

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

IAN LUSUNG,

Plaintiff,

v.

FENHOSE, *et al.*,

Defendants.

Case No. 25-cv-1027

FILED UNDER SEAL

DECLARATION OF IAN LUSUNG

I, IAN LUSUNG, declare and state as follows:

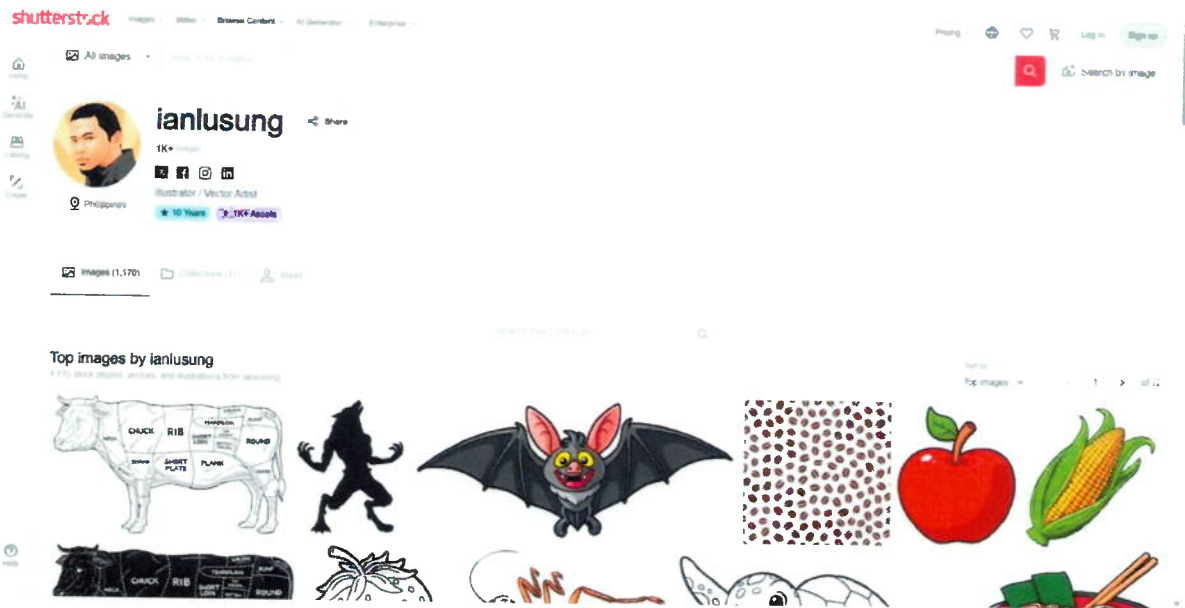
1. This declaration is based upon my personal knowledge of the facts stated herein or on the business records that were made at the time or in the regular course of business. If called as a witness, I could and would testify to the statements made herein.

2. I am the artist that creates all the Ian Lusung Works and the Plaintiff in this lawsuit. I make this declaration from matters within my knowledge save where otherwise stated.

3. I am a freelance graphic designer and illustrator who produces work under the names "Ian Lusung," "ianlusung," "super-si-ayan," and "iplworks." I have loved art from an early age and have over 17 years of experience in the creative industry. I honed my craft at the prestigious College of Fine Arts, University of the Philippines, Diliman, where I majored in Visual Communication. I am proficient in using various design and illustration software programs with years of experience in creating visually appealing graphic artworks. I focus on graphic design, vector artworks, children's book illustration, traditional illustration, digital illustration and painting, sketching, character design, line art illustration, cartooning, caricatures, textile and fabric patterns, logo design, and icon design as well as others. I find inspiration for my art in the world

of 1980s and 1990s cartoons and anime. My creations reflect my unique style and commitment to quality.

4. I am the official source of products associated with the Ian Lusung Works (the “Ian Lusung Products”):



<https://www.shutterstock.com/g/ianlusung>

5. I am the owner of the copyright registrations for the Ian Lusung copyrighted works, which include United States Copyright Registration Nos. VA 2-432-227; VA 2-432-224; VA 2-431-359; VA 2-431-363; VA 2-432-226; VA 2-431-360; and VA 2-432-225 (the “Ian Lusung Works”). True and correct copies of the copyright registrations for the Ian Lusung Works are attached to the Complaint as **Exhibit 1**.

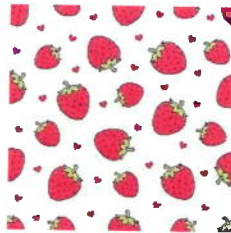




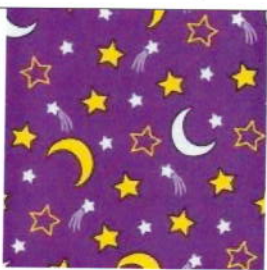
6. I control the quality of all materials and content that feature the distinctive Ian Lusung Works.





7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Ian Lusung Works. As a result, the images are

widely recognized and exclusively associated by consumers, the public, and the trade with my professional identity as an artist.

8. The success and acclaim of the Ian Lusung Works has resulted in significant infringement of my copyright. Consequently, an anti-pirating program has been implemented to investigate suspicious websites and online marketplace listings identified in proactive internet sweeps. Various marketplace listings have been identified on multiple platforms, including the internet stores identified in Schedule A attached to the Complaint (“Defendant Internet Stores”), which were offering for sale, selling, and/or importing unauthorized copies of the Ian Lusung Products to consumers in this judicial district and throughout the United States.

9. I am aware of investigations related to internet-based infringement of the Ian Lusung Works. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing Ian Lusung Products from foreign countries such as China to consumers in the United States. I, or someone working under my direction, analyzed the Defendant Internet Stores and determined that infringing Ian Lusung Products were being offered for sale to the United States, including Pennsylvania. The Defendants and their websites do not conduct business with me and do not have the right or authority to use the copyrights for any reason. Below is a side-by-side comparison of the Ian Lusung Works and examples of Defendants’ products reviewed that embody the copyrighted Ian Lusung Works:

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-432-227	Vector Cute Cartoon Heart and Strawberry Pattern In White Background		 Def #1-8, 37-186
VA 2-432-224	Vector Cartoon Cute Narwhal Pattern In Blue Background		 Def #9-18, 187-193
VA 2-431-359	Seamless Christmas Tree Pattern in Red Background		 Def #19-24
VA 2-431-363	Seamless Christmas Tree Pattern in White Background		 Def #25-29
VA 2-432-226	Vector Cartoon Hand Drawn Moon and Stars Pattern in Purple Background		 Def #30-32

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-431-360	Seamless Cute Lion Pattern in Yellow Background		 Def #33-34
VA 2-432-225	Vector Cartoon Golden Corn		 Def #35-36

10. Monetary damages alone cannot adequately compensate me for the ongoing infringement because monetary damages fail to address the loss of control of and damage to my reputation, goodwill, and control over the nature of the derivative works made using my copyrighted material. Furthermore, monetary damages are difficult, if not impossible, to completely ascertain due to the inability to fully quantify the monetary damage caused to my reputation and goodwill by acts of infringement.

11. My goodwill and reputation are irreparably damaged when the Ian Lusung Works are used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the Ian Lusung copyrighted materials because infringers take away my ability to control the nature and quality of products bearing the Ian Lusung Works and derivative works.

12. I am further irreparably damaged due to a loss of exclusivity. The copyright rights in the Ian Lusung Works are meant to be exclusive rights.


13. The marketing and distribution of the Ian Lusung Works and derivative works are aimed at growing and sustaining sales. When infringers use the Ian Lusung Works without authorization, the exclusivity associated with the Ian Lusung Works, as well as my reputation, is damaged and eroded, resulting in a loss of unquantifiable future sales.

14. Uncontrolled profiteering and pirating of the Ian Lusung Works create the impression that the copyright rights associated with the Ian Lusung Works may be infringed with impunity. The Ian Lusung Works are distinctive and signify to consumers that products are authorized by me and are manufactured to my high-quality standards. The devaluing of the intellectual property associated with the Ian Lusung Works cannot be compensated for financially since it erodes my ability to monetize the Ian Lusung Works.

15. I will suffer immediate and irreparable injury, loss, or damage if an *ex parte* Temporary Restraining Order is not issued in accordance with Federal Rule of Civil Procedure 65(b)(1).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on Jun 09, 2025



Ian Lusung