

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

LEE ANN SHEPARD,

Plaintiff,

v.

LUYANZHENLUHENGSHENGBAIHUODIAN,  
*et al.*,

Defendants.

Case No. 25-cv-982

**FILED UNDER SEAL**

**DECLARATION OF LEE ANN SHEPARD**

I, LEE ANN SHEPARD, declare and state as follows:

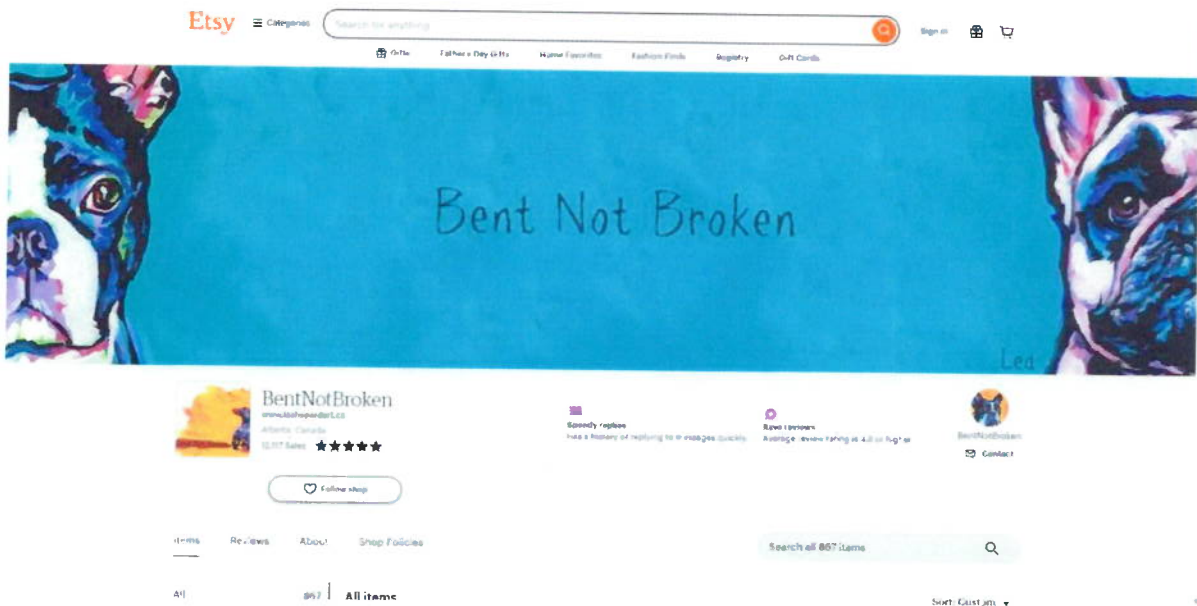
1. This declaration is based upon my personal knowledge of the facts stated herein or on the business records that were made at the time or in the regular course of business. If called as a witness, I could and would testify to the statements made herein.

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

3. I am an artist who produces work under the names "Lee Ann Shepard," "L.A. Shepard Art," and "Bent Not Broken." I have found pleasure in drawing and painting since I was a very young child. I trained at an art school in Cleveland and thought I would work as a commercial artist. My life evolved quite differently than expected, and my art became more of a hobby when I moved to Ontario and worked alongside my husband in our small furniture design business. In the summer of 2006, our world was turned upside down when my husband was diagnosed with a deadly brain tumor. I could no longer run the furniture design business alone, so I began selling some of my dog paintings online. My paintings immediately started selling which afforded me the opportunity to spend every wonderful moment with my husband as he bravely fought his illness. My husband, Gary, lost his battle on September 26, 2010. At first, I painted to

pay the bills, but it became my passion very quickly. Though my art career was forged from tragedy, it is the silver lining that my husband left with me. I love to paint animals, plants, and people, but my passion is painting dogs.

4. I am the official source of products associated with the Lee Ann Shepard Works (the “Lee Ann Shepard Products”):



[https://www.etsy.com/shop/BentNotBroken?ref=profile\\_header](https://www.etsy.com/shop/BentNotBroken?ref=profile_header)

5. I am the owner of the copyright registrations for the Lee Ann Shepard copyrighted works, which include United States Copyright Registration Nos. VA 2-429-958; VA 2-429-960; and VA 2-429-959 (the “Lee Ann Shepard Works”). True and correct copies of the copyright registrations for the Lee Ann Shepard Works are attached to the Complaint as **Exhibit 1**.

6. I control the quality of all materials and content that feature the distinctive Lee Ann Shepard Works.

7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Lee Ann Shepard 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 Lee Ann Shepard 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 Lee Ann Shepard 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 Lee Ann Shepard Works. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing Lee Ann Shepard 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 Lee Ann Shepard 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 Lee Ann Shepard Works and examples of Defendants’ products reviewed that embody the copyrighted Lee Ann Shepard Works:

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-429-958	German Shepard pup with ball		 <p data-bbox="1092 659 1321 690">Def #1-59, 86-155</p>
VA 2-429-960	Vizsla and the butterfly		 <p data-bbox="1073 989 1338 1020">Def #60-80, 156-174</p>
VA 2-429-959	Chocolate Labrador Retriever 1		 <p data-bbox="1073 1339 1338 1369">Def #81-85, 175-203</p>

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 Lee Ann Shepard Works are used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the Lee Ann Shepard copyrighted materials because infringers take away my ability to control the nature and quality of products bearing the Lee Ann Shepard Works and derivative works.

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

13. The marketing and distribution of the Lee Ann Shepard Works and derivative works are aimed at growing and sustaining sales. When infringers use the Lee Ann Shepard Works without authorization, the exclusivity associated with the Lee Ann Shepard 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 Lee Ann Shepard Works create the impression that the copyright rights associated with the Lee Ann Shepard Works may be infringed with impunity. The Lee Ann Shepard 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 Lee Ann Shepard Works cannot be compensated for financially since it erodes my ability to monetize the Lee Ann Shepard 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

*Lee Ann Shepard*  
\_\_\_\_\_  
Lee Ann Shepard