

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

IAN LUSUNG,

Plaintiff,

v.

GUANGZHOUZHAOWENSHANGMAOYOUXIANGONGSI,
et al.,

Defendants.

Case No. 25-cv-989

FILED UNDER SEAL

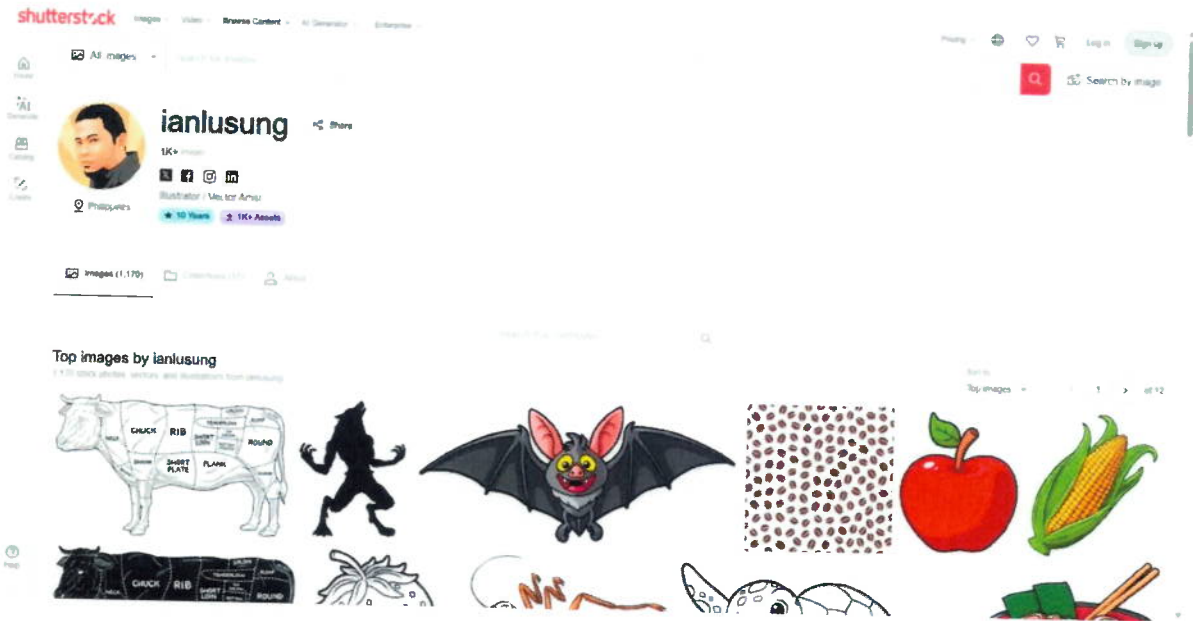
DECLARATION OF IAN LUSUNG

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 created the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work (the “Vector Cute Cartoon Heart and Strawberry Pattern In White Background Products”):



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

5. I am the owner of a copyright registration that is identified by United States Copyright Registration No. VA 2-432-227 (the “Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work”). A true and correct copy of the copyright registration for the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work is attached to the Complaint as **Exhibit 1**.



6. I control the quality of all materials and content that feature the distinctive Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work.

7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Vector Cute Cartoon Heart and Strawberry

Pattern In White Background Work. As a result, the image is 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work to consumers in this judicial district and throughout the United States.

9. I am aware of investigations related to internet-based infringement of the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing Vector Cute Cartoon Heart and Strawberry Pattern In White Background 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work and examples of Defendants’ products reviewed that embody the copyrighted Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work:

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-432-227	Vector Cute Cartoon Heart and Strawberry Pattern In White Background		 <p data-bbox="1138 554 1284 583">Def #1-200</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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work is used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the Vector Cute Cartoon Heart and Strawberry Pattern In White Background copyrighted material because infringers take away my ability to control the nature and quality of products bearing the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work and derivative works.

12. I am further irreparably damaged due to a loss of exclusivity. The copyright rights in the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work are meant to be exclusive rights.

13. The marketing and distribution of the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work and derivative works are aimed at growing and sustaining

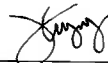
sales. When infringers use the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work without authorization, the exclusivity associated with the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work, as well as my reputation, is damaged and eroded, resulting in a loss of unquantifiable future sales.

14. Uncontrolled profiteering and pirating of the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work creates the impression that the copyright rights associated with the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work may be infringed with impunity. The Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work is distinctive and signifies 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 Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work cannot be compensated for financially since it erodes my ability to monetize the Vector Cute Cartoon Heart and Strawberry Pattern In White Background Work.

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