

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

VIKTORIIA LAZAREVA,

Plaintiff,

v.

SCHEDULE A DEFENDANTS,

Defendants.

Case No. 26-cv-815

**FILED UNDER SEAL**

**DECLARATION OF VIKTORIIA LAZAREVA**

I, Viktoriia Lazareva, 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 Plaintiff in this lawsuit. I make this declaration from matters within my knowledge save where otherwise stated.

3. I am Viktoriia Lazareva, a skilled artist who has been honing my craft since my childhood, during which I refined my skills in academic drawing and painting through dedicated studio work and school competitions. I further solidified my artistic foundation by participating in international plein air painting sessions. In 2014, I graduated with a degree in Graphic Design, complementing my strong artistic background with a higher art education. My professional career took off in 2013 as a designer of children's textiles, packaging, and stationery at "TOP Company." Since then, I have expanded my reach, becoming a contributor to Shutterstock in 2016 and Adobe Stock in 2020. I am adept at creating prints, patterns, and illustrations across several distinct styles. I excel at creating cartoon-style illustrations for children's products, as well as floral and tropical themes. I also craft sporty designs, inspired by street fashion, music, subcultural aesthetics, and

youth movements. I am the only authorized source of items bearing my copyrighted images (the “Plaintiff’s Works”). Plaintiff’s Works are sold through multiple sites on the Internet, including [https://www.shutterstock.com/ru/g/Matisson\\_ART?dd\\_referrer=](https://www.shutterstock.com/ru/g/Matisson_ART?dd_referrer=) .

4. I am engaged in the creation, promotion, distribution, and sale in interstate commerce, including within this state, of high-quality Plaintiff’s Works. Genuine Plaintiff’s Works are marketed and sold in Pennsylvania via the Internet.

5. I am the owner of the copyright registration for the copyrighted works involved in this litigation, which includes United States Copyright Registration No. VA 2-458-744 (the “Plaintiff’s Works”). A true and correct copy of the copyright registration for the Plaintiff’s Works is attached to the Complaint as **Exhibit 1**.

6. I control the quality of all materials and content that feature the distinctive Plaintiff’s Works.

7. I have expended substantial time, money, and other resources in developing, advertising, licensing, and otherwise promoting the Plaintiff’s 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 Plaintiff’s Works has resulted in significant infringement of my copyright. Consequently, I have implemented an anti-pirating program 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 Plaintiff’s Works to consumers in this judicial district and throughout the United States.

9. The investigations show that Defendants are using the Defendant Internet Stores to sell products bearing images that infringe Plaintiff's Works from foreign countries such as China to consumers in the United States. I, or someone working on my behalf, analyzed the Defendant Internet Stores and determined that products bearing images that infringe Plaintiff's Works were being offered for sale throughout the United States, including being displayed in Pennsylvania. The Defendants and their websites 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 Evan Gick as **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 and goodwill and the loss of control over the nature and quality of products 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 the Defendants' acts of infringement.

11. I am further irreparably damaged due to a loss of exclusivity. The copyright rights in the Plaintiff's Works are meant to be exclusive rights.

12. The marketing and distribution of the Plaintiff's Works and derivative works are aimed at growing and sustaining sales. When infringers use the Plaintiff's Works without authorization, the exclusivity associated with the Plaintiff's Works is damaged and eroded, resulting in a loss of unquantifiable future sales.

13. Uncontrolled profiteering and pirating of the Plaintiff's Works create the impression that the copyright rights associated with the Plaintiff's Works may be infringed with impunity. The Plaintiff's 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 Plaintiff's Works cannot be compensated for financially since it erodes my ability to monetize the Plaintiff's Works.

14. Each individual Defendant's actions, alone, causes me irreparable harm. However, the sheer number of infringing e-commerce store operators acts as a force multiplier of those individual harms and creates a massive single reputational harm to me. I face significant economic and logistical challenges in enforcing my copyrights rights against each online store individually. Single defendant enforcement in the face of the overwhelming number of infringement points of sale made possible by the unregulated and anonymous nature of the Internet is wholly ineffective and does not remedy the actual harm to me caused by the crushing weight of all of Defendants' simultaneous infringement.

15. I readily see and suffer from the combined harm caused by the Defendants' concurrent infringement activities. Successfully addressing the common harm caused by the Defendants necessitates me grouping concurrently acting Defendants together to obtain any reasonable relief and prevent the drowning out of my legitimate online product information and sales.

16. The combined force of Defendants' unlawful actions is contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for the Plaintiff's Works. Defendants are causing individual, concurrent, and indivisible harm to me and the consuming public by (i) depriving me of my right to fairly compete for space online and within search engine results and reducing the visibility of the Plaintiff's Works on the Internet, (ii) causing an overall degradation of the value of the goodwill associated with the Plaintiff's Works

by viewing inferior products in either the pre- or post-sale setting, and/or (iii) increasing my overall cost to market my goods and educate consumers about my brand via the Internet.

17. The market for Plaintiff's Works includes Pennsylvania, where I offer for sale, sell, and ship Plaintiff's Works. By offering and selling products bearing images that infringe Plaintiff's Works in Pennsylvania, Defendants are negatively impacting my ability to sell Plaintiff's Works, causing me harm in Pennsylvania.

18. 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 Apr 28, 2026

*Viktorii Lazareva*

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Viktorii Lazareva