

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

RAFAEL MÁRCIO MELILLO BASTOS,

Plaintiff,

v.

SCHEDULE A DEFENDANTS,

Defendants.

Case No. 25-cv-1692

FILED UNDER SEAL

PLAINTIFF’S MOTION TO FILE UNDER SEAL

Pursuant to Local Rule 5.4(b)(1), Plaintiff, Rafael Márcio Melillo Bastos (“Plaintiff”), by and through its undersigned counsel, submits this Motion to File Under Seal. Plaintiff seeks an Order allowing Plaintiff to file under seal Schedule “A” to Plaintiff’s Complaint, which identifies the Defendant and the information associated with its financial account at issue. For the same reasons, Plaintiff also seeks an Order allowing Plaintiff to file the Summons in this matter under seal.

Good cause exists for the related order. Plaintiff has learned that Defendant is engaged in the promotion, advertisement, distribution, offering for sale, and sale of goods bearing and/or using counterfeits and confusingly similar imitations of Plaintiff’s registered copyrights within this district, without authorization, through its Internet based e-commerce stores. Defendant’s counterfeiting and infringing activities are causing irreparable injury to Plaintiff and causing an overall degradation of the reputation and goodwill associated with Plaintiff’s brand. Accordingly, Plaintiff is seeking *ex parte* relief in this action.

Temporarily sealing these portions of the court file will prevent Defendant from prematurely receiving notice of Plaintiff’s investigation into the operation of its unlawful businesses. In light of the illicit nature of the counterfeiting business and the ability of counterfeiters to eliminate their evidentiary trails by conducting their business entirely over the Internet, Plaintiff has good reason to believe that providing advance notification of Plaintiff’s claims would cause Defendant to hide or transfer its ill-gotten assets, inventory, and related records beyond the jurisdiction of this Court and thereby thwart the Court’s ability to grant

meaningful relief. See *Dell Inc. v. BelgiumDomains, LLC*, Case No. 07-22674, 2007 U.S. Dist. LEXIS 98676, at *19 (S.D. Fla. Nov. 21, 2007) (granting motion to seal where the defendants, who operate their counterfeiting business electronically, “will likely destroy evidence or move it out of the jurisdiction” if provided with advance notice of the plaintiff’s filings). As Defendant engages in unlawful copyright infringement activities, Plaintiff has no reason to believe Defendant will make its assets available for or will adhere to the authority of this Court any more than it has adhered to federal copyright law.

Plaintiff requests that Schedule “A” to Plaintiff’s Complaint and the Summons remain under seal until the Court has the opportunity to rule on Plaintiff’s request for temporary *ex parte* relief. If the Court grants Plaintiff’s request for temporary *ex parte* relief, Plaintiff further requests that the Court’s Order thereon be sealed until, at least, the relief ordered therein has been completed. At that time, Plaintiff will move to unseal, will make all pleadings and orders filed in this matter available to Defendant, and will enter Defendant’s names in the Court’s ECF system.

Respectfully submitted,

Dated: October 31, 2025

/s/ Stanley D. Ference III

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