

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

MARTIN GRELLE,

Plaintiff,

v.

CHEN JIAN MORNING POSTER, *et al.*,

Defendants.

Case No. 25-cv-1432

**FILED UNDER SEAL**

**DECLARATION OF MARTIN GRELLE**

I, MARTIN GRELLE, 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 Martin Grelle 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 name "Martin Grelle." I began drawing and painting when I was very young. I was fortunate to have James Boren and Melvin Warren two professional artists and members of the prestigious Cowboy Artists of America, move to the area when I was in high school as it has had a lasting impact on my career. I was invited into membership with the Cowboy Artists of America in 1995. Since that time, I have won the Prix de West Purchase Award twice, the Nona Jean Hulsey Rumsey Buyers' Choice Award twice, the CA People's Choice Award in 2002, the CA Ray Swanson Award in 2008, the CA Buyers' Choice Award in 2011, 2012, and 2014, and the Silver Award for Water Solubles in 2012 and 2014. I was awarded the Legacy Award by The Briscoe Museum in 2012, for my impact on western art, and was presented the Spirit of the West Award by the San Dimas Festival of Arts in April of 2016. I

Grelle Works”). True and correct copies of the copyright registrations for the Martin Grelle Works are attached to the Complaint as **Exhibit 1**.

6. I control the quality of all materials and content that feature the distinctive Martin Grelle Works.





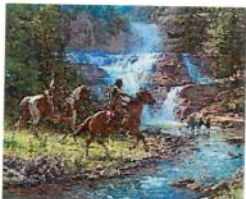

7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Martin Grelle Works. As a result, the images are widely recognized and exclusively associated by consumers, the public, and the trade with my professional identity as an artist.

8. The success and acclaim of the Martin Grelle 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 Martin Grelle 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 Martin Grelle Works. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing Martin Grelle 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 Martin Grelle 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 Martin Grelle Works and examples of Defendants' products reviewed that embody the copyrighted Martin Grelle Works:

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-423-339	Hunter's Morning		 Def #1-42, 99-100, 102-219
VA 2-423-335	Seeking Buffalo		 Def #43-66, 220-241
VA 2-425-574	Going to Trade		 Def #67-79, 242
VA 2-424-834	Empty Lodge		 Def #80-88, 101, 243-278

Reg. Number	Title of Work	Copyrighted Work	Defendants' Image
VA 2-423-471	The Guardian		 Def #89-94, 279
VA 2-423-341	West Texas Cow Hunter		 Def #95-97, 280-299
VA 2-424-835	Encounter at the Falls		 Def #98

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 Martin Grelle Works are used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the

Martin Grelle copyrighted materials because infringers take away my ability to control the nature and quality of products bearing the Martin Grelle Works and derivative works.

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

13. The marketing and distribution of the Martin Grelle Works and derivative works are aimed at growing and sustaining sales. When infringers use the Martin Grelle Works without authorization, the exclusivity associated with the Martin Grelle 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 Martin Grelle Works create the impression that the copyright rights associated with the Martin Grelle Works may be infringed with impunity. The Martin Grelle 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 Martin Grelle Works cannot be compensated for financially since it erodes my ability to monetize the Martin Grelle 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 Aug 20, 2025

*Martin Glen Grelle*

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Martin Grelle