

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

JANET BROXON,

Plaintiff,

v.

QANSI, *et al.*,

Defendants.

Case No.

FILED UNDER SEAL

DECLARATION OF JANET BROXON

I, JANET BROXON, 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 created the Janet Broxon Works and am the Plaintiff in this lawsuit. I make this declaration from matters within my knowledge save where otherwise stated.

3. I am an artist with a background in fine art currently specializing in illustration, art licensing, and surface design. I have a passion for patterns, vivid colors, and storytelling. I find inspiration in the patterns of nature, folk art, and cultures around the world giving my work and imaginative and intricate style that engages viewers and draws them in to discover even more. I work using combination of traditional media and the computer to capture my take on this fascinating, colorful, world.

4. Many of my works are displayed in pediatric facilities and children's hospitals around the country. I have also created illustrations for numerous publishing companies and have illustrated two children's picture books. I have licensed my art to many manufacturers in the bolt fabric, gift, and home décor markets.

5. I am the owner of several copyright registrations that are identified by United States Copyright Registration Nos. VA 2-431-377 (“Pink Paisley”), VA 2-431-396 (“Succulent Circles”), and VA 2-431-399 (“Cheetahs in a Rainbow Garden”)(Collectively, the “Janet Broxon Works”). True and correct copies of the copyright registrations for The Janet Broxon Works are attached to the Complaint as **Exhibit 1**.





6. I control the quality of all materials and content that feature the distinctive Janet Broxon Works.



7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Janet Broxon Works. As a result, the images are widely recognized and exclusively associated by consumers, the public, and the trade with me.

8. The success and acclaim of the Janet Broxon Works has resulted in significant infringement of my copyrights. 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 Amazon.com, Temu.com, and Walmart.com, 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 Janet Broxon Works to consumers in this judicial district and throughout the United States.

9. I am aware of investigations related to internet-based infringement of the Janet Broxon Works. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing reproductions of the Janet Broxon Works 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 products featuring infringing reproductions of the

Janet Broxon Works 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 Janet Broxon Works and an example image used by Defendants that infringes the copyrighted Janet Broxon Works:

| Reg. Number | Title of Work | Copyrighted Work | Defendants' Image |
|--------------|-------------------|--|--|
| VA 2-431-377 | PINK PAISLEY |  |  <p data-bbox="1110 1140 1284 1165">Def #1-2, 35-61,</p> |
| VA 2-431-396 | SUCCULENT CIRCLES |  |  <p data-bbox="1084 1434 1305 1459">Def #3-5, 8-34, 62-82</p> |

| Reg. Number | Title of Work | Copyrighted Work | Defendants' Image |
|--------------|------------------------------|--|--|
| VA 2-431-399 | CHEETAHS IN A RAINBOW GARDEN |  |  <p data-bbox="1117 751 1279 779">Def #6-7, 84-88</p> |

10. Monetary damages alone cannot adequately compensate me for Defendants' 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 materials. 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 Janet Broxon Works are used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the copyrighted Janet Broxon Works images as infringers take away my ability to control the nature and quality of products bearing the Janet Broxon Works and derivative works.

12. Additionally, I am irreparably damaged due to a loss of exclusivity. The copyright rights in the Janet Broxon Works are meant to be exclusive rights.

13. The marketing and distribution of the Janet Broxon Works and derivative works are aimed at growing and sustaining sales. When infringers use the Janet Broxon Works without

authorization, the exclusivity associated with the image, as well as my reputation, is damaged and eroded, resulting in a loss of unquantifiable future sales.

14. Uncontrolled profiteering and pirating of the Janet Broxon Works creates the impression that the copyright rights associated with the Janet Broxon Works may be infringed with impunity. The Janet Broxon Works is distinctive and signifies to consumers that products authorized are authorized by me and are manufactured to my high-quality standards. The devaluing of the intellectual property associated with the Janet Broxon Works cannot be compensated for financially since it erodes my ability to monetize the Janet Broxon 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 05, 2025

Janet Broxon

Janet Broxon