintiff, based upon Defendants' unlawful activities being conducted via the Subject Domain Names as a whole and via the URLs identified by Plaintiff.

d. Defendants, their agent(s) or assign(s), shall assign in writing all rights, title, and interest, to their Subject Domain Name(s) to Plaintiff and, if within five (5) days of receipt of this Order Defendants fail to make such an assignment, the Court shall order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

e. Defendants, their agent(s) or assign(s), shall instruct in writing all search engines to permanently delist or deindex the Subject Domain Name(s) and, if within five (5) days of receipt of this Order Defendants fail to make such a written instruction, the Court shall order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

(3) Statutory damages in favor of Plaintiff pursuant to 15 U.S.C. section 1117(c) are determined to be \$1,000,000.00 against each Defendant, for which let execution issue, based upon the Court's finding that each Defendant infringed at least one trademark on one type of good. The Court considered both the willfulness of each Defendant's conduct and the deterrent value of the award imposed, and the award falls within the permissible statutory range under 15 U.S.C. section 1117(c).

(4) Statutory damages in favor of Plaintiff pursuant to 15 U.S.C. section 1117(d) are determined to be:

a. \$10,000.00 against Defendant 1 - chanelbags.ru, for its domain name, chanelbags.ru, for which let execution issue.

(5) Interest from the date this action was filed shall accrue at the legal rate. *See* 28 U.S.C. § 1961.

(6) The bond posted by Plaintiff in the amount of \$10,000.00 is ordered to be **RELEASED** by the Clerk of Court.

(7) The Court **RETAINS** jurisdiction to enforce the Final Judgment and Permanent Injunction.

(8) The Clerk shall mark this case as **CLOSED**.

(9) Any pending motions are **DENIED** as moot.

DONE AND ORDERED in Fort Lauderdale, Florida, this 29th day of December, 2020.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE

SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Subject Domain Name
1	chanelbags.ru
1	designermall.ru
1	everydesigners.ru
2	handbagsdesigner.cn
2	luxurypurse.cn
3	hotsan.shop
3	replicabags.com.ru
4	chevrolet-saratov.ru
4	mirvba.ru
5	dolabuy.ru
5	isbags.ru
6	aaabrand.ru
7	ahuo.ru
8	bestqualityreplica.ru
9	brandsoff.ru
10	daphneol.shop
11	fashionrepsfam.ru
12	gogoyeezy.cn
13	hahabags.su
14	haileyec.shop
15	hothandbags.cn
16	jewelleryinfashion.se
17	lulux.ru
18	luxurydeals.ru
19	luxuryshoesu.de
20	luxurytopfashion.ru
21	modishbags.su
22	modobolsos.cn
23	mypursesshop.ru
24	pluscoin.io
25	qiqibrand.cn
26	sallyec.shop
27	shoeaddict.ru
28	toppurse.ru

SCHEDULE "B"
E-MAIL ADDRESSES USED IN CONNECTION WITH THE SALE OF
COUNTERFEIT GOODS BEARING THE CHANEL MARKS

beltsforcheap@gmail.com
queensbag@gmail.com
worldbag@hotmail.com
servicedaphne@outlook.com
info.brandsinfashion@gmail.com
mingdayue107@gmail.com
modopoco@gmail.com
lvofficialshop@gmail.com
sacpurse@hotmail.com
qiqibrand@hotmail.com
sallyservice@outlook.com
buyitbag@gmail.com
jehans4598@gmail.com
modovalley@gmail.com