

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

LISA AUDIT,

Plaintiff,

Case No. 25-cv-1609

v.

SCHEDULE A DEFENDANTS, et al.,





FILED UNDER SEAL

Defendants.

DECLARATION OF LISA AUDIT



I, LISA AUDIT, 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 Under the Sun I Work 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 and graphic designer who produces works under the name "Lisa Audit." I create products and designs for various uses including tableware, stationery, kitchen textiles, bedding, bath, rugs, wall décor, and many more. I fell in love with art when I was a young girl and went on to study graphic arts in college. I find inspiration for my work in nature. I am proficient with oil paints, acrylics, and pen and ink.
4. I am the official source of products associated with the Under the Sun I Work (the "Under the Sun I Products"):


What are you looking for?    

Best Sellers Subjects ▾ Styles ▾ Types ▾ Artists ▾ Rooms ▾ Colors Custom New Limited Editions

... [Animals](#) [Insects](#) [Bees](#) #WAC708

 Share this artwork


 58


Under the Sun I - Canvas Print

By [Lisa Audit](#)

★★★★★ (1 Review)

Select Material: Canvas [Product Guide](#)

 Canvas

 Fine Art Paper

Select Size: 40"x26" Large

Mini
12"x8"

Small
18"x12"


Medium
26"x18"

Large
40"x26"

XL
48"x32"

XXL
60"x40"

3-piece
60"x40"

 Recently Viewed



<https://www.icanvas.com/canvas-print/under-the-sun-i-wac708#1PC6-40x26>

5. I am the owner of a copyright registration that is identified by United States Copyright Registration No. VA 2-420-419 (the "Under the Sun I Work"). A true and correct copy of the copyright registration for the Under the Sun I Work is attached to the Complaint as **Exhibit 1**.

6. I control the quality of all materials and content that feature the distinctive Under the Sun I Work.

7. Substantial time, money, and other resources have been expended in developing, advertising, licensing, and otherwise promoting the Under the Sun I Work. As a result, the image is widely recognized and exclusively associated by consumers, the public, and the trade with my name.

8. The success of the Under the Sun I Work 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 multiple 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 Under the Sun I 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 Under the Sun I Work. The investigations show that Defendants are using the Defendant Internet Stores to sell infringing Under the Sun I 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 Under the Sun I 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. True and correct copies of screenshot printouts showing the active Defendant Internet Stores reviewed are attached to the Declaration of Dee Odell as **Composite Exhibit 1**.

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 Under the Sun I Work is used on unauthorized goods. I am further irreparably harmed by the unauthorized use of the Under the Sun I copyrighted materials because infringers take away my ability to control the nature and quality of products bearing the Under the Sun I Work and derivative works.

12. I am further irreparably damaged due to a loss of exclusivity. The copyright rights in the Under the Sun I Work are meant to be exclusive rights.

13. The marketing and distribution of the Under the Sun I Work and derivative works are aimed at growing and sustaining sales. When infringers use the Under the Sun I Work without authorization, the exclusivity associated with the Under the Sun I Work, as well as my reputation, are damaged and eroded, resulting in a loss of unquantifiable future sales.

14. Uncontrolled profiteering and pirating of the Under the Sun I Work create the impression that the copyright rights associated with the Under the Sun I Work may be infringed with impunity. The Under the Sun I Work is distinctive and signifies to consumers that the products are authorized by me and are manufactured to my high-quality standards. When infringers use the Under the Sun I Work on goods without authorization, the exclusivity of my products and reputation are damaged and eroded, resulting in a loss

of unquantifiable future sales. The devaluing of the intellectual property associated with the Under the Sun I Work cannot be compensated for financially since it erodes my ability to monetize the Under the Sun I 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 Sep 19, 2025



Lisa Audit