

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

ELIZABETH'S STUDIO LLC,

Plaintiff,

v.

SCHEDULE A DEFENDANTS, et al.,

Defendants.

Case No. 25-cv-1633

FILED UNDER SEAL

DECLARATION OF ANDREW STEEN

I, ANDREW STEEN, 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 a partner and co-owner of Elizabeth's Studio LLC ("Elizabeth's Studio"). I make this declaration from matters within my knowledge save where otherwise stated.

3. Since 2006, Elizabeth's Studio has earned a reputation in the home quilting and sewing industry as an innovative producer of high-quality cotton prints. Skillful adaptation of artwork into screen printed images is at the core of the popularity of prints from Elizabeth's Studio. The combination of great artwork with careful attention to detail and gifted colorization has produced many prints with a long sales life. Themes that have delighted our customers include landscapes, wildlife, pets, farm animals, sports, Native American designs, and the famous "Fruit Ladies." Elizabeth's Studio prints are sold to the retail trade through national and worldwide fabric distributors.

4. Elizabeth's Studio is the official source of fabric bearing the Elizabeth's Studio Work:



<https://elizabethsstudio.com/>

5. Elizabeth's Studio is the owner of the copyright registrations for the Elizabeth's Studio copyrighted works which are protected by United States Copyright Registration Nos. VA 2-406-342; VA 2-418-713; VA 2-406-462; VA 2-406-343; VA 2-406-341; VA 2-406-345; VA 2-406-344 (collectively, the "Elizabeth's Studio Works"). True and correct copies of the copyright registrations for the Elizabeth's Studio Works are attached to the Complaint as **Exhibit 1**.



6. Elizabeth's Studio controls the quality of all materials and content that feature the distinctive Elizabeth's Studio Works.







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

8. The success of the Elizabeth's Studio Works has resulted in significant infringement of Elizabeth's Studio's 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 online platforms, including the internet stores identified in Schedule A attached to the Complaint (“Defendant Internet Stores”), which were offering for sale, selling, and importing unauthorized products bearing the Elizabeth’s Studio 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 Elizabeth’s Studio Works. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing 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 products bearing the infringing Elizabeth’s Studio Works were being offered for sale to the United States, including Pennsylvania. The Defendants and their websites do not conduct business with Elizabeth’s Studio and do not have the right or authority to use the copyrights for any reason. While all Defendants sell products bearing infringements of the Elizabeth’s Studio Works, below is a side-by-side comparison of the Elizabeth’s Studio Works and examples of products being offered for sale by representative Defendants that have been reviewed and embody the copyrighted Elizabeth’s Studio Works:

Reg. Number	Title of Work	Copyrighted Work	Examples of Defendants’ Product
VA 2-406-342	Tucson Collection - 497 Terracotta		 <p data-bbox="997 1822 1357 1856">Def #1-85, 120-132, 138-168</p>

Reg. Number	Title of Work	Copyrighted Work	Examples of Defendants' Product
VA 2-418-713	"Tucson" collection - 497 Gray		 <p data-bbox="998 703 1396 745">Def #86-103, 133-135, 169-194</p>
VA 2-406-462	"Tucson" collection - 495 Turquoise		 <p data-bbox="1006 1092 1372 1123">Def #104-114, 136, 195-274</p>
VA 2-406-343	"Tucson" collection - 536 Turquoise		 <p data-bbox="1031 1512 1331 1543">Def #115-116, 275-305</p>

Reg. Number	Title of Work	Copyrighted Work	Examples of Defendants' Product
VA 2-406-341	"Tucson" collection - 516 Terracotta		 <p data-bbox="1084 619 1318 651">Def #117, 306-375</p>
VA 2-406-345	"Native Spirit" collection - 530 Turquoise		 <p data-bbox="1019 955 1372 987">Def #118-119, 137, 376-377</p>
VA 2-406-344	"Native Spirit" collection - 531 Turquoise		 <p data-bbox="1266 1113 1331 1144">Front</p> <p data-bbox="1063 1270 1128 1302">Back</p> <p data-bbox="1104 1375 1274 1407">Def #378-387</p>

10. Monetary damages alone cannot adequately compensate Elizabeth's Studio for the ongoing infringement because monetary damages fail to address the loss of control of and damage to Elizabeth's Studio's reputation, goodwill, and control over the nature of the derivative works made using Elizabeth's Studio's 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 Elizabeth's Studio's reputation and goodwill by acts of infringement.

11. Elizabeth's Studio's goodwill and reputation are irreparably damaged when the Elizabeth's Studio Works are used on unauthorized goods. Elizabeth's Studio is further irreparably harmed by the unauthorized use of the Elizabeth's Studio copyrighted material because infringers take away its ability to control the nature and quality of products bearing the Elizabeth's Studio Works and derivative works.

12. Elizabeth's Studio is further irreparably damaged due to a loss of exclusivity. The copyright rights in the Elizabeth's Studio Works are meant to be exclusive rights.

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

14. Uncontrolled profiteering and pirating of the Elizabeth's Studio Works create the impression that the copyright rights associated with the Elizabeth's Studio Works may be infringed with impunity. The Elizabeth's Studio Works are distinctive and signify to consumers that the products are authorized by Elizabeth's Studio and are manufactured to its high-quality standards. When infringers use the Elizabeth's Studio Works on goods without authorization, the exclusivity of Elizabeth's Studio's products and reputation are damaged and eroded, resulting in a loss of unquantifiable future sales. The devaluing of the intellectual property associated with the Elizabeth's Studio Works cannot be compensated for financially since it erodes Elizabeth's Studio's ability to monetize the Elizabeth's Studio Works.

15. Elizabeth's Studio 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 18, 2025

Andrew Steen

Andrew Steen