

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AQUAPAW BRANDS LLC,
Plaintiff,

v.

TROPICALPARADISE, CHENGNVSHOP,
DOGGY STEVEN STORE, GIFT HOUSE,
HANXU_NN, NANGUA, XUXIAOJUN1759,
YIYAYA, YULUSHOP, A FAMILY OF PET
LOVERS STORE, AODOO SHIPPING
STORE, AQUAKIWI STORE, ART BATH
STORE, AYIJIA-01 STORE, CATS AND
DOGS STORE, CUTE PAWS PETS STORE,
CUTE STORE, DGFC HPA STORE,
DLEHOME STORE, DUDON PETS STORE,
EHEH STORE, FASHION CLOTHES FOR
DOGS STORE, FISPET STORE,
FREEOPTIMISTIC STORE, GLOABL PETS
SUPPLIER STORE, HEINER PETS LIFE
STORE, HINKO GANY STORE,
HOMEGARDEN1 STORE, HOTCOLOR
STORE, IMPRESSION HOME STORE,
IPAWSPACE PET STORE, I-SHINE
LIFESTYLE STORE, JANEYI STORE, JIAJIA
PET STORE, KEEPIY STORE, KOVA TOY
STORE, LM LOVE PET STORE, LYPETS
STORE, MAGIJEV STORE, MARUI STORE,
NAUGHTY STORE, ONE PET SUPPLY
STORE, ONEPET STORE, ONLINE HOT
DEALS STORE, PETART STORE, PETS
TRIBE STORE, PETSUPPLIES
DROPSHIPPING STORE, POWERPAW
STORE, RABICHEN STORE,
SHOP1100227377 STORE, SHOP1102698958
STORE, SHOP1855178 STORE, SHOP5874345
STORE, SHOP911458011 STORE, SLFO
STORE, SPICY STRIPS STORE, SSHEN PET
STORE, SUNNOO STORE, SURPRISINGLY
BEAUTIFUL STORE, TAIBAIJIA OFFICIAL
STORE, TIPEGON OFFICIAL STORE,
TREASURE GIRLS STORE, URWELLCOME
STORE, WBWBMY STORE, WITH PETS

Civil Action No.

FILED UNDER SEAL

STORE, WORLD PET SUPPLIES STORE, XLEIPET STORE, XRUIPET, XWANGPET STORE, YALUOSI STORE, YONGLIANG LED LIGHTING STORE, YOZWOO HOME STORE, YPLG STORE, ZHULI866 STORE, RFCW PET SUPPLIES STORE, AOFENGGASIEFENG, GUANLAI01, HOMEGARCHEN, LINSHENGSHANGDIAN, RECHENG, RUN666, TEAGANY, WANGSUAN, WUMENGNAN, XILEI888, CHENGDU ORANGE FLOWER CHENG TECHNOLOGY CO., LTD, SHENZHEN KAIYUAN DA ELECTRONIC COMMERCE CO., LTD, SHENZHEN MINGXINYANG TRADING CO., LTD, EXCELLENT PRODUCTS SHOP, JRXDZ, MANY CATS, SHENZHEN BOLANDI TOYS CO LTD, SPORTS HALL, TGB, THOUSANDS OF BIRDS TO LIN, TIRITH, WORRY FREE SHOP, G-CHEN, LIFENG ELECTRONIC CO. LTD, NIUTA TECHNOLOGY CO., LTD, PEACNNG CO. LTD, SHANG HAI BAO YU ELECTRONIC BUSINESS CO LTD, UGERLOV FASHION CO. LTD, and XINLIE,

Defendants.

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

AQUAPAW BRANDS LLC, a Delaware limited liability company (“Plaintiff”), hereby sues Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the Caption and which are set forth in **Schedule “A”** hereto (collectively “Defendants”). Defendants are (1) promoting, selling, offering for sale, and distributing goods using confusingly similar imitations of one or more of the Plaintiff’s copyrighted works (or an unauthorized derivative thereof), and/or (2) using Plaintiff’s works in a willful attempt to pass off their goods as genuine versions of Plaintiff’s goods, thus unfairly competing (“Infringing Products”). In support of their claims, Plaintiff alleges as follows:

NATURE OF THE ACTION

1. Michael Scotese is an executive of the Plaintiff company, AQUAPAW BRANDS LLC, the 100% owner of all the assets of AQUAPAW LLC, the original company that developed and marketed the product at issue in this case (i.e., the Aquapaw[®] Pet Bathing Tool). The inventor of the Plaintiff's patented product solved the challenging problem of bathing a dog by examining the task from the dog's perspective.¹ By creating a sprayer/scrubber operable by one hand, the inventor was able to hold and comfort the dog with the free hand while cleaning the pet with the device. Today, the product is sold by Plaintiff under the brand name Aquapaw[®] Pet Bathing Tool ("Plaintiff's Product").

2. Plaintiff sells its dog bathing device under the registered Aquapaw[®] trademark U.S. Reg. No. 5312909 for "Pet grooming device consisting of a sprayer that straps to the hand and an attachment that connects to a water source and/or a reservoir for a conditioning agent or shampoo" in class 21.

3. The Plaintiff's Product is an innovative wearable sprayer-scrubber combination that easily connects to a garden hose or faucet and permits the owner to operate the device with one hand while they hold their pet firmly with the other hand. The Plaintiff's Product, pictured below, retails for \$24.95:

¹ The innovative features of Plaintiff's Product are the subject of U. S. Patent No. 10,531,728 entitled "Hand Attachable Animal Washing Apparatus".



4. Defendants have offered for sale, sold, and distributed knock-off versions of the Plaintiff's Product by using Plaintiff's Works in Defendants' online advertisements and listings. Moreover, Defendants' sale, distribution, and advertising of the Infringing Product are highly likely to cause consumers to believe that Defendants are offering a genuine version of Plaintiff's Product when they are not. Shown below are the two types of products offered for sale by the Defendants and which are the subject of this lawsuit:

TYPE 1 INFRINGING PRODUCT



TYPE 2 INFRINGING PRODUCT



5. Shown below are examples of infringing listings offered for sale by the Defendants:

Plaintiff's Copyrighted Photograph



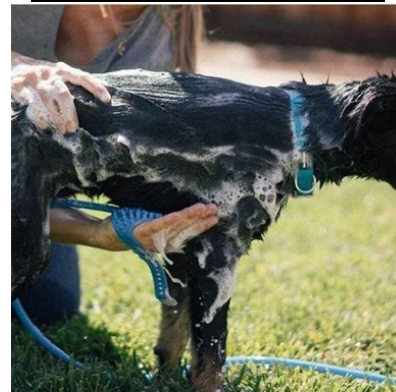
Listing of Defendant ONE PET SUPPLY Store Showing Infringing Photo



Plaintiff's Copyrighted Photograph



Listing of Defendant Homegarden Showing Infringing Photo



Additional examples of infringing listings are attached hereto as **Complaint Exhibit 3**.

6. As poorly designed and manufactured products, the flimsiness of the product may disappoint a customer who may give the product a bad review.

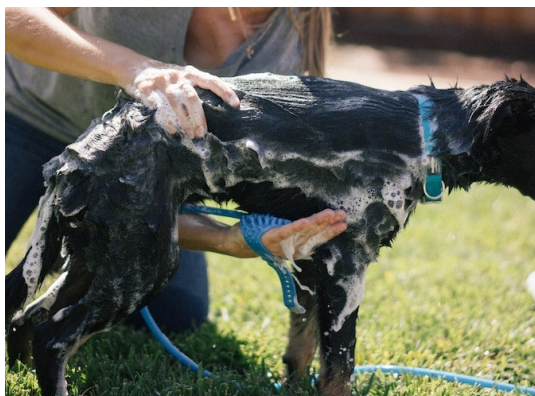
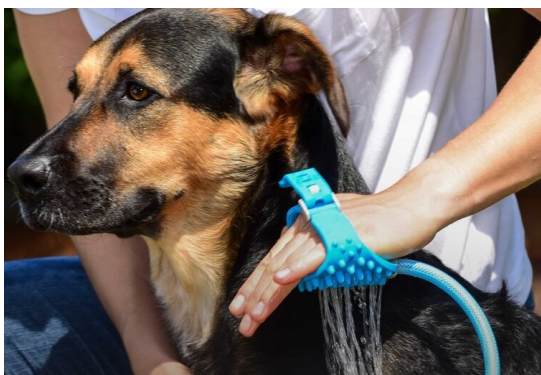
7. Defendants' Infringing Products are substantially inferior to the genuine product. With poorly designed and manufactured products, Defendants' Infringing Products threaten to destroy the reputation of high quality that Plaintiff's Products have earned.

8. Plaintiff's Product is marketed and advertised extensively including on its website aquapaw.com and its storefront on Amazon.com. The unique features of Plaintiff's Product and

the manner in which it is marketed and advertised, including the distinct photographs, the design, the instructions, the packaging, and the unique presentation of the product, all comprise Plaintiff's valuable intellectual property ("IP") and all have become distinct in consumer's minds such that consumers associate all of this IP with Plaintiff's Product. Screenshots from Plaintiff's Website and Amazon Store are attached as **Complaint Exhibit 1**.

9. All of the Defendants have used without authorization at least one photo or screenshot from at least one of Plaintiff's copyrighted photographs covered by U.S. Copyright Reg. No. VA-0002098373, U.S. Copyright Reg. No. VA-0002098372, U.S. Copyright Reg. No. VA-0002096921, and U.S. Copyright Reg. No. PA-0002068689 ("Plaintiff's Copyrights").

Examples of Plaintiff's Photographs are shown below:



The electronic copyright registration and exemplar deposit photos are attached the Complaint as **Exhibit 2A – 2D**.

10. On information and belief, Defendants' sale of Infringing Products gives rise to a plausible expectation that discovery will reveal that Defendants' actions all arise from the same transaction, occurrence, or series of transactions. Specifically, on information and belief, Defendants are actively participating in a conspiracy to distribute and sell Infringing Products.

For example, Defendants, on information and belief, are working together to manufacture, arrange the manufacture of and/or sell and otherwise distribute the Infringing Products.

11. Plaintiff therefore brings this action for federal unfair competition in violation of Section 43(a) of the Trademark Act of 1946, as amended; and/or federal copyright infringement of Plaintiff's federally registered copyrights in violation of the Copyright Act of 1976; and/or common law unfair competition, pursuant to 15 U.S.C. § 1125(a), 15 U.S.C. § 1114, 17 U.S.C. §§ 101 *et seq.*, and The All Writs Act, 28 U.S.C. § 1651(a).

JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331, 1332, and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Plaintiff's state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

13. This Court may exercise personal jurisdiction over a non-resident of the State in which the Court sits to the extent authorized by the state's laws. Fed. R. Civ. P. 4(e). Pennsylvania authorizes personal jurisdiction over each Defendant pursuant to 42 Pa. Cons. Stat. § 5322 (a) which provides in pertinent part: "A tribunal of this Commonwealth may exercise personal jurisdiction over a person ... as to a cause of action or other matter arising from such person: (1) Transacting any business in this Commonwealth. Without excluding other acts which may constitute transacting business for the purpose of this paragraph: (ii) The doing of a single act in this Commonwealth for the purpose of thereby realizing pecuniary benefit ... (3) Causing harm or tortious injury by an act or omission in this Commonwealth. (4) Causing harm or tortious injury by an act or omission outside this Commonwealth ... (10) Committing any violation within the jurisdiction of the Commonwealth of any statute, home rule charter, local

ordinance or resolution, or rule or regulation promulgated thereunder by any government unit or of any order of court or other government unit.” In the alternative, Federal Rule of Civil Procedure 4(k) confers personal jurisdiction over the Defendants because, upon information and belief, Defendants regularly conduct, transact and/or solicit business in Pennsylvania and in this judicial district, and/or derive substantial revenue from their business transactions in Pennsylvania and in this judicial district and/or otherwise avail themselves of the privileges and protections of the laws of the Commonwealth of Pennsylvania such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and due process, and/or Defendants’ illegal counterfeiting and infringing actions caused injury to Plaintiff in Pennsylvania and in this judicial district such that Defendants should reasonably expect such actions to have consequences in Pennsylvania and in this judicial district, for example:

a. Upon information and belief, at all times relevant hereto, Defendants were and/or are systematically directing and/or targeting their business activities at consumers in the United States, including Pennsylvania, through on-line platforms with Merchant Storefronts (as defined *infra*), via at least one of the on-line marketplace websites, such as Amazon.com, eBay.com, Joybuy, Temu, Wish.com, Walmart.com, and Aliexpress.com online marketplaces, under the Seller IDs, as well as any and all as yet undiscovered accounts with Merchant Storefronts held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“User Accounts”), through which consumers in the United States, including Pennsylvania, can view the one or more of Defendants’ Merchant Storefronts that each Defendant operates, uses to communicate with Defendants regarding their listings for Infringing Products and to place orders for, receive

invoices for and purchase Infringing Products for delivery in the U.S., including Pennsylvania, as a means for establishing regular business with the U.S., including Pennsylvania.

b. Upon information and belief, certain Defendants are sophisticated sellers, each operating one or more commercial businesses using their respective User Accounts through which Defendants, their respective officers, employees, agents, servants and all persons in active concert of participation with any of them, operate storefronts to manufacture, import, export, advertise, market, promote, distribute, offer for sale and/or otherwise deal in products, including the Infringing Products, which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“Merchant Storefront(s)”) in wholesale quantities at significantly below-market prices to consumers worldwide, including to those in the U.S., and specifically Pennsylvania.

c. Upon information and belief, Defendants’ Merchant Storefronts reflect multiple sales to consumers all over the world, including repeat sales to consumers in the U.S. and into this judicial district.

d. Upon information and belief, all Defendants accept payment in U.S. Dollars and offer shipping to the U.S., including to Pennsylvania.

e. Upon information and belief, at all times relevant, Defendants have transacted business with consumers located in the U.S., including Pennsylvania, for the sale and shipment of Infringing Products.

f. Upon information and belief, some Defendants are employing and benefiting from substantially similar, paid advertising and marketing and advertising strategies in order to make their Merchant Storefronts selling illegal goods appear more relevant and attractive to search result software across an array of search words, including but not limited to “PET SPRAYER”, “DOG SPRAYER”, AND “PET BATHING TOOL”. By their actions, Defendants are causing concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff of its right to fairly compete for space within the various on-line marketplace search results and reducing the visibility of the Plaintiff’s Product on various on-line marketplaces and/or diluting and driving down the retail market price for the Plaintiff’s Product; (ii) causing an overall degradation of the value of the goodwill associated with Plaintiff’s Product; and (iii) increasing Plaintiff’s overall cost to market its goods and educate consumers about its brand and products.

g. Upon information and belief, Defendants have cooperated, communicated their plans with one another, shared information, purchased their infringing products from the same source, and coordinated their efforts, all in order to create an illegal marketplace operating in parallel to the legitimate marketplace of Plaintiff’s and the legally authorized resellers of Plaintiff’s genuine goods.

h. Upon information and belief, Defendants are concurrently targeting their infringing activities toward consumers and causing harm in Allegheny County, Pennsylvania.

i. Upon information and belief, Defendants likely reside and/or operate in and/or (in the case of US-based sellers) purchase from foreign jurisdictions with lax trademark

and patent enforcement systems and are cooperating by creating an illegal stream of infringing and counterfeit goods.

j. Upon information and belief, Defendants are aware of Plaintiff, its genuine Aquapaw[®] Pet Bathing Tool, and are aware that their illegal infringing actions alleged herein are likely to cause injury to Plaintiff in the United States, in Pennsylvania and in this judicial district specifically, as Plaintiff conducts substantial business in Pennsylvania.

k. Plaintiff is suffering irreparable and indivisible injury and suffered substantial damages as a result of Defendants' unauthorized and wrongful sale of infringing goods.

14. Venue is proper, *inter alia*, pursuant to 28 U.S.C. § 1391 because, for example:

a. Upon information and belief, Defendants conduct, transact, and/or solicit business in this judicial district.

b. Upon information and belief, Defendants or their agent(s) may be found in this district because personal jurisdiction is proper in this district.

c. Upon information and belief, this is a judicial district in which a substantial part of the events or omissions giving rise to the infringement claims occurred, or a substantial part of the property that is the subject of the action is situated.

d. Defendants not resident in the United States may be sued in this judicial district because personal jurisdiction is proper in this district.

THE PLAINTIFF

15. Plaintiff, AquaPaw Brands LLC, is a Delaware limited liability company and has its principal place of business at 113 Cherry Street, PMB 89249, Seattle, Washington 98104-2205 U.S.

16. Plaintiff is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, the Aquapaw[®] Pet Bathing Tool, through its website, aquapaw.com, its authorized storefront on amazon.com, and various retail establishments. Defendants, through the sale and offer to sell Infringing Products are directly, and unfairly, competing with Plaintiff's economic interest in the Commonwealth of Pennsylvania and causing Plaintiff harm within this jurisdiction.

17. Like many other brand owners, Plaintiff suffers ongoing daily and sustained violations of its rights at the hands of infringers, such as Defendants herein, who wrongfully reproduce Plaintiff's Products for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits from the sale of their Infringing Products. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiff's Products and the destruction of the legitimate market sector in which Plaintiff operates.

18. The recent explosion of counterfeiting and infringement over the Internet, including through online marketplace platforms, has created an environment that requires brand owners, such as Plaintiff, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and Plaintiff from the ill effects of confusion and the erosion of the goodwill associated with Plaintiff's brand and products.

THE DEFENDANTS

19. The Defendants are individuals and/or business entities of unknown makeup, each of whom, upon information and belief, either resides or operates in foreign jurisdictions, or (though not foreign) redistributes products from the same or similar sources in those foreign locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities toward consumers throughout the United States, including within this district, and conduct pervasive business through the operation of one fully interactive commercial Internet based e-commerce store via, at least one of the Internet based online marketplaces, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, Walmart.com, and Aliexpress.com online marketplaces, all under the Seller IDs.

20. Upon information and belief, the Defendants use aliases in conjunction with the operation of their businesses as set forth in Schedule "A" hereto.

21. Defendants are the past and present controlling forces behind the sale of products bearing and/or using infringements of the Plaintiff's Works, and/or a substantially similar copy of Plaintiff's Work as described herein using at least the Seller IDs.

22. Upon information and belief, Defendants directly engage in using infringements of the Plaintiff's Works, to consumers within the United States and this district through several fully interactive, commercial Internet websites and Internet based e-commerce stores operating under, at least, the storefronts, the Seller IDs, and any additional domain names, websites and corresponding website URLs or seller identifications and store URL aliases not yet known to Plaintiff. Defendants have purposefully directed some portion of their illegal activities towards consumers in the Commonwealth of Pennsylvania through the advertisement, offer to sell, sale, and/or shipment of Infringing Products into the Commonwealth.

23. Defendants have registered, established or purchased, and maintained the on-line marketplace website storefronts and Seller IDs. Upon information and belief, Defendants have engaged in fraudulent conduct with respect to the registration of the storefronts and Seller IDs by providing false and/or misleading information to the Internet based e-commerce platforms where they offer for sale and/or sell, during the registration or maintenance process related to their respective Seller ID. Upon information and belief, Defendants have anonymously registered and maintained some of the Seller IDs for the sole purpose of engaging in illegal infringing activities.

24. Upon information and belief, Defendants will continue to register or acquire new seller identification aliases for the purpose of selling and offering for sale goods infringing at least one claim of the Plaintiff's Patent unless preliminarily and permanently enjoined.

25. Defendants' Internet-based businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiff.

26. Defendants' business names, i.e., the Seller IDs, associated payment accounts, and any other alias seller identification names used in connection with the sale of goods infringing on at least one claim of the Plaintiff's Patent are essential components of Defendants' online activities and are the means by which Defendants further their infringement scheme and cause harm to Plaintiff.

COMMON FACTUAL ALLEGATIONS

Plaintiff and Its Innovative Aquapaw® Pet Bathing Tool

27. The Plaintiff's Product, the first of its kind for pet bathing, is a wearable sprayer-scrubber that permits the owner to operate the device with one hand and hold their pet firmly with the other hand. Plaintiff's Works are protected by federal copyright registrations.

28. Plaintiff's displays, promotes and advertises its products using Plaintiff's Works in interstate commerce to identify and distinguish Plaintiff's goods.

29. Plaintiff's Works have been used by the Plaintiff prior in time to Defendants' use of the work. The Plaintiff's Works have never been assigned or licensed to any of the Defendants in this matter.

30. Plaintiff's Works are a symbol of Plaintiff's quality, reputation, and goodwill and have never been abandoned.

31. Plaintiff's Product has been featured in videos or articles by numerous media outlets, including: NBC's "The Today Show"; "Shark Tank", QVC, Business Insider, Ace Hardware Store, BuzzFeed, and Country Living. Plaintiff's Product has won numerous awards, including: Editor's Choice Awards *Pet Product News* 2017 Winner, *Pet Business* 2017 Industry Recognition Award Winner, and *Global Pet Expo*, Best in Show, Dog Company.

32. Genuine goods bearing or advertised using the Plaintiff's Works are widely legitimately advertised and promoted by Plaintiff, its authorized distributors, and unrelated third parties via the Internet. Over the past several years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing, has become increasingly important to Plaintiff's overall marketing. Thus, Plaintiff and their authorized distributors expend significant

monetary resources on Internet marketing, including search engine optimization (“SEO”) strategies. Those strategies allow Plaintiff and its authorized retailers to fairly and legitimately educate consumers about the value associated with Plaintiff’s brand and the goods sold thereunder. Similarly, Defendants’ individual seller’s stores are indexed on search engines and compete directly with Plaintiff for space in the search results

Defendants’ Wrongful and Infringing Conduct

33. Upon information and belief, Defendants are, through at least the Internet based e-commerce stores operating under the Seller IDs, promoting, selling, offering for sale and distributing goods bearing and/or using confusingly similar imitations of the Plaintiff’s Works, or substantially similar copies of Plaintiff’s Works, while marketing Infringing Products in a willful attempt to pass off their knock-off products as genuine versions of Plaintiff’s Products.

34. E-commerce sales, including through e-commerce stores like those of Defendants, have resulted in a sharp increase in the shipment of unauthorized products into the United States. *Ference Dec²*, Exhibit 1, Excerpts from Fiscal Year 2021 U.S. Customs and Border Protection (“CBP”) Intellectual Property Seizure Statistics Report. Over 89% of all CBP intellectual property seizures were smaller international mail and express shipments (as opposed to large shipping containers). *Id.* More than half (51%) of CBP seizures originated from mainland China and Hong Kong. *Id.* Counterfeit and pirated products account for billions in economic losses, resulting in tens of thousands of lost jobs for legitimate businesses and broader economic losses, including lost tax revenue.

² Referring to Declaration of Stanley D. Ference III in Support of Temporary Restraining Order, filed herewith.

35. Third party service providers like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing counterfeiters to “routinely use false or inaccurate names and addresses when registering with these e-commerce platforms.” *Ference Dec.*, Exhibit 2, Daniel C.K. Chow, *Alibaba, Amazon, and Counterfeiting in the Age of the Internet*, 40 NW. J. INT’L L. & BUS. 157, 186 (2020); see also, report on “Combating Trafficking in Counterfeit and Pirated Goods” prepared by the U.S. Department of Homeland Security’s Office of Strategy, Policy, and Plans (Jan. 24, 2020), attached as *Ference Dec.*, Exhibit 3, and finding that on “at least some e-commerce platforms, little identifying information is necessary for a counterfeiter to begin selling” and recommending that “[s]ignificantly enhanced vetting of third-party sellers” is necessary. Counterfeiters hedge against the risk of being caught and having their websites taken down from an e-commerce platform by preemptively establishing multiple virtual store-fronts. *Ference Dec.*, Exhibit 3, at p. 22. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, counterfeiters can have many different profiles that can appear unrelated even though they are commonly owned and operated. *Ference Dec.*, Exhibit 3, at p. 39. Further, “E-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of counterfeits and counterfeiters.” *Ference Dec.*, Exhibit 2, at 186-187.

36. Upon information and belief, Defendants did not obtain an opinion from United States Counsel about the legality of offering for sale each of the Infringing Products.

37. Upon information and belief, Defendants’ Infringing Products are of a quality substantially and materially different than that of Plaintiff’s genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing,

selling, and/or offering for sale substantial quantities of their Infringing Products with the knowledge and intent that such goods will be mistaken for the genuine high-quality goods offered for sale by Plaintiff despite Defendants' knowledge that they are without authority to use the Plaintiff's Work. The net effect of Defendants' actions will cause confusion of consumers, at the time of initial interest, sale, and in the post-sale setting, who will believe Defendants' Infringing Products are genuine goods originating from, associated with, and approved by Plaintiff.

38. Upon information and belief, Defendants' Infringing Products are of a quality substantially and materially different than that of Plaintiff's genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling, and/or offering for sale substantial quantities of their Infringing Products with the knowledge and intent that such goods will be mistaken for the genuine high quality goods offered for sale by Plaintiff despite Defendants' knowledge that they are without authority to use the subject matter of the Plaintiff's Patent.

39. Defendants advertise their Infringing Products for sale to the consuming public via Internet based e-commerce stores on, at least, one Internet marketplace on Aliexpress.com, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, and Walmart.com, , using at least the Seller IDs. In so advertising these goods, Defendants improperly and unlawfully infringe at least one claim of the Plaintiff's Patent without Plaintiff's permission.

40. As part of their overall infringement scheme, Defendants are, upon information and belief, concurrently employing and benefitting from substantially similar, advertising and marketing strategies based, in large measure, upon an illegal use of infringements of the Plaintiff's Patent in order to make their e-commerce stores selling illegal goods appear more

relevant and attractive to consumers online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiff's genuine goods. Defendants are causing, individual, concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff and other third parties of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiff's genuine goods on the World Wide Web, (ii) causing actual consumer confusion, (iii) harm to Plaintiff's reputations, including tarnishing their status as the innovator in this market, (iv) an overall degradation of the value of the goodwill associated with the Plaintiff's brand, and (v) increasing Plaintiff's overall cost to market its goods and educate consumers about its brand via the Internet.

41. Plaintiff confirmed that Defendants were and/or are still currently offering for sale and/or selling Infringing Products for sale to the consuming public via Internet based e-commerce stores on at least one of the Internet marketplaces, Aliexpress, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, Walmart.com, and Aliexpress.com, using at least the Seller IDs and that Defendants provide shipping and/or have actually shipped Infringing Products to customers located within this judicial district.

42. There is no question that the Infringing Product itself and the manner in which it is marketed is designed to confuse and mislead consumers into believing that they are purchasing Plaintiff's Product or that the Infringing Product is otherwise approved by or sourced from Plaintiff, thereby trading on the goodwill and reputation of Plaintiff.

43. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiff's ownership of Plaintiff's IP and Plaintiff's Works. Defendants' use of the Plaintiff's IP and Works is without Plaintiff's consent or authorization.

44. Defendants are engaging in the above-described illegal infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiff's rights for the purpose of infringing the Plaintiff's IP and Plaintiff's Works and trading on Plaintiff's goodwill and reputation. If Defendants' intentional infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiff and the consuming public will continue to be harmed.

45. Defendants' above identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public, and the trade into believing there is a connection or association between Plaintiff's Products and Defendants' Infringing Products, which there is not.

46. Upon information and belief, Defendants' payment and financial accounts are being used by Defendants to accept, receive, and deposit profits from Defendants' infringing activities connected to their Seller IDs and any other alias e-commerce stores, photo albums, seller identification names, domain names, or websites being used and/or controlled by them.

47. Further, upon information and belief, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to Plaintiff.

48. Plaintiff has no adequate remedy at law.

49. Plaintiff is suffering irreparable injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful infringement of Plaintiff's IP and Plaintiff's Works. If Defendants' infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiff and the consuming public will continue to be harmed.

50. The harm and damages sustained by Plaintiff has been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Infringing Products.

The Scope of Defendant's Activities

51. Upon information and belief, each Defendant operates more than one merchant storefront.

52. Upon information and belief, each Defendant operates merchant storefronts across multiple e-commerce marketplaces.

53. Upon information and belief, each Defendant has sold more than 150,000 units of the Infringing Product.

54. Upon information and belief, each Defendant's profits from the sale of the Infringing Products totals more than \$100,000.

55. Upon information and belief, each Defendant's profits from the sale of the Infringing Products totals more than \$300,000.

56. Upon information and belief, each Defendant's profits from the sale of the Infringing Products totals more than \$2,000,000.

COUNT I – FEDERAL UNFAIR COMPETITION (15 U.S.C. § 1125(a))

57. All the above paragraphs are incorporated herein by reference.

58. Upon information and belief, Defendants' Infringing Products bearing, offered for sale, and sold using Plaintiff's Works, or substantially similar copies thereof, have been widely

advertised and offered for sale throughout the United States via at least one fully interactive Internet marketplace.

59. Defendants' Infringing Products bearing, offered for sale, and sold using Plaintiff's Works, or substantially similar copies thereof, are virtually identical in appearance to Plaintiff's genuine goods. Defendants' Infringing Products, however, are different and likely inferior in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Infringing Products.

60. Defendants, upon information and belief, have used in connection with their advertisement, offer for sale, and sale of their Infringing Products, false designations of origin and false descriptions and representations, including words or other symbols and trade dress, which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Plaintiff's detriment.

61. Defendants have engaged in infringing uses of Plaintiff's Works, and/or substantially similar copies thereof, in Defendants' advertisement and promotion of their Infringing Products. Defendants have misrepresented to members of the consuming public that the Infringing Products being advertised and sold by them are Plaintiff's genuine goods.

62. Additionally, Defendants are passing off the Infringing Products, using infringements of Plaintiff's Works, and/or substantially similar copies thereof, in order to unfairly compete with Plaintiff and others for space within search engine organic results, thereby jointly depriving Plaintiff of a valuable marketing and educational tool which would otherwise be available to Plaintiff and reducing the visibility of Plaintiff's genuine goods on the World Wide Web.

63. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

64. Plaintiff has no adequate remedy at law, and has sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Defendants will continue to wrongfully reap profits and Plaintiff will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

65. Based on Defendants' wrongful conduct, Plaintiff is entitled to injunctive relief, Plaintiff's actual damages and Defendants' profits in an amount to be proven at trial, enhanced discretionary damages for willful infringement, and reasonable attorneys' fees and costs.

COUNT II – FEDERAL COPYRIGHT INFRINGEMENT (17 U.S.C. § 501(a))

66. All the above paragraphs are incorporated herein by reference.

67. Plaintiff is the exclusive owner and licensee of Plaintiff's Works.

68. Defendants had actual notice of Plaintiff's exclusive rights in and to the Plaintiff's Works.

69. Defendants did not attempt and therefore inherently failed to obtain Plaintiff's consent or authorization to use, manufacture, reproduce, copy, display, prepare derivative works of, distribute, sell, transfer, rent, perform and/or market Plaintiff's Works.

70. Defendants' unlawful actions have caused and are continuing to cause unquantifiable damages to Plaintiff and are unjustly enriching Defendants with profits at Plaintiff's expense.

71. Without permission, Defendants knowingly and intentionally reproduced, copied, and displayed the Plaintiff's Works by manufacturing, importing, exporting, advertising,

marketing, promoting, distributing, displaying, offering for sale and/or selling products that utilize features that are, at a minimum, substantially similar to the Plaintiff's Works.

72. Defendants' unlawful and willful action as alleged herein constitute infringement of the Plaintiff's Works, including Plaintiff's exclusive rights to reproduce, distribute and/or sell such Work in violation of 17 U.S.C. § 501(a).

73. Defendants' knowing and intentional copyright infringement, as alleged herein, has caused substantial and irreparable harm to Plaintiff in an amount as yet unknown but to be proven at trial, for which Plaintiff has no adequate remedy at law, and unless enjoined, Defendants will continue to cause substantial and irreparable harm to Plaintiff. Plaintiff is entitled to injunctive relief, Plaintiff's actual damages and Defendants' profits in an amount to be proven at trial, enhanced discretionary damages for willful copyright infringement, and reasonable attorneys' fees and costs.

COUNT III - COMMON LAW UNFAIR COMPETITION

74. All the above paragraphs are incorporated herein by reference.

75. This is an action against Defendants for passing off their goods as if they were Plaintiff's Product, based on their promotion, advertisement, distribution, sale, and/or offering for sale of goods bearing and/or using marks that are virtually identical, both visually and phonetically, to Plaintiff's Works, and/or substantially similar copies thereof, in violation of Pennsylvania's common law of unfair competition.

76. Specifically, Defendants are passing off their Infringing Products, by promoting and otherwise advertising, selling, offering for sale, and distributing goods bearing and/or using infringements of Plaintiff's Works, or substantially similar copies thereof. Defendants are also

using infringements of Plaintiff's Works, and/or substantially similar copies thereof, to unfairly compete with Plaintiff and others on Internet marketplaces, for space in search results across an array of search terms, and visibility on the World Wide Web.

77. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of Plaintiff's Works, or substantially similar copies thereof.

78. Plaintiff has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

79. As a result of Defendants' actions alleged herein, Plaintiff is entitled to injunctive relief, an order granting Plaintiff's damages and Defendants' profits stemming from their infringing activities, and exemplary or punitive damages for Defendants' intentional misconduct.

PRAYER FOR RELIEF

80. WHEREFORE, Plaintiff demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary, preliminary and permanent injunctions pursuant to 17 U.S.C. § 502, and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Infringing Products; from infringing the Plaintiff's Works; from using the Plaintiff's Works in connection with the sale of any unauthorized goods; from using any work that may be calculated to falsely

advertise the services or goods of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the Plaintiff's Works in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from engaging in search engine optimization strategies using colorable imitations of the Plaintiff's Works; from further infringement, or from otherwise unfairly competing with Plaintiff.

b. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon Plaintiff's request, any Internet marketplace website operators and/or administrators that are provided with notice of the injunction, including but not limited to the online marketplaces hosted by Amazon.com, eBay.com, Joybuy, Temu, Wish.com, Walmart.com, and Aliexpress.com disable and/or cease facilitating access to the Seller IDs, and any other alias e-commerce stores being used and/or controlled by Defendants to engage in the marketing, promotion, offering for sale, and/or sale of goods bearing and/or using counterfeits and/or infringements of the Plaintiff's Works.

c. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, and the Court's inherent authority that upon Plaintiff's request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to online marketplaces hosted by, Aliexpress, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, and Walmart.com, permanently remove from multiple platforms, which include, *inter alia*, a Direct platform, Group platform, Seller Product Management platform, Vendor Product Management platform, and Brand Registry

platform, any and all listings and associated images of goods bearing and/or using counterfeits and/or infringements of the Plaintiff's Work, via the e-commerce stores operating under the Seller IDs on Schedule "A" hereto, and upon Plaintiff's request, any other listings and images of goods bearing and/or using counterfeits and/or infringements of the Plaintiff's Works linked to the same seller or linked to any other alias seller identification name being used and/or controlled by Defendants to promote, offer for sale and/or sell goods bearing and/or using infringements of the Plaintiff's Works.

d. Entry of an Order that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to online marketplaces hosted by Aliexpress.com, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, and Walmart.com, immediately cease fulfillment of and sequester all goods of each Defendant or other Seller under a Seller ID bearing and/or using Plaintiff's Works in its inventory, possession, custody, or control, and surrender those goods to Plaintiff.

e. Entry of an Order pursuant to 28 U.S.C. § 1651(a), the All Writs Act, that upon Plaintiff's request, any messaging service and Internet marketplace, social media, and image hosting website operators and/or administrators for the Seller IDs who are provided with notice of the injunction, including but not limited to operators and/or administrators of Aliexpress.com, Amazon.com, eBay.com, Joybuy, Temu, Wish.com, and Walmart.com, identify any e-mail address known to be associated with Defendants' respective Seller IDs.

f. Entry of an order pursuant to 28 U.S.C. § 1651(a), the All-Writs Act, and the Court's inherent authority, authorizing Plaintiff to serve the injunction on any e-mail service

provider with a request that the service provider permanently suspend the e-mail address that used by Defendants in connection with Defendants' promotion, offering for sale, and/or sale of goods bearing and/or using infringements of the Plaintiff's Works or otherwise unfairly competing with Plaintiff.

g. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) and 17 U.S.C. § 505 of Plaintiff's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

h. For an award of Plaintiff's actual damages and Defendants' profits, pursuant to 17 U.S.C. § 504(b), in an amount to be proven at trial for willful copyright infringement of the Plaintiff's Work under § 501(a).

i. In the alternative to Plaintiff's actual damages and Defendants' profits for copyright infringement of the Plaintiff's Works pursuant to 17 U.S.C. § 504(b), for statutory damages of \$150,000.00 per infringement pursuant to 17 U.S.C. § 504(c) for willful copyright infringement, which Plaintiff may elect prior to rendering of final judgment, together with Plaintiff's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

k. Entry of an Order that, upon Plaintiff's request, any financial institutions, payment processors, banks, escrow services, money transmitters, or marketplace platforms, and their related companies and affiliates, identify and restrain all funds, up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the Seller IDs or other domain names, alias seller identification names, or e-commerce store names or store URLs used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts

which transfer funds into the same financial institution account(s), to be surrendered to Plaintiff in partial satisfaction of the monetary judgment entered herein.

- l. Entry of an award of pre-judgment interest on the judgment amount.
- m. Entry of an order for any further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff respectfully demands a trial by jury on all claims.

Respectfully submitted,

Dated: September 6, 2023

/s/ Stanley D. Ference III

Stanley D. Ference III

Pa. ID No. 59899

courts@ferencelaw.com

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(412) 741-8400 - Telephone

(412) 741-9292 - Facsimile

Attorneys for Plaintiff

Schedule “A”
Defendants With Store Name and Seller ID

Defendant Number	Defendant/Store Name	Seller ID
1	TropicalParadise	57ee2e936a20961027ed12dd
2	Doggy Steven Store	5dd14fdf703f613b40199956
3	Gift House	5837843215914549efa74462
4	HANXU_NN	63ef35ea57f6c85801d8b8b8
5	nangua	5789b8a99035dc555db25d43
6	xuxiaojun1759	60b0736e36badc94eaffc880
7	yyiyaya	5783466488eb7a0ff31c511a
8	A Family Of Pet Lovers Store	1102765582
9	AODOO shipping Store	1101548934
10	Aquakiwi Store	1101893106
11	Art Bath Store	1101561007
12	AYIJIA-01 Store	1101411973
13	Cute Paws Pets Store	1102137215
14	Cute Store	1102728273
15	DGFC HPA Store	1101494615
16	DleHome Store	1101879889
17	Dudon PETS Store	1101309206
18	EHEH Store	1101251677
19	Fashion Clothes For Dogs Store	1102772193
20	FisPet Store	1101986732
21	Gloabl Pets Supplier Store	1101774718
22	Hinko Gany Store	1101397265
23	homegardenl Store	1101328102
24	HOTcolor Store	1101825446
25	Impression Home Store	1102588103
26	Ipawspace Pet Store	1102498241
27	JANEYI Store	1102156587
28	KeePiy Store	1101868284
29	KOVA TOY Store	1101535082
30	LM Love Pet Store	1101672153

Defendant Number	Defendant/Store Name	Seller ID
31	LYPets Store	1101384895
32	Magijew Store	1102085314
33	MARUI Store	1101938695
34	ONE PET SUPPLY Store	1101802232
35	OnePet Store	1101954910
36	online hot deals Store	1102005455
37	PETART Store	1102815517
38	Pets Tribe Store	1101303711
39	Petsupplies Dropshipping Store	1101381892
40	PowerPaw Store	1101391964
41	rabichen Store	1101821375
42	Shop1100227377 Store	1102021462
43	Shop1855178 Store	1101103503
44	Shop911458011 Store	1101623327
45	Spicy strips Store	1101610283
46	SSHEN PET Store	1102775209
47	sunnoo Store	1101693689
48	TAIBAIJIA Official Store	1100447201
49	TIPEGON Official Store	1101288772
50	Urwellcome Store	1101930100
51	WBWBMV Store	1101516853
52	With Pets Store	1101553176
53	World Pet Supplies Store	1102499012
54	Xleipet Store	1101425963
55	XRuiPet	1101136545
56	XWangPet Store	1101315865
57	Yaluosi Store	1101894886
58	Yongliang LED Lighting Store	1101698793
59	YOZWOO Home Store	1102203325
60	YPLG Store	1101319659
61	ZhuLi866 Store	1101910530
62	RFCW Pet Supplies Store	1102776541
63	aofenggasiefeng	A2SCBNZHH38FSF
64	Guanlai01	A3879TLL9WFEZF
65	Homegarchen	A2XM1301Y2GYM
66	linshengshangdian	AZ4AF9NXEDD9I

Defendant Number	Defendant/Store Name	Seller ID
67	ReCheng	A1PBMPVG01QG5E
68	RUN666	A1LSNKBB09HWXP
69	Teagany	AW9YB5V49RGHI
70	WANGSUAN	A34KSQ1M9FITHR
71	xilei888	A3J3ZH8KN8J19Z
72	Shenzhen Kaiyuan da electronic Commerce Co., LTD	10963
73	Shenzhen Mingxinyang trading Co., LTD	9330
74	Chengdu orange flower Cheng technology Co., LTD	11419
75	Excellent Products Shop	6072727823483
76	Many cats	4828499765869
77	Shenzhen Bolandi Toys Co Ltd	6126377163188
78	Sports Hall	70968774437
79	TGB	2524121526999
80	Thousands of birds to Lin	145676434025
81	Tirith	321798588190
82	Worry free shop	40793316327
83	G-CHEN	101276139
84	LiFeng Electronic Co. ItD	101245782
85	Niuta Technology Co., Ltd	101295021
86	SHANG HAI BAO YU ELECTRONIC BUSINESS CO LTD	101044628
87	Ugerlov Fashion Co. Ltd	101180744
88	Xinlie	101095294

LISTING OF EXHIBITS

- Exhibit 1Screenshots from Plaintiff’s Website and Amazon Store
- Exhibit 2A.....U.S. Copyright Reg. No. VA-0002098373 and selected deposit photographs
- Exhibit 2BU.S. Copyright Reg. No. VA-0002098372 and selected deposit photographs
- Exhibit 2CU.S. Copyright Reg. No. VA-0002096921 and selected deposit photographs
- Exhibit 2D.....U.S. Copyright Reg. No. PA-0002068689 and selected screenshots
- Exhibit 3.....Exemplar infringing listings of Defendants

Exhibit 1

<https://www.aquapaw.com/products/aquapaw-bathing-tool>

(Excerpts)

FREE 2-3 Day Shipping on Orders over \$39! - As Seen On SHARK TANK

aquapaw Shop Now About Us Contact Store Locator How-To Install Blog

Aquapaw® Pet Bathing Tool

\$24.95

[Buy on Amazon](#)

The Aquapaw Bathing Tool is the world's first wearable combination sprayer-scrubber that can be turned on and off by simply making a fist. Stay in total control over your pet and the flow of water during the entire bathing process.

- Simply 'Click' ON and 'Click' OFF one-handed by making a fist and pressing button in center of the palm, allowing you to always keep one hand on your pet.
- One size fits all design straps quickly and easily to either left or right hands.
- Includes adapters to connect to either your shower or garden hose.
- Comes with 8 1/2 feet hose.

REVIEWS

LIFETIME WARRANTY

ASK A QUESTION

Share Tweet Pin it

uncommon goods petco chewy.com amazon.com

Turn ON and OFF with a CLICK

Simple, one-handed operation

Adapters Included


Quiet



Amazon Store and Example Photos

amazon pharmacy Prime members, get select meds starting at \$1/month Learn more >

Pet Supplies > Dogs > Grooming > Shower & Bath Accessories



Bathe your pet like you're petting them

Roll over image to zoom in

2 3 4 5 6 7 8 9 10 11 12

Aquapaw Pet Bathing Tool – Sprayer and Scrubber in One – Compatible with Indoor Shower or Outdoor Garden Hose – for Dog and Cat Grooming – Garden Hose and Shower Adapters Included

Visit the Aquapaw Store
★★★★★ - 4,096 ratings

Price: **\$24.95** prime & FREE Returns

Thank you for being a Prime Member. Get \$125 off. Pay \$0.00 \$24.95 upon approval for the Amazon Business Prime Card. Terms apply.

Size: **1 Count (Pack of 1)**

Pro \$44.95 <small>prime</small>	1 Count (Pack of 1) \$24.95 <small>prime</small>
--	---

- Pet bathing made easy: Save time, money and water when you wash your furry friends at home with this innovative pet shower attachment. The original Aquapaw is easy to install and operate.
- Eliminates mess and stress: This all-in-one tool lets you brush and rinse your pet simultaneously, for faster bathing with no need for bucket rinsing. The button mechanism lets you click easily from ON to OFF with one hand, leaving your other hand free to soothe your pet.
- Indoor/outdoor use: Comes with adapters to fit shower spigot or garden hose, so you can easily create a small animal grooming station indoors in your tub or a large animal shower outside. Includes 8-foot hose.
- Ergonomic design: With its one-size-fits-all design, Aquapaw straps securely to either hand. The ON/OFF button rests in your palm, for ease of operation. The strap adjusts easily to fit all hand sizes.
- Quality materials: The scrubber tool is 100% FDA-grade silicone – strong enough for scrubbing thick fur, yet soft enough to be gentle on your pet's sensitive areas.

\$24.95
prime & FREE Returns

FREE delivery: **Wednesday, July 14**
Order within 11 hrs and 57 mins
Details

📍 Deliver to Christa - Pittsburgh 15237

In Stock.

Qty: 1 ▼

Add to Cart

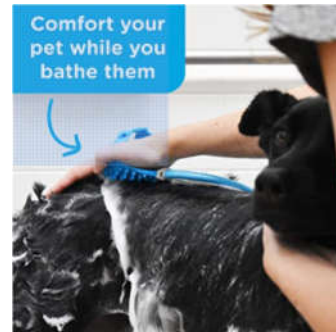
Buy Now

🔒 Secure transaction
Ships from: Amazon
Sold by: Aquapaw

Return policy: This item is returnable.
 Add a gift receipt for easy returns

Add to List ▼

Share 📧 📧 📧 📧





Simple, One-Handed Operation



The innovative click on/click off design makes it easy to bathe your pet in the same way you would pet them with one hand, and always have the other hand to keep them under control.

Adapters Included for Indoor and Outdoor Use



In the shower or outside with the garden hose, we have you covered too! Adapters are included in each and every Aquapaw along with simple instructions to make setup as easy and fast as possible.

Make Bathtime Easier For You AND Your Pet



Sprayer AND Scrubber in Your Palm
Water sprays from rubber scrubbers in your palm, allowing you to soak, scrub, and rinse your pet by injecting water deep into their fur.



Less Spraying Water for Less Mess
The Aquapaw bathing tool can be operated entirely with one hand. Use both hands to comfort your pet while bathe them like you're petting them.



One Size Fits All
The Aquapaw is slim, flexible, and doesn't impede your dexterity. Use the adjustable strap on the back to fit hands of all shapes and sizes.

Exhibit 2A

Detail Record View

Registration record VA0002098373

Copyright Catalog

[◀ Previous](#) [Next ▶](#)

Kickstarter Photographs taken by Mackenzie Duncan, Sept 13th, 2016.[Group registration of published photographs.626 photographs. 2016-11-15 to 2016-12-20]

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Registration Number / Date VA0002098373 / 2018-04-15

Type of Work Visual Material

Title Kickstarter Photographs taken by Mackenzie Duncan, Sept 13th, 2016.[Group registration of published photographs.626 photographs. 2016-11-15 to 2016-12-20]

Application Title Kickstarter Photographs taken by Mackenzie Duncan, Sept 13th, 2016

Photographs Published in November 2016 (91 photographs):
DSC00554.jpgDSC00555.jpgDSC00556.jpgDSC00557.jpgDSC00558.jpgDSC00559.jpgDSC00560.jpgDSC00561.jpgDSC00562.jpgDSC00563.jpgDSC00564.jpgDSC00565.jpgDSC00566.jpgDSC00567.jpgDSC00568.jpgDSC00569.jpgDSC00570.jpgDSC00571.jpgDSC00572.jpgDSC00573.jpgDSC00574.jpgDSC00575.jpgDSC00576.jpgDSC00577.jpgDSC00578.jpgDSC00579.jpgDSC00580.jpgDSC00581.jpgDSC00582.jpgDSC00583.jpgDSC00584.jpgDSC00585.jpgDSC00586.jpgDSC00587.jpgDSC00588.jpgDSC00589.jpgDSC00590.jpgDSC00591.jpgDSC00592.jpgDSC00593.jpgDSC00594.jpgDSC00595.jpgDSC00596.jpgDSC00597.jpgDSC00598.jpgDSC00599.jpgDSC00600.jpgDSC00601.jpgDSC00602.jpgDSC00603.jpgDSC00604.jpgDSC00605.jpgDSC00606.jpgDSC00607.jpgDSC00608.jpgDSC00609.jpgDSC00610.jpgDSC00611.jpgDSC00612.jpgDSC00613.jpgDSC00614.jpgDSC00615.jpgDSC00616.jpgDSC00617.jpgDSC00618.jpgDSC00619.jpgDSC00620.jpgDSC00621.jpgDSC00622.jpgDSC00623.jpgDSC00624.jpgDSC00625.jpgDSC00626.jpgDSC00627.jpgDSC00628.jpgDSC00629.jpgDSC00630.jpgDSC00631.jpgDSC00632.jpgDSC00633.jpgDSC00634.jpgDSC00635.jpgDSC00636.jpgDSC00637.jpgDSC00638.jpgDSC00639.jpgDSC00640.jpgDSC00641.jpgDSC00642.jpgDSC00643.jpgDSC00644.jpgDSC00645.jpg

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Date of Creation 2016

Copyright Claimant Aquapaw, LLC, Transfer: By written agreement, Address: 518 Railway AVE, Apartment 270, 518 Railway AVE, Campbell, CA, 95008, United States.

Authorship on Application Mackenzie Duncan, employer for hire; Citizenship: Canada, Authorship: photographs.

Rights and Permissions Daniel Lentz, Aquapaw, LLC, 1750 Meridian Ave, #6298, San Jose, CA, 95125, United States, (408) 637-7995, daniel@aquapaw.com

Description 626 photographs ;Electronic file (eService)

Copyright Note Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.

Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.

Nation of First Publication United States

Publication Date Range 2016-11-15 to 2016-12-20

Names [Duncan, Mackenzie](#)

[Aquapaw, LLC](#)

Exemplar Photographs

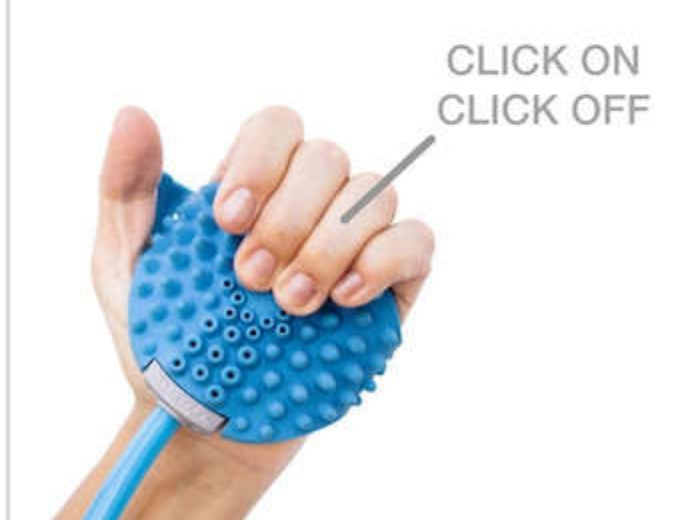








Exhibit 2B

Registration Number / Date VA0002098372 / 2018-04-15

Type of Work Visual Material

Title 2017 Published Aquapaw Photos taken by Etienne Warnery.[Group registration of published photographs.10 photographs. 2017-08-26 to 2017-11-24]

Application Title 2017 Published Aquapaw Photos taken by Etienne Warnery

Photographs Published in August 2017 (10 photographs): Aquapaw-082717-220.jpgDSC_6940.jpgDSC_7134.jpgDSC_7204.jpgDSC_7373.jpgDSC_7389.jpgDSC_7522.jpgDSC_7542.jpgDSC_7558.jpgDSC_7584.jpg

Date of Creation 2017

Copyright Claimant Aquapaw, LLC. Transfer: By written agreement. Address: 518 railway ave apt 270, Campbell, CA, 95008, United States.

Authorship on Application Aquapaw, LLC, employer for hire; Citizenship: France. Authorship: photographs.

Rights and Permissions Daniel Lentz, Aquapaw, LLC, 1750 Meridian Ave, #6298, San Jose, CA, 95125, United States, (540) 230-9368, daniel@aquapaw.com

Description 10 photographs .:Electronic file (eService)

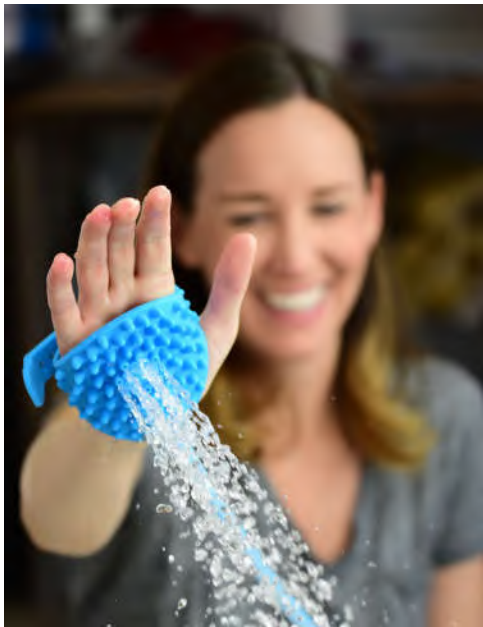
Copyright Note Regarding title information: Deposit contains complete list of titles that correspond to the individual photographs included in this group.
Regarding group registration: A group of published photographs may be registered on one application with one filing fee only under limited circumstances. ALL of the following are required: 1. All photographs (a) were created by the same author AND (b) are owned by the same copyright claimant AND (c) were published in the same calendar year AND 2. The group contains 750 photographs or less AND 3. A sequentially numbered list of photographs containing the title, file name and month of publication for each photograph included in the group must be uploaded along with other required application materials. The list must be submitted in an approved document format such as .XLS or .PDF. The file name for the numbered list must contain the title of the group and the Case Number assigned to the application.

Nation of First Publication United States

Publication Date Range 2017-08-26 to 2017-11-24

Names [Aquapaw, LLC](#)

Exemplar Photographs



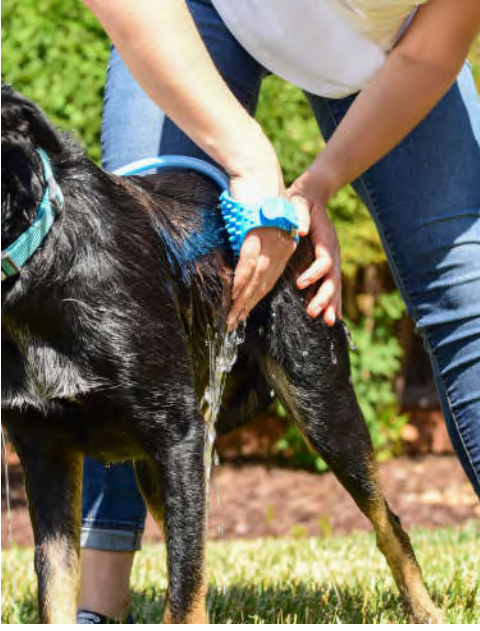


Exhibit 2C

Photographs of the Aquapaw Pet Bathing Tool., approx. 210 photos.

Share ➦ Actions ▾

Registration Number / Date VA0002096921 / 2018-01-26

Type of Work Visual Material

Title Photographs of the Aquapaw Pet Bathing Tool., approx. 210 photos.

Application Title Photographs of the Aquapaw Pet Bathing Tool., approx. 210 photos.

Contents Photographs of the Aquapaw Pet Bathing Tool in use.

Date of Creation 2017

Date of Publication 2017-10-30

Copyright Claimant Aquapaw, LLC, Transfer: By written agreement. Address: 518 railway ave apt 270, Campbell, CA, 95008, United States.

Authorship on Application Daniel Lentz; Citizenship: United States. Authorship: photograph.
Etienne Warnery; Citizenship: France. Authorship: photograph.
Mackenzie Duncan; Citizenship: Canada. Authorship: photograph.

Rights and Permissions Daniel Lentz, Aquapaw, LLC, 518 railway ave apt 270, campbell, CA, 95008, United States, (540) 230-9368, daniel@aquapaw.com

Description Electronic file (eService)

Copyright Note C.O. correspondence.
Basis for Registration: Registered as a Group of Published Photographs

Nation of First Publication United States

Names [Lentz, Daniel](#)
[Warnery, Etienne](#)
[Duncan, Mackenzie](#)
[Aquapaw, LLC](#)

Exemplar Photographs







Exhibit 2D

Detail Record View

Registration record PA0002068689

Copyright Catalog

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Aqua Paw Original Kickstarter Promo Video.

Share 

Actions 

Registration Number / Date	PA0002068689 / 2017-06-28
Type of Work	Motion Pictures
Title	Aqua Paw Original Kickstarter Promo Video.
Application Title	Aqua Paw Original Kickstarter Promo Video.
Date of Creation	2016
Date of Publication	2016-11-15
Copyright Claimant	Aquapaw, LLC, Transfer: By written agreement. Address: 518 railway ave apt 270, Campbell, CA, 95008, United States.
Authorship on Application	Exporior Media, employer for hire; Citizenship: United States. Authorship: entire motion picture.
Rights and Permissions	Daniel Lentz, Aquapaw, LLC, 518 railway ave apt 270, campbell, CA, 95008, United States, (540) 230-9368, (540) 230-9368, daniel@aquapaw.com
Description	Electronic file (eService)
Nation of First Publication	United States
Names	Exporior Media Aquapaw, LLC

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Exemplar Screenshots





Exhibit 3

Plaintiff's Copyrighted Photo



Listing of Defendant ONE PET SUPPLY Store Showing Infringing Photo



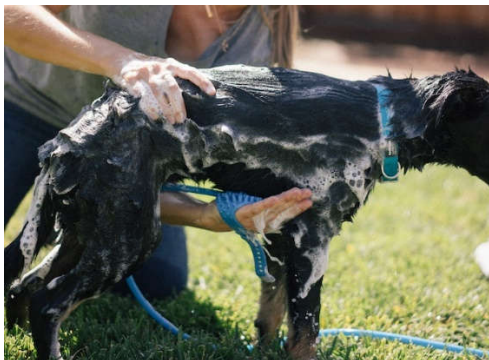
Plaintiff's Copyrighted Photo



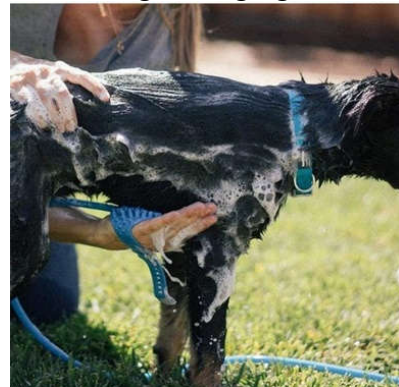
Listing of Defendant Many cats Showing Infringing Photo



Plaintiff's Copyrighted Photo



Listing of Defendant Homegarchen Showing Infringing Photo



Plaintiff's Copyrighted Photo



Listing of Defendant Doggy Steven Store Showing Infringing Photo



Plaintiff's Copyrighted Photo



Listing of Defendant TropicalParadise Showing Infringing Photo



