

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

ELIZABETH’S STUDIO LLC,

Plaintiff,

v.

CAIDESHOP, et. at.,

Defendants,



Case No. 26-cv-116

COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Plaintiff hereby sues Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the Caption, which are set forth in **Schedule “A”** hereto (collectively “Defendants”). All Defendants are knowingly and intentionally promoting, advertising, distributing, offering for sale, and selling infringing versions of Plaintiff’s copyrighted work (the “Infringing Products”) on the Temu.com online marketplace, operating under the seller identities and/or the online marketplace accounts as set forth on **Schedule “A”** hereto (the “Seller IDs” and collectively, the “Defendant Merchant Storefronts”). In support of its claims, Plaintiff alleges as follows:

NATURE OF ACTION

1. Plaintiff is the owner of a United States Registered Copyright which is infringed by Defendants. Each Defendant has infringed at Plaintiff’s Registered Copyright. Below is a side-by-side comparison of Plaintiff’s copyrighted work and an example of Defendants’ products that embody Plaintiff’s copyrighted work:

Reg. Number	Title of Work	Copyrighted Work	Examples of Defendants' Product
VA 2-406-342	Tucson Collection - 497 Terracotta		 Def #1-391

JURISDICTION AND VENUE

2. This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Federal Copyright Act, 17 U.S.C. § 101, et seq., 28 U.S.C. § 1338(a)–(b), and 28 U.S.C. § 1331.

3. This Court has personal jurisdiction over each Defendant because they have purposefully directed and expressly aimed their tortious activities at the Commonwealth of Pennsylvania and established sufficient minimum contacts with Pennsylvania by, among other things, upon information and belief, advertising and selling infringing products bearing Plaintiff’s copyrighted design to consumers within Pennsylvania through a highly interactive commercial website, through the regular course of business, with the knowledge that Plaintiff is harmed in Pennsylvania as a result of Defendants’ sales of infringing products to Pennsylvania residents. Plaintiff’s claims arise out of and relate to Defendants’ sales of infringing products bearing Plaintiff’s copyrighted design to Pennsylvania residents through the regular course of business. Alternatively, based on their overall contacts with the United States, Defendants are subject to personal jurisdiction in this district pursuant to Federal Rule of Civil Procedure 4(k)(2) because (i)

Defendants are not subject to jurisdiction in any state's court of general jurisdiction; and (ii) exercising jurisdiction is consistent with the United States Constitution and laws.

4. Personal jurisdiction over a non-resident of the state in which the Court sits is proper to the extent authorized by the state's laws. Fed. R. Civ. P. 4(e). Pennsylvania authorizes personal jurisdiction over each Defendant pursuant to § 5322 of the Pennsylvania Consolidated Statutes, Title 42, (the "Pennsylvania Long Arm Statute") which provides in pertinent part:

(a) **General Rule.** A tribunal of this Commonwealth may exercise personal jurisdiction over a person ... who acts directly or by an agent, as to a cause of action or other matter arising from such person:

(1) Transacting any business in this Commonwealth [including, but not limited to:]...

(i) The doing by any person in this Commonwealth of a series of similar acts for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object.

(ii) The doing of a single act in this Commonwealth for the purpose of thereby realizing pecuniary benefit or otherwise accomplishing an object with the intention of initiating a series of such acts.

(iii) The shipping of merchandise directly or indirectly into or through this Commonwealth.

(iv) The engaging in any business or profession within this Commonwealth.

* * *

(3) Causing harm or tortious injury by an act or omission in this Commonwealth.

(4) Causing harm or tortious injury in this Commonwealth by an act or omission outside this Commonwealth.

* * *

(10) Committing any violation within the jurisdiction of this Commonwealth of any statute ... or rule or regulation promulgated thereunder by any government unit.

(b) **Exercise of full constitutional power over nonresidents.** In addition to the provisions of subsection (a) the jurisdiction of the tribunals of this Commonwealth shall extend to all persons who are not within the scope of section 5301 (relating to persons) to the fullest extent allowed under the Constitution of the United States and may be based on the most

minimum contact with this Commonwealth allowed under the Constitution of the United States.

42 Pa. Cons. Stat. § 5322.

5. The Pennsylvania Long Arm Statute confers personal jurisdiction over the Defendants because Defendants regularly conduct, transact, and/or solicit business in Pennsylvania and in this Judicial District and, upon information and belief, derive substantial revenue from their business transactions in Pennsylvania and in this Judicial District. Defendants have availed themselves of the privileges and protections of the laws of Pennsylvania, such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and substantial justice. Defendants should reasonably expect that their actions in and outside of Pennsylvania would subject them to legal action in Pennsylvania and this Judicial District. For example:

a. Defendants have directed their business activities at consumers in Pennsylvania via Temu, through which consumers in Pennsylvania can view Defendants' online storefronts, communicate with Defendants regarding Defendants' Infringing Products, and place orders for, purchase, and receive delivery of Defendants' Infringing Products in Pennsylvania.

b. Defendants are sophisticated sellers on Temu, each operating one or more commercial businesses through which Defendants operate online storefronts to promote, advertise, distribute, offer for sale, and sell the Infringing Products imported into the United States.

c. Defendants (although foreign entities) accept payment in U.S. Dollars and offer shipping to Pennsylvania and this Judicial District (and calculate, charge, and remit tax based on sales into Pennsylvania and this Judicial District).

d. Upon information and belief, Defendants have cooperated, communicated, shared information, and coordinated their efforts in order to create an infringing marketplace operating in parallel to the legitimate marketplace of Plaintiff and third parties authorized to sell products embodying Plaintiff's copyrighted work, including: employing and benefitting from substantially similar paid advertising, marketing, and advertising strategies (*e.g.*, search engine optimization or "SEO"), in order to make their online storefronts appear more relevant and target a consumer searching for products embodying Plaintiff's copyrighted work. By their actions, in addition to the damages associated with unauthorized use of Plaintiff's copyrighted work, Defendants are causing concurrent and irreparable harm to Plaintiff and the consuming public by: (1) reducing the online visibility of Plaintiff's copyrighted work; (2) diluting and eroding the retail market price for Plaintiff's copyrighted work; (3) causing overall degradation of the value of goodwill associated with Plaintiff's copyrighted work; (4) devaluing the exclusivity that enhances the worth of Plaintiff's work and reputation; and (5) increasing Plaintiff's overall cost to market its goods and educate consumers about Plaintiff's copyrighted work.

e. Defendants are concurrently targeting their infringing activities toward consumers in, and causing harm in, Pennsylvania.

f. Defendants reside and/or operate in foreign jurisdictions with intellectual property enforcement systems and are cooperating by creating an illegal stream of infringing goods. (See, *e.g.*, <https://sellerdefense.cn/>). Defendants regularly remove and add products from their online storefronts, making it extremely difficult to enforce Plaintiff's intellectual property under the laws of the United States.

g. Upon information and belief, Defendants are aware of Plaintiff and Plaintiff's copyrighted work and are aware that their infringement is likely to cause harm to Plaintiff in the United States, Pennsylvania, and this Judicial District.

h. Plaintiff is suffering irreparable and indivisible injury and has suffered substantial damages as a result of Defendants' unauthorized sale of the Infringing Products in direct competition with Plaintiff.

6. Alternatively, if Defendants contend that their use of Temu should not be construed as contacts with the individual states and the Court accepts that contention, Federal Rule of Civil Procedure 4(k)(2) confers personal jurisdiction over Defendants because (1) the claims asserted herein arise under federal copyright law; (2) Defendants would not be subject to jurisdiction in any state's courts of general jurisdiction; and (3) exercising jurisdiction is consistent with the United States Constitution and laws. For example, exercising jurisdiction is constitutionally permissible because:

a. Defendants have purposefully directed their activities at the United States. The Defendants have voluntarily chosen to open accounts on Temu to access the United States' market. Upon information and belief, Temu targets the entire United States, and does not provide sellers like Defendants with the ability to opt into or out of any particular jurisdiction (*e.g.*, state) within the United States. Temu the online marketplace chosen by Defendants: (1) provides prices in U.S. dollars; (2) advertises free shipping to U.S. buyers, including buyers in Pennsylvania, and (3) provides testimonials of and reviews by U.S. buyers.

b. Upon information and belief, Defendants have each had sales of the Infringing Products in the United States.

c. Plaintiff's injuries arise from Defendants' forum-related activities.

Defendants' offer to sell, sale, and distribution of the Infringing Products to U.S.

residents is a but for cause of all of the infringement alleged in this action. Defendants

know or should know that infringement of work copyrighted by U.S. entities or persons is

likely to injure U.S. residents.

7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391: Defendants do not reside in the United States and are subject to venue in any district. Further, Defendants solicit business from this Judicial District and, upon information and belief, conduct and transact significant business in this Judicial District.

INTRODUCTION

8. Plaintiff, Elizabeth's Studio LLC, is the owner of a federal copyright registration that protects the creative content of Plaintiff's image. The copyright protects one of many works of art by Elizabeth Shnyder, an acclaimed artist best-known for her 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 LLC. 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 customers include landscapes, wildlife, pets, farm animals, sports, Native American designs, and the famous "Fruit Ladies." Elizabeth's Studio LLC prints are sold to the retail trade through national and worldwide fabric distributors. Elizabeth's Studio LLC derives significant profits from the sale and distribution of its licensed products.

9. This action has been filed by Plaintiff to combat online copyright infringers who trade upon Plaintiff's reputation, goodwill, and valuable copyright by selling and/or offering for

sale products in connection with Plaintiff's images. In addition, the Defendants are selling unauthorized products that are based on and derived from the copyrighted subject matter of Plaintiff's images.

10. Plaintiff is the owner of United States Copyright Registration No. VA 2-406-342 (the "Elizabeth Shnyder Work"). This registration is valid, subsisting, and in full force and effect. A true and correct copy of the registration certificate for the Elizabeth Shnyder Work is attached hereto as **Exhibit 1**. Upon information and belief, the copyright has an effective date that predates the Defendants' acts of copyright infringement.

11. In an effort to illegally profit from the creative content of the Elizabeth Shnyder Work, Defendants have created numerous Defendant Merchant Storefronts and designed them to appear to be selling authorized an Elizabeth Shnyder Work.

12. The Defendant Merchant Storefronts share unique identifiers, such as design elements and similarities of the unauthorized products offered for sale, establishing a logical relationship between them and suggesting that Defendants' illegal operations arise out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their illegal operation. Plaintiff is forced to file this action to combat Defendants' piracy of the Elizabeth Shnyder Work. Plaintiff has suffered, and continues to suffer, irreparable harm due to the loss of control over the quality and creative content of its valuable copyrighted work, as well as damage to its reputation, goodwill, and ability to license as a result of Defendants' actions. Accordingly, Plaintiff seeks injunctive and monetary relief.

13. The rise of online retailing, coupled with the ability of e-commerce sites to hide their identities, has made it nearly impossible for policing actions to be undertaken by Plaintiff

because taking advantage of takedown procedures to remove infringing products would be an ineffective and endless game of whack-a-mole against the mass piracy that is occurring over the internet. Sadly, a swarm of infringers have decided to trade upon Plaintiff's reputation, goodwill, and valuable copyright by selling and/or offering for sale products in connection with Plaintiff's images. The aggregated effect of the mass piracy that is taking place has overwhelmed Plaintiff and Plaintiff's ability to police Plaintiff's rights against the dozens of anonymous defendants who are selling illegal infringing products at prices well below an original.

14. To be able to offer the infringing products at a price substantially below the cost of original, while still being able to turn a profit after absorbing the cost of manufacturing, advertising, and shipping requires an economy of scale only achievable through a cooperative effort throughout the supply chain. As Homeland Security's recent report confirms, infringers act in concert through coordinated supply chains and distribution networks to unfairly compete with legitimate brand owners while generating huge profits for the illegal pirating network:

Historically, many counterfeits were distributed through swap meets and individual sellers located on street corners. Today, counterfeits are being trafficked through vast e-commerce supply chains in concert with marketing, sales, and distribution networks. **The ability of e-commerce platforms to aggregate information and reduce transportation and search costs for consumers provides a big advantage over brick-and-mortar retailers. Because of this, sellers on digital platforms have consumer visibility well beyond the seller's natural geographical sales area.**

...

Selling counterfeit and pirated goods through e-commerce is a highly profitable activity: production costs are low, millions of potential customers are available online, transactions are convenient, and listing on well-branded e-commerce platforms provides an air of legitimacy.

...

The impact of counterfeit and pirated goods is broader than just unfair competition. Law enforcement officials have uncovered intricate links between the sale of counterfeit goods and transnational organized crime. **A study by the Better Business Bureau notes that the financial operations supporting counterfeit goods typically require central coordination**, making these activities attractive for organized crime, with groups such as the Mafia and the Japanese Yakuza

heavily involved. Criminal organizations use coerced and child labor to manufacture and sell counterfeit goods. In some cases, the proceeds from counterfeit sales may be supporting terrorism and dictatorships throughout the world.

See Department of Homeland Security, *Combating Trafficking in Counterfeit and Pirated Goods*, Jan. 24, 2020, (<https://www.dhs.gov/publication/combating-trafficking-counterfeit-and-pirated-goods>), at 10, 19 (emphasis added) attached hereto as **Exhibit 2**.

15. The Defendant Merchant Storefronts share unique identifiers, such as design elements and similarities of the unauthorized products offered for sale, establishing a logical relationship between them and suggesting that Defendants' illegal operations arise out of the same transaction, occurrence, or series of transactions or occurrences. Defendants use aliases to avoid liability by going to great lengths to conceal both their identities as well as the full scope and interworking of their illegal network. Despite deterrents such as takedowns and other measures, the use of aliases enables infringers to stymie authorities:

The scale of counterfeit activity online is evidenced as well by the significant efforts e-commerce platforms themselves have had to undertake. A major e-commerce platform reports that its proactive efforts prevented over 1 million suspected bad actors from publishing a single product for sale through its platform and blocked over 3 billion suspected counterfeit listings from being published to their marketplace. Despite efforts such as these, private sector actions have not been sufficient to prevent the importation and sale of a wide variety and large volume of counterfeit and pirated goods to the American public.

...

A counterfeiter seeking to distribute fake products will typically set up one or more accounts on online third-party marketplaces. The ability to rapidly proliferate third-party online marketplaces greatly complicates enforcement efforts, especially for intellectual property rights holders. Rapid proliferation also allows counterfeiters to hop from one profile to the next even if the original site is taken down or blocked. On these sites, online counterfeiters can misrepresent products by posting pictures of authentic goods while simultaneously selling and shipping counterfeit versions.

...

Not only can counterfeiters set up their virtual storefronts quickly and easily, but they can also set up new virtual storefronts when their existing storefronts are shut down by either law enforcement or through voluntary initiatives set up by other stakeholders such as market platforms, advertisers, or payment processors.

Id. at 5, 11, 12.

16. Plaintiff has been and continues to be irreparably harmed through the loss of control over Plaintiff’s reputation, goodwill, ability to license, and the quality of goods featuring the Elizabeth Shnyder Work, as well as the devaluation of the exclusivity associated with Plaintiff’s art and professional reputation. The rise of eCommerce as a method of supplying goods to the public exposes brand holders and content creators that make significant investments in their products to significant harm from counterfeiters:

Counterfeiting is no longer confined to street-corners and flea markets. The problem has intensified to staggering levels, as shown by a recent Organization for Economic Cooperation and Development (OECD) report, which details a 154 percent increase in counterfeits traded internationally — from \$200 billion in 2005 to \$509 billion in 2016. Similar information collected by the U.S. Department of Homeland Security (DHS) between 2000 and 2018 shows that seizures of infringing goods at U.S. borders have increased 10-fold, from 3,244 seizures per year to 33,810.

...

The rise in consumer use of third-party marketplaces significantly increases the risks and uncertainty for U.S. producers when creating new products. It is no longer enough for a small business to develop a product with significant local consumer demand and then use that revenue to grow the business regionally, nationally, and internationally with the brand protection efforts expanding in step. Instead, with the international scope of e-commerce platforms, once a small business exposes itself to the benefits of placing products online — which creates a geographic scope far greater than its more limited brand protection efforts can handle — it begins to face increased foreign infringement threat.

...

Moreover, as costs to enter the online market have come down, such market entry is happening earlier and earlier in the product cycle, further enhancing risk. If a new product is a success, counterfeiters will attempt, often immediately, to outcompete the original seller with lower-cost counterfeit and pirated versions while avoiding the initial investment into research and design.

...

Counterfeiters have taken full advantage of the aura of authenticity and trust that online platforms provide. While e-commerce has supported the launch of thousands of legitimate businesses, their models have also enabled counterfeiters to easily establish attractive “store-fronts” to compete with legitimate businesses.

See *Combating Trafficking in Counterfeit and Pirated Goods*, Jan. 24, 2020, (**Exhibit 2**) at 4, 8, 11.

17. Not only are the creators and copyright owners harmed, the public is harmed as well:

The rapid growth of e-commerce has revolutionized the way goods are bought and sold, allowing for counterfeit and pirated goods to flood our borders and penetrate our communities and homes. Illicit goods trafficked to American consumers by e-commerce platforms and online third-party marketplaces threaten public health and safety, as well as national security. This illicit activity impacts American innovation and erodes the competitiveness of U.S. manufacturers and workers. The President's historic memorandum provides a much warranted and long overdue call to action in the U.S. Government's fight against a massive form of illicit trade that is inflicting significant harm on American consumers and businesses. This illicit trade must be stopped in its tracks.

Id. at 3, 4. (Underlining in original).

18. Plaintiff's investigation shows that the telltale signs of an illegal piracy ring are present in the instant action. The Defendant Merchant Storefronts share unique identifiers, such as design elements and similarities of the infringing products offered for sale, establishing a logical relationship between them and suggesting that Defendants' illegal operations arise out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid liability by going to great lengths to conceal both their identities and the full scope and interworking of their illegal piracy operation. Plaintiff is forced to file this action to combat Defendants' infringement of the Elizabeth Shnyder Work, as well as to protect unknowing consumers from purchasing unauthorized reproductions of the Elizabeth Shnyder Work over the internet.

THE PLAINTIFF

19. Plaintiff, Elizabeth's Studio LLC, is the owner of a federal copyright registration that protects the creative content of Plaintiff's image. The copyright protects one of many works of art by Elizabeth Shnyder, an acclaimed artist best-known for her 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 LLC. 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 customers include landscapes, wildlife, pets, farm animals, sports, Native American designs, and the famous "Fruit Ladies." Elizabeth's Studio LLC prints are sold to the retail trade through national and worldwide fabric distributors. Elizabeth's Studio LLC derives significant profits from the sale and distribution of its licensed products.

20. Plaintiff has expended substantial time, money, and other resources developing, advertising, and otherwise promoting its art, including the Elizabeth Shnyder Work. Plaintiff has also invested substantial time, money, and effort in building up and developing consumer awareness, goodwill, and recognition in the Elizabeth Shnyder Work. As a result, reproductions associated with Elizabeth's Studio LLC are recognized and exclusively associated by consumers, collectors, the public, and the trade as a work authorized by Plaintiff.

21. The success of the Elizabeth Shnyder Work is due in large part to Plaintiff's marketing, promotional, and distribution efforts.

22. As a result of Plaintiff's efforts, the quality of authorized reproductions, the promotional efforts for Plaintiff's products and designs, press and media coverage, and social media coverage, members of the public have become familiar with the Elizabeth Shnyder Work and associate them exclusively with Plaintiff.

23. Plaintiff has made efforts to protect Plaintiff's interests in and to the Elizabeth Shnyder Work. No one other than Plaintiff and Plaintiff's licensees are authorized to manufacture, import, export, advertise, create derivative works, offer for sale, or sell any goods utilizing the Elizabeth Shnyder Work image without the express written permission of Plaintiff.

THE DEFENDANTS

24. Defendants are individuals and business entities who, upon information and belief, reside in the People's Republic of China or other foreign jurisdictions. Defendants conduct business throughout the United States, including within Pennsylvania and in this judicial district, through the operation of the fully interactive commercial websites and online marketplaces operating under the Defendant Merchant Storefronts. Each Defendant targets the United States, including Pennsylvania, and has offered to sell and, on information and belief, has sold and continues to sell illegal reproductions of the Elizabeth Shnyder Work to consumers within the United States, including Pennsylvania and in this judicial district.

THE DEFENDANTS' UNLAWFUL CONDUCT

25. The success of the Elizabeth Shnyder Work has resulted in significant copying of the creative content protected by Plaintiff's copyright registration. Plaintiff has identified numerous fully interactive marketplace listings on Temu. Each Defendant targets consumers in the United States, including the Commonwealth of Pennsylvania, and has offered to sell and, on information and belief, has sold and continues to sell infringing products that violate Plaintiff's intellectual property rights in the Elizabeth Shnyder Work to consumers within the United States, including the Commonwealth of Pennsylvania.

26. Upon information and belief, Defendants facilitate sales by designing the Defendant Merchant Storefronts so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers selling genuine reproductions of the Elizabeth Shnyder Work.

27. The Defendant Merchant Storefronts intentionally conceal their identities and the full scope of their piracy operations in an effort to deter Plaintiff from learning Defendants' true

identities and the exact interworking of Defendants' illegal operations. Through their operation of the Defendant Merchant Storefronts, Defendants are directly and personally contributing to, inducing, and engaging in the sale of Infringing Products as alleged, often times as partners, co-conspirators, and/or suppliers. Upon information and belief, Defendants are an interrelated group of infringers working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Infringing Products.

28. Upon information and belief, at all times relevant hereto, the Defendants in this action have had full knowledge of Plaintiff's ownership of the Elizabeth Shnyder Work, including Plaintiff's exclusive right to use and license such intellectual property and the goodwill associated therewith.

29. Defendants often go to great lengths to conceal their identities by often using multiple fictitious names and addresses to register and operate their massive network of Defendant Merchant Storefronts. Upon information and belief, Defendants regularly create new websites and online marketplace accounts on Temu using the identities listed in Schedule A to the Complaint, as well as other unknown fictitious names and addresses. Such Defendant Internet Store registration patterns are one of many common tactics used by the Defendants to conceal their identities, the full scope and interworking of their massive pirating operation, and to avoid being shut down.

30. The Infringing Products for sale in the Defendant Merchant Storefronts bear similarities and indicia of being related to one another, suggesting that the Infringing Products were manufactured by and come from a common source and that, upon information and belief, Defendants are interrelated.

31. In addition to operating under multiple fictitious names, Defendants in this case and defendants in other similar cases against online infringers use a variety of other common tactics to

evade enforcement efforts. For example, infringers like Defendants will often register new online marketplace accounts under new aliases once they receive notice of a lawsuit. Infringers also typically ship products in small quantities via international mail to minimize detection by U.S. Customs and Border Protection. A 2021 U.S. Customs and Border Protection report on seizure statistics indicated that e-commerce sales accounted for 13.3% of total retail sales with second quarter of 2021 retail e-commerce sales estimated at \$222.5 billion. U.S. Customs and Border Protection, *Intellectual Property Right Seizure Statistics, FY 2021* (<https://www.cbp.gov/sites/default/files/assets/documents/2022-Sep/202994%20-%20FY%202021%20IPR%20Seizure%20Statistics%20BOOK.5%20-%20FINAL%20%28508%29.pdf>) at 23. A true and correct copy of CBP’s FY 2021 report is attached hereto as **Exhibit 3**. In FY 2021, there were 213 million express mail shipments and 94 million international mail shipments. *Id.* Nearly 90 percent of all intellectual property seizures occur in the international mail and express environments. *Id.* at 27. The “overwhelming volume of small packages also makes CBP’s ability to identify and interdict high risk packages difficult.” *Id.* at 23.

32. Further, infringers such as Defendants, typically operate multiple credit card merchant accounts and third-party accounts, such as PayPal, Inc. (“PayPal”) accounts, behind layers of payment gateways so that they can continue operation in spite of Plaintiff’s enforcement efforts. Upon information and belief, Defendants maintain offshore bank accounts and regularly move funds from their PayPal accounts to offshore bank accounts outside the jurisdiction of this Court. Indeed, analysis of PayPal transaction logs from previous similar cases indicates that offshore infringers regularly move funds from U.S.-based PayPal accounts to foreign-based bank accounts, such as China-based bank accounts, outside the jurisdiction of this Court.

33. Defendants, without any authorization or license, have knowingly and willfully pirated Plaintiff's Elizabeth Shnyder Work copyright in connection with the advertisement, distribution, offering for sale, and sale of illegal products into the United States and Pennsylvania over the internet. Each Defendant Internet Store offers shipping to the United States, including Pennsylvania, and, on information and belief, each Defendant has offered to sell Infringing Products into the United States, including Pennsylvania.

34. Each Defendant was, and is currently, offering for sale and selling the Infringing Products to the consuming public via Defendants' online storefronts using their Seller IDs. Defendants provide shipping, have actually shipped, and/or stand ready, willing, and able to ship the Infringing Products to customers located within this Judicial District.

COUNT I
COPYRIGHT INFRINGEMENT

35. Plaintiff repeats and incorporates by reference herein the allegations contained in the above paragraphs of this Complaint.

36. The Elizabeth Shnyder Work and authorized reproductions have significant value and have been produced and created at considerable expense.

37. At all relevant times, Plaintiff has been the holder of the pertinent exclusive rights infringed by Defendants, as alleged hereunder, including but not limited to the Elizabeth Shnyder Work, including derivative works. The Elizabeth Shnyder Work is the subject of a valid Copyright Registration Certificate issued by the Register of Copyrights. (**Exhibit 1**).

38. Each Defendant, without the permission or consent of Plaintiff, has sold and continues to sell online pirated derivative works of the copyrighted Elizabeth Shnyder Work. Each Defendant has violated Plaintiff's exclusive rights of reproduction and distribution. Each

Defendant's actions constitute infringement of Plaintiff's exclusive rights protected under the Copyright Act (17 U.S.C. §101 et seq.).

39. The foregoing acts of infringement constitute a collective enterprise of shared, overlapping facts and have been willful, intentional, and in disregard of and with indifference to the rights of the Plaintiff.

40. As a result of each Defendant's infringement of Plaintiff's exclusive rights under copyright, Plaintiff is entitled to relief pursuant to 17 U.S.C. §504 and to Plaintiff's attorneys' fees and costs pursuant to 17 U.S.C. §505.

41. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiff great and irreparable injury that cannot fully be compensated or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§502 and 503, Plaintiff is entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiff's copyright and ordering that each Defendant destroy all unauthorized copies.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

1) That Defendants, their affiliates, officers, agents, employees, attorneys, and all persons acting for, with, by, through, under, or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:

a. Using The Elizabeth Shnyder Work or any reproductions, copies, or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not an authorized reproduction of the Elizabeth Shnyder Work or is not authorized by Plaintiff to be sold in connection with the Elizabeth Shnyder Work;

- b. passing off, inducing, or enabling others to sell or pass off any product or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the Elizabeth Shnyder Work;
- c. further infringing the Elizabeth Shnyder Work and damaging Plaintiff's goodwill;
- d. shipping, delivering, holding for sale, transferring or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not authorized by Plaintiff to be sold or offered for sale, and which directly use the Elizabeth Shnyder Work images, and which are derived from Plaintiff's copyright in the Elizabeth Shnyder Work; and
- e. using, linking to, transferring, selling, exercising control over, or otherwise owning the Defendant Merchant Storefronts, or any other online marketplace account that is being used to sell products or inventory not authorized by Plaintiff which are derived from Plaintiff's copyright in the Elizabeth Shnyder Work;

2) Entry of an Order that, upon Plaintiff's request, those in privity with Defendants and those with notice of the injunction, including any online marketplaces, social media platforms, Facebook, YouTube, LinkedIn, Twitter, internet search engines such as Google, Bing, and Yahoo, web hosts for the Defendant Merchant Storefronts, shall:

- a. disable and cease providing services for any accounts through which Defendants engage in the sale of products not authorized by Plaintiff which reproduce the Elizabeth Shnyder Work or are derived from the Elizabeth Shnyder Work, including any accounts associated with the Defendants listed on Schedule A;

- b. disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of products not authorized by Plaintiff which are derived from the Elizabeth Shnyder Work; and
- c. take all steps necessary to prevent links to the Defendant accounts identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant accounts from any search index;

3) For Judgment in favor of Plaintiff against Defendants that they have: a) willfully infringed Plaintiff's rights in Plaintiff's federally registered copyright pursuant to 17 U.S.C. §501; and b) otherwise injured the business reputation and business of Plaintiff by Defendants' acts and conduct set forth in this Complaint;

4) For Judgment in favor of Plaintiff against Defendants for actual damages or statutory damages pursuant to 17 U.S.C. §504, at the election of Plaintiff, in an amount to be determined at trial;

- 5) That Plaintiff be awarded Plaintiff's reasonable attorneys' fees and costs; and
- 6) Award any and all other relief that this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff respectfully demands a trial by jury on all claims.

Respectfully submitted,

Dated: January 21, 2026

/s/ Stanley D. Ference III

Stanley D. Ference III

Pa. ID No. 59899

courts@ferencelaw.com

FERENCE & ASSOCIATES LLC

409 Broad Street

Pittsburgh, Pennsylvania 15143
(412) 741-8400 - Telephone
(412) 741-9292 - Facsimile

Attorneys for Plaintiff

LIST OF EXHIBITS

- Exhibit 1 Registration certificates for the Plaintiff's Works
- Exhibit 2 Department of Homeland Security, *Combating Trafficking in Counterfeit and Pirated Goods*, Jan. 24, 2020 (<https://www.dhs.gov/publication/combating-trafficking-counterfeit-and-pirated-goods>)
- Exhibit 3 U.S. Customs and Border Protection, *Intellectual Property Right Seizure Statistics*, FY 2021
(<https://www.cbp.gov/sites/default/files/assets/documents/2022-Sep/202994%20-%20FY%202021%20IPR%20Seizure%20Statistics%20BOOK.5%20-%20FINAL%20%28508%29.pdf>)

Schedule “A”
Defendants with Store Name and Seller ID

Defendant Number	Store/Seller Name	Seller ID
1	caideshop	634418219548614
2	JGold	634418220455255
3	VickyGold	634418221520329
4	LOVEYOURME	634418220086428
5	Pld Shop	634418219243236
6	PyxMat	634418220302905
7	Rich M	634418221234287
8	Ddsjds	634418221432072
9	He CBLanket	634418216981283
10	Goddess Haven	634418218960262
11	Ceduouuo mr	634418216464596
12	Mingrenfang	634418219296108
13	xiaotuA	634418219306824
14	One Shepherd will be a	244285285614
15	KaGee	634418218972695
16	JPHH	634418217880894
17	GOOD HS	634418219280940
18	jasminego	634418218260526
19	yuanxunGO	634418211312709
20	OABP CAR	634418218366811
21	Sublime Stream	635517730723783
22	FZmatfour	634418218264676
23	DDMMshop	634418222450480
24	CraftThreads	634418218961725
25	xiaotuC	634418219327114
26	LoveMT diy FLB	634418217809510
27	Jiaqian Love Home	634418219738766
28	StitchCrafted	634418219815662
29	New Trend Boutique	634418219501116
30	hao dian pu	634418220833704
31	na zha	634418221047681
32	HOME MIJUE DECOR	634418220090028
33	Macho Threads	634418221064674
34	NBEY	634418219719900
35	Driver Gallery	634418220605373
36	GraphicTee	634418217307540
37	CraftCloset	634418222146937

Defendant Number	Store/Seller Name	Seller ID
38	JPlongdaye	634418218415631
39	VogueNook	634418222186136
40	HibkSure	634418217606824
41	sigezhijia	634418219716302
42	chenyantwo	634418218092353
43	LUCK strong	634418217980030
44	JoyLucia	634418220498014
45	CaiFuLai	634418218377104
46	Qster vvp	634418218415598
47	Yuyang Textile	634418211661803
48	QL ONLINE	634418215311139
49	ArtPalette Gallery	634418222054948
50	HomeWonders	634418220819576
51	Small shop across the sea local	634418216315594
52	SolaceStream	634418221940034
53	Good fn	634418221478262
54	boen US mall	634418216333939
55	CHENZHISHUO	634418220905665
56	KTM Art	634418220753866
57	Puzhida	634418219916289
58	A BetterLife	634418219504869
59	guoxin case	634418219227522
60	Amolabe	634418219592124
61	Xhxlly	634418218444731
62	Quality Life Hall X	634418217738365
63	Mr Cats Shop	634418219656254
64	Good zcc	634418220572697
65	GBJ art	634418220351370
66	SHOP BAI RUI	634418220558360
67	Yunduos	634418220770849
68	DDDEER HOMEGO	634418220365880
69	shopGXZ local	634418218270560
70	Xinfully Case	634418219572698
71	YHZC Case	634418221033350
72	WQZmall	634418220378724
73	LJBo art	634418220478449
74	Xkxr direct stor	634418214060804
75	Yiyu case	634418218773061
76	Fadish	634418219021783

Defendant Number	Store/Seller Name	Seller ID
77	AABB phone case	634418219445972
78	Ask about art	634418221190364
79	yiyuyi art	634418220754856
80	kakueasy	634418219819027
81	Yangzhishun phone case	634418218489752
82	taiwang	634418216719917
83	youbike	634418219998035
84	HAO XING SHOP	634418220351260
85	wxlArt	634418220363084
86	TechTote Case	634418221951036
87	Wonderland Case	634418220666640
88	Lumicase	634418221434107
89	Auricase	634418221502937
90	Shelluxe	634418221370966
91	Shanepeng	634418222122979
92	Realmlo	634418222084591
93	Opulent Outfits shop	634418221940384
94	Sunnyonline	634418220822348
95	Voguevein	634418222664318
96	Creative Outfit	634418218246691
97	bei bei xiao dian	634418220845944
98	manyouke	634418220738385
99	Highend mobile phone cases	634418221428025
100	Super trendy phone case	634418214189200
101	Zoey Case	634418221861418
102	Rice Grain Art	634418221884298
103	LehahayoupinDigital	634418222132959
104	ShellVibe Pro	634418221926955
105	YLYmall	634418220379050
106	sixgodV	634418218691601
107	Shop Linghai Art	634418221719481
108	Fashionable Beauty Hall	634418218032299
109	LJMei Art	634418220463909
110	Minimal Case	634418221776931
111	Glorious Arrival	634418219697215
112	Wanga Purchase	634418220321172
113	Art Bag of Jia	634418218896670
114	LKOO	634418212629973
115	Aerxings	634418219234512

Defendant Number	Store/Seller Name	Seller ID
116	Gambition	634418220319843
117	Losaitina	634418220924099
118	TAOXI Tao likes it	634418209359569
119	ModernAestheticsDesignLab	634418220182567
120	Little Yellow Duck Life House local	634418218778433
121	Customized beauty i	634418219192074
122	Cloud Start	634418222158384
123	TrendSculpt	634418217949546
124	Couture Line	634418217878486
125	liyuwangU	634418221109990
126	HNXBSH	634418220523717
127	GAELOOFTER	634418218805797
128	DEJUNQICHEYONGPINDIAN	634418219857754
129	SHUNMI	634418216564008
130	Wind Dancing	634418212068250
131	Fovlrclh Red	634418220557143
132	Blue Maple Leafs	634418219897952
133	Corals tiger	634418218454218
134	Civic Couture	634418220430895
135	Malayan Tiger	634418218371783
136	Azure Waves	634418220082537
137	Red waves	634418219123215
138	Rappers Closets	634418218686476
139	Spring Begins	634418218382626
140	Sunset waves	634418219957397
141	Unstd B	634418220169178
142	Altaic Tiger	634418218335384
143	Summer begins	634418218515011
144	sky blue Maple Leafs	634418220079224
145	Hip Hop Closets	634418218667662
146	scarlet Maple Leafs	634418220079034
147	Tigons Tiger	634418218453710
148	Blue Closets	634418218965136
149	Moss Green Waves	634418220083676
150	Rose Pink Waves	634418220084103
151	Winters Solstice	634418218562481
152	White dews	634418218386279
153	HUIYBE	634418220846963
154	LeucoTee	634418219139288

Defendant Number	Store/Seller Name	Seller ID
155	GoldieTee	634418219138478
156	Zone TEE	634418219798220
157	Meibu trendy shoes	634418221038697
158	CEDUOOUO	634418221630894
159	COORYL	634418218414708
160	TOUSHOPPING	634418218706945
161	CADIA Tribe	634418216599048
162	Meilaier Shop	634418216238843
163	LUMOS Trend	634418214817135
164	Strolling Through life	634418215721271
165	Ceduouooz	634418219477754
166	CHASOEO	634418219475620
167	Fashion Sandal Shop	634418220402460
168	DesignItChic	634418219815646
169	TailorMint	634418220309849
170	FunkyHome	634418219784114
171	MadeForU	634418219318186
172	SewnByYou	634418219815505
173	Wearable Gifts	634418218872440
174	Up Trend	634418219383996
175	LoveShirts	634418217309464
176	SnipIt	634418221718146
177	Home Love Haven	634418217269693
178	Beyond Treasures	634418219429638
179	colorfulifeshop	634418218516219
180	Long Xiang home textile	634418212311350
181	ThreadBox	634418219962423
182	Door Mat	634418217308020
183	FabFashions	634418218961529
184	AtelierVibe	634418217903702
185	DreamDwelling	634418219087062
186	Customizable Treasures	634418218462122
187	DIYDuds	634418218961191
188	Lingo Wintereve	634418220238580
189	TheYRCLOTHING Enchaansted Haiivven	634418220908838
190	IIL Poesie local	634418221867937
191	Beyong Plus Size	634418216861242
192	Ruiyee Catcher	634418220471848
193	Dssuin	634418220815216

Defendant Number	Store/Seller Name	Seller ID
194	FYHRRXB	634418219340212
195	Foonm	634418217561614
196	Uoonui	634418219192859
197	Fvlism	634418219341300
198	Yzyioojpm	634418216984842
199	OURSTNshangmao	634418210564549
200	Covogue	634418221082173
201	boom pink	634418212944919
202	Sparkle Shop qin	634418218841325
203	Dreamy Depot Zhao	634418218841329
204	yusushi local	634418219597039
205	Couture Corner art	634418221800617
206	Fokusent	634418217845141
207	FIECHAZ	634418211334675
208	FXR HOME	634418213091588
209	Chen Yu home	634418213221018
210	SHEERING	634418219195814
211	ZLBF	634418219174479
212	UniqueCaseHQ	634418222165697
213	InkArt case	634418222216360
214	Simple Natural local	634418215400465
215	Simple Elegant local	634418215235140
216	Purple Blue	634418221333011
217	Casetopia	634418221367706
218	Summer Trees	4364703472685
219	AYBeautyfashion	4499667300773
220	FIVE PLUS DD	634418211983962
221	T HEBNORY	634418211984122
222	SSUUFZ	634418214086835
223	WTLZY	634418217744688
224	ZIYANYAN	634418210737453
225	Jhy costume	5135099691344
226	yiqiaohui apparel	634418219248230
227	SYclothing	634418219683451
228	Glisten Apparel	634418215776377
229	Ffkaxki	634418219543685
230	Oxveefo	634418218478086
231	Ysssk	634418217562326
232	CBeY	634418213253904

Defendant Number	Store/Seller Name	Seller ID
233	EDCRFVTGB	634418219905658
234	Pacific	634418210964714
235	Good clothing for women	634418214083548
236	RED KAKI	634418215738812
237	Glamorous Threads	5704448082522
238	AHISENSS	634418217555929
239	Dashing daisy	634418214089241
240	ZBeautiful woman	634418218907831
241	QIAORUIW	634418213309098
242	Factory dress	634418211979781
243	Cody clothing TH	634418217949077
244	Xiweixi Mens Wear	634418216212721
245	QLclothingstudio	4913206636237
246	Eye bag now	634418219152654
247	KARAC	634418211895334
248	UMEfashion	634418219611629
249	Jiang Women Shop F	634418218593897
250	TBE	634418214070079
251	GF B Fashion	634418217130046
252	Casula Men Sweatpants	634418217756037
253	CF Clothes	7207097494
254	XUBAOCHAOWU	634418218791602
255	WarmSun YF	634418219441052
256	Yiwu Kairui Home Textile	634418212835719
257	SwiftBiz Xgou	634418220304033
258	carpet two	634418218784794
259	wangfengweiC	634418218822824
260	CY Car	4495129174
261	RICWPRO	634418214814876
262	Cozy Loom TXH	634418219989876
263	Fernca fr	634418218119029
264	Cherry Tomato Phone Case	634418218622029
265	Grey sheep car products	105591051969
266	SO GOODY	6202153426802
267	TAOCARSHOP	634418212346433
268	Aifnan	634418218254056
269	Chic Home Essentials love	634418217833526
270	Shumeiaif	634418218781663
271	laiben	634418219901810

Defendant Number	Store/Seller Name	Seller ID
272	Gabriel cases	634418220401617
273	The Dream Case	634418216579772
274	madee case	634418218512278
275	Unique mobile phone case	634418218504640
276	Direct to the shopping mall	634418220958764
277	Velitone fine Shop	634418218613833
278	Trendy Boutique Shop Case	634418219071608
279	ROMANTIC STAR SKY	634418220493855
280	Ke Aido Shop	634418219705846
281	CASEPRO	634418212987764
282	Maikaliz	634418219882344
283	Maikaliw	634418219882422
284	Jiayuardianzi	634418218132445
285	Body felt	634418218661219
286	Emporium MD	634418220181408
287	Trojan	634418220531156
288	JPHZJZ	634418220355233
289	Bag Tide	634418219260127
290	BlissfulNestShop	634418219086953
291	Tapestories	634418219759229
292	HoiwaiGifts	634418218203031
293	McDull trend	634418219718637
294	Yuliandy	634418218351931
295	HLJPBZTA	634418219419986
296	Here and see	634418218908698
297	Expert of SC	634418218658454
298	HALH	634418214216219
299	Aha Decoration	634418212647618
300	WenXing Home	634418218966157
301	HiFamilyt	634418220410895
302	PJM SQ	634418218411698
303	Beautiful oil painting D	634418220361683
304	xyzz	6222686841848
305	XINHUI DRESS	634418211704707
306	Summer monsoon	634418216011899
307	ONE PIECE CLOTHING	634418218616699
308	Black Maple Leafs	634418219897837
309	Metro Male	634418218120416
310	shatanjingj	634418219171406

Defendant Number	Store/Seller Name	Seller ID
311	Brilliant intention	634418220320857
312	Bag for You	634418218908626
313	Foryou A	634418218529751
314	car bin	634418212490942
315	FZnaisix	634418214022066
316	Headwear horizon	634418220549453
317	Homemattwo	634418218264330
318	LINSHAN NTAGE AVELL	634418218371536
319	AMAX	634418211326425
320	Strike Fast	634418218691417
321	Ideal Cup	634418219994184
322	Euphoria Emporiumss	634418218119546
323	Midnight lin	634418218841274
324	confidence sun	634418218696469
325	SBCHAOQUN	634418221090778
326	Fire and Ice Art	634418215258113
327	ANNngmaoao	634418215816543
328	SanY Shop	634418214255550
329	Lean Trade	634418215990691
330	Automotive Art	634418219183316
331	weidshop	634418211189979
332	CJDecro	634418215133764
333	Feather weaving art	634418221293509
334	Phonique	634418221399417
335	Lsland Aurora	634418220237060
336	seriation	634418212586838
337	Charming Red Rose local	634418221145087
338	YYYisheng	634418220785363
339	Seamus Jame	4058137380098
340	LHLZZ	634418215346865
341	Wind Rinse	634418212480148
342	Bingo Accessory	634418211902410
343	OasisSocks	634418221517029
344	No mi	634418220171413
345	Perdix Clothes	634418209723383
346	bubusheng	4374780613560
347	Q H clothing	634418221065148
348	HZC Fashion clothing	634418211864725
349	Chantma	4887942979339

Defendant Number	Store/Seller Name	Seller ID
350	Digital printing Childrens clothing	634418218098283
351	DMT Shirt	634418211561185
352	TXTX FASHION	634418221026145
353	Hi Trendy	634418215612491
354	VogueSphere	634418218460122
355	WyuHeng	634418218703325
356	Jasmine Home Textile	634418218879886
357	Yueyue processing plant	3363599335025
358	Stitchify	634418219389869
359	Yuanyi Home Textile	634418218125995
360	FZmatfive	634418218264710
361	Redemptio	634418213483173
362	Chen Ning Daily necessities	634418218822674
363	RCFOUR	634418221771463
364	pwlbkw	634418215768528
365	motionz	634418221174873
366	ZhengDing	6113351568365
367	Bigdollar	634418214611594
368	ZongS	634418221631429
369	LINXIANG	5344665364388
370	Graceful Finds	5387174457786
371	DreamGe	634418220440743
372	CaseCandy Phone Cases	634418222261515
373	Dongdong mobile phone case	634418222025855
374	OLIVIA CASES	634418214161724
375	BumeZent	634418213829944
376	xiaodonggebaihuodian	634418219531548
377	Ken Coaster Factory	634418218911404
378	adaGo	634418220547210
379	TOBFATION	53764823376
380	Yuancansheng	634418218359903
381	HB clothing	634418211346786
382	SnuggleSoft	634418219226846
383	Winshime	634418219628561
384	Cases canvas	634418221146423
385	Tommy and Yus Choice	6312645710262
386	shanshanGo	634418220562409
387	Amy meter	634418218691702
388	O Happy Sunshine	634418218767762

Defendant Number	Store/Seller Name	Seller ID
389	WarmHomeShop	634418209568053
390	LUOLITAA	634418213373619
391	Aiya Textiles	2599613726413