

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND
Baltimore Division

BULLESEYEBORE, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:24-cv-00246-RDB
)	
LANDBASE TRADING CO., LTD.,)	
MANNER TRADING CO., LTD.,)	
JAMYA, LTD.,UMALL TECHNOLOGY)	
S.A.R.L., DONGGUAN HENGJIA E-)	
COMMERCE CO., LTD., LARRYHOT)	
TRADING CO., LTD., SHENZHEN)	
MAOLUHUI NETWORK TECHNOLOGY)	
CO., LTD., ELAY E-COMMERCE CO., LTD.,)	
ADAH TECHNOLOGY CO., LTD.,)	
SHENZHEN JUAN YUNCHEN NETWORK)	
TECHNOLOGY CO., LTD., TOPLI TRADING)	
CO., LTD., SHENZHEN ZHONGTOU)	
GUORONG TRADING CO., LTD.,)	
NANCHANG HUIMENG NETWORK)	
TECHNOLOGY CO., LTD., AWIN E-)	
COMMERCE LTD., SUZHOU CHENGHE)	
NETWORK TECHNOLOGY CO., LTD.,)	
SUZHOU RUOXING NETWORK)	
TECHNOLOGY CO., LTD., WOTAI)	
NETWORK TECHNOLOGY CO., LTD.,)	
GUANGZHOU SHIMAI E-COMMERCE CO.,)	
LTD., SHANXI HAIXUN TRADING CO., LTD.,)	
RIME GROUP, LIXIN GENERAL STORE,)	
SHENZHEN YITONG INFORMATION)	
TECHNOLOGY CO., LTD., SHENZHEN JIJIN)	
TECHNOLOGY CO., LTD., SHANXI PANRI)	
TRADING CO., LTD., CASE NETWORK)	
INFORMATION TECHNOLOGY (YANTAI))	
CO., LTD., JOHN DOE (WWW.FSFIA.COM),)	
)	
Defendants.)	

PRELIMINARY INJUNCTION AND OTHER RELIEF

WHEREAS, on February 28, 2024 Plaintiff Bullseyebore, Inc. (Bullseyebore”) filed a Second *ex parte* Motion for Entry of a Temporary Restraining Order and other Relief directed to

Defendants identified in the Schedule A to the Second Amended Complaint, including a request for a temporary injunction, a temporary transfer of the Defendants' Domain Names, a temporary asset restraint, expedited discovery and service of process by Email and Electronic Publication, (the "Motion") against the fully interactive, e-commerce stores operating under the Sellers and Sellers aliases identified in the Second Amended Complaint and in Schedule A to the Second Amended Complaint using at least the domain names identified in Schedule A to the Second Amended Complaint. (ECF No. 22.)

WHEREAS, On March 12, 2024 after an *ex parte* hearing, this court granted the Motion for TRO on and set Bullseyebore' Motion for Preliminary Injunction on March 25, 2024. (ECF Nos. 26, 27.)

WHEREAS, on March 15, 2024 counsel appeared (ECF Nos. 28–30, 34) on behalf of those Web Store defendants 1-19 that had been enjoined by this Court's Preliminary Injunction dated February 13, 2024. (ECF No. 20.) Defendants Web Store 1-19 filed their Motion to Dismiss on March 15, 2024 (ECF No. 31) and an Opposition to the Second Motion for Preliminary Injunction on March 21, 2024 (ECF No. 38).

WHEREAS, On March 21, 2024 this Court set an expedited briefing schedule to consider the pleadings of Web Stores 1-19 and reset the hearing date for the Preliminary Injunction from March 25, 2024 to April 8, 2024. (ECF No. 40.)

WHEREAS, on March 21, 2024 Plaintiff served the Second Amended Complaint, the Temporary Restraining Order and Motion for Preliminary Injunction and advised that the motion for Preliminary Injunction would take place on April 8, 2024 hearing date on all defendants including those new Defendants first identified in Schedule A the Second Amended Complaint. (ECF No. 21-1 ¶¶ 20–36.)

WHEREAS, on March 29, 2024, Plaintiff filed its Reply to the Motion to Dismiss (ECF No. 41) and on April 3, 2024 filed its Reply to Defendant Web Stores' 1-19 Opposition to Plaintiff's Motion for Preliminary Injunction (ECF No. 42).

WHEREAS, on April 3, 2024, Defendant Web Stores' 1-19 filed their Reply to the Plaintiff's Opposition to Motion to Dismiss on April 3, 2024. (ECF No. 43.)

WHEREAS, a hearing was held on April 8, 2024 to consider the issues raised by the pleadings, including this Court's jurisdiction and the basis for injunctive relief. (ECF No. 47.)

WHEREAS, none of the new defendants identified in Schedule A to the Second Amended Complaint (ECF No. 21-1) attended the April 8, 2024 hearing, nor have any answered the complaint, opposed the motion for preliminary injunction or otherwise appeared in the case,

WHEREAS, pursuant to this Court's instruction at the April 8, 2024 hearing, Plaintiff filed its Third Amended Complaint (ECF No. 49) and identified the legal identities of the Defendant Web Stores that had been identified, including the 19 Web Stores in the Amended Complaint (ECF No. 9) and 8 additional Web Stores identified in the Second Amended Complaint (ECF No. 21) that it had been able to ascertain. In the Third Amended Complaint (ECF No. 49), Plaintiff voluntarily dropped a number of the defendants that were identified in ECF No. 21-1 ¶¶ 20-36. The remaining new defendants are identified in Attachment 1 ("New Defendants").

After reviewing Plaintiff's Motion for Preliminary Injunction and the accompanying record, including that made during the hearing on the Motion for Temporary Restraining Order, on March 11, 2024 (ECF No. 25) and the hearing on April 8, 2024 (ECF No. 47), this Court **GRANTS** Bullseyebore's Motion for Preliminary Injunction against the New Defendants as identified on Attachment 1 as follows:

This Court finds that Bullseyebore has provided a basis to conclude that the New Defendants have sold or offered for sale products using Bullseyebore's federally registered copyrights (the "Bullseyebore Copyrights") and/or using infringing and counterfeit versions of Bullseyebore's trademarks (the "Bullseyebore Trademarks") and that such actions will irreparably harm Bullseyebore.

Accordingly this Court orders that:

1. the New Defendants as identified in Attachment 1, their officers, agents, servants, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be temporarily enjoined and restrained from:

- a. using the Bullseyebore Trademarks or any reproductions, counterfeit copies, or colorable imitations in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not a genuine Bullseyebore Products product or not authorized by s to be sold in connection with the Bullseyebore Trademarks;
- b. reproducing, distributing copies of, making derivative works of, or publicly displaying the Bullseyebore Copyrights in any manner without the express authorization of Bullseyebore;
- c. passing off, inducing, or enabling others to sell or pass off any product as a genuine Bullseyebore Product or any other product produced by Bullseyebore, that is not Bullseyebore's or not produced under the authorization, control, or supervision of Bullseyebore and approved by Bullseyebore for sale under the Bullseyebore Trademarks;
- d. committing any acts calculated to cause consumers to believe that Defendants' products are those sold under the authorization, control, or supervision of Bullseyebore, or are sponsored by, approved by, or otherwise connected with Bullseyebore;
- e. manufacturing, shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Bullseyebore, nor authorized by Bullseyebore to be sold or offered for sale, and which bear any of Bullseyebore's copyrights or trademarks, including the Bullseyebore Copyrights and the Bullseyebore Trademarks, or any reproductions, counterfeit copies, or colorable imitations; and
- f. 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 in Subparagraphs (d) and (e).

2. NEW Defendants shall not transfer or dispose of any money or other of New Defendants' assets in any of Defendants' financial accounts.

3. Bullseyebore is authorized to issue expedited written discovery to New Defendants and New Defendants' vendors including Meta Platforms, Inc., PayPal, Inc. and the domain name registries a pursuant to Federal Rules of Civil Procedure 33, 34, and 36, related to:

a. the identities and locations of New Defendants, their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including all known contact information and all associated e-mail addresses;

b. the nature of New Defendants' operations and all associated sales, methods of payment for services, and financial information, including, without limitation, identifying information associated with the webpages and New Defendants' financial accounts and New Defendants' sales and listing history related to their respective web pages or Web Stores; and

c. any financial accounts owned or controlled by New Defendants, including their officers, agents, servants, employees, attorneys, and any persons acting in active concert or participation with them, including such accounts residing with or under the control of any banks, savings and loan associations, payment processors or other financial institutions, including, without limitation, PayPal, Inc. ("PayPal"), or other merchant account providers, payment providers, third party processors, and credit card associations (e.g., MasterCard and VISA).

4. The domain name registries for the New Defendants' Domain Names, including, but not limited to, Namesilo, LLC, Alibaba Cloud Service, GoDaddy.com, LLC; Name.com, Inc.; Namecheap Inc.; DNSPod., Inc.; PDR Ltd. and IANA ID: 472 within seven (7) calendar days of receipt of this Order or prior to the expiration of this Order, whichever date shall occur first, shall disable the New Defendants' Domain Names as set forth in **Attachment 1** and make them inactive and untransferable until further order by this Court.

5. Upon Bullseyebore's request, those with notice of this Order, including the Third Party Providers including Meta, Inc. (Facebook and Instagram, shall within seven (7) calendar days after receipt of such notice, disable and cease displaying any advertisements used by or associated with **New Defendants identified in Attachment 1** in connection with the sale of counterfeit and infringing goods bearing the Bullseyebore Copyrights or using the Bullseyebore Trademarks.

6. Any Third Party Providers, including PayPal, shall continue to locate, restrain and enjoin any such accounts or funds in those accounts associated with those **New Defendants identified in Attachment 1** and prevent the transferring or disposing of any money or other of Defendants' assets in such accounts until further order by this court, including and of the aliases identified Attachment 1.

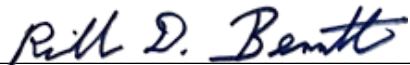
7. Bullseyebore may provide notice of all proceedings in this case to any unrepresented Defendant, including notice of the preliminary injunction and any future motions, by electronically publishing a link to the Complaint, this Order, and other relevant documents on a website and by sending an e-mail with a link to said website to the e-mail addresses provided for Defendants by third parties or identified on their Web Stores.

8. With respect to the Third Amended Complaint, the Clerk of the Court is directed to issue a single original summons in the name of “Landbase Trading Co., Ltd. and all other Defendants identified in the Complaint” that shall apply to all unrepresented Defendants. The combination of providing notice via electronic publication and email, along with any notice that Defendants receive from domain name registers or payment processors, shall constitute notice reasonably calculated under all circumstances to apprise Defendants of the pendency of the action and afford them the opportunity to present their objections.

8. Any Defendants that are subject to this Order may appear and move to dissolve or modify the Order as permitted by and in compliance with the Federal Rules of Civil Procedure and the US District Court of Maryland Local Rules. Any third party impacted by this Order may move for appropriate relief.

9. The Preliminary Injunction Order entered by this court on February 13, 2024 remains in force and effect.

Dated April 15, 2024



Richard D. Bennett
United States Senior District Judge

ATTACHMENT 1

To Preliminary Injunction

1. Guangzhou Shimai E-Commerce Co., Ltd., (DCK 21-1, #35, quporo.com)
2. Shanxi Haixun Trading Co., Ltd.,(DCK 21-1, #29, jinhayson.com)
3. Rime Group,(DCK 21-1, # 31, chessy.net)
4. Lixin General Store, (DCK 21-1, #35, quporo.com)
5. Shenzhen Yitong Information Technology Co., Ltd. (DCK 21-1, #33, strongea.com)
6. Shenzhen Jijin Technology Co., Ltd., (DCK 21-1 #36, agiao.com, craboss.com)
7. /Shanxi Panri Trading Co., Ltd.(DCK 21-1, #27, sxpanri.com)
8. Case Network Information Technology (Yantai) Co., Ltd. (DCK 21-1 #22 wiship.co.uk)
9. John Doe (www.fsfia.com) (DCK 21-1 #28)