

**FILED**

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

DEC 10 2024

MICHELLE E. DE SOUSA, JOSE DE JESUS DE  
SOUSA, AND BRANOVATIONS, INC.,

Plaintiffs,

v.

SMART726, 100DAYSLATE\_9 SHOP,  
2020COMING SHOP, 77SUPERSEVENS77,  
9HAPPY9, A WHOLE LOTTA EVERYTHING,  
ACCESSARY, ALODI8867, AOYI, AQC0888888,  
ATOMIC PUNK INC., AUTUMN188,  
AVALONBON, BAIZE\_Y Y, BARGAIN  
WAREHOUSE, BEAUTYMALLUS, BEBETTY-  
88, BEHINDTHEPRETTY, BINGE955, BJG  
DEALS, BODUI290, BUCKSHAW25,  
CCTOYOTO SHOP, CELLRITE727,  
CESTFORMIDABLE2014, CHUQIN-62,  
CLEOPATRAGOODS, COPASETICALCAT,  
CREATIVITYPARKCENTRAL, DAILY  
NECESSITIES STORE, DARJEA894195,  
DDDS2 SHOP, ELANZA771,  
ENJOYLIFE2018Y, EPBLHSNTPHE,  
ESUKCESO, EVERYDAYGADGETZ,  
FCEDFDVS, FODIMON JEWELRY, FREEICE,  
GADGETZONESS, GASLOOTEN, GIFTS  
STORE-5, GIRL\_DRESSUP, GLOBAL HOME  
PRODUCTS, GOODDEALSTAR123, GOOLE002,  
GREENTHREADS23, HDFIUWAU, HELLO-  
MOTORCYCLE, HENGSHUIFUBAISHAN\_0,  
HSBABYHOMES, HTZA68, HUIWA-36,  
HUOWEIYA, INDIANREALSP84,  
JIAOQINGSHANGMAO, JIGUIKEJI,  
JISUJISU888 SHOP, JIZHI1048, KACARYDA,  
KRIST3497, LO PRYCE CLUB, LUBTFS, MIK  
2024 E-COMMERCE,  
MILITARYCOLLECTORS2019, MINGZHE345  
SHOP, MINLING123, MONI\_7457,  
MOST\_IMPORTANT\_BEAUTY, NBAAA1

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

Case No.: 24 -cv- 1653

COMPLAINT

FILED UNDER SEAL

DEMAND FOR JURY TRIAL

SHOP, NHTW9944, NSSTARS, OUKAIDE-0,  
 OUTDOOR-HUB, PAMENTECH, POUSCH  
 OUTLET, PPA35869 SHOP, PUREJOY2024,  
 QFI\_36, RETROYEARS, SHANGHAILAIFE\_0,  
 SHCH2254, SHENGY634, SHERRY\_47,  
 SHUNYASHOP, SIXTYSHADESOFGREY,  
 S'TAR STORT, SU3516271, TAKSHONLINE,  
 TASITBLE, TASTETRAIL, THELIJ83,  
 THIVI.ONLINE, TLGOODSON75, TOYDS888,  
 TUNSHA1525, UHQO9816, WE444, WW6SSX  
 SHOP, XC2020520 SHOP, XIAOMAYIYIYAYI  
 SHOP, XIAOXIAOLU223 SHOP, XIAOYAO02,  
 XINGYUAN1314 SHOP, XYMFASHIONSTORE,  
 YUYUAN-888, YY1YYXX2 SHOP, YYDS-2023,  
 YYDS888, ZAIAJEIO, ZHAOBENYI,  
 ZHONGLIMAO-0, ZHONGYANG497, BUTTBIG,  
 FATTAH, HEHEBAIHUOSHANGHANG, TRIM  
 STORE, ALIGAMENT, CHENNUO, CHUONI  
 CO.LTD, COZYCOLLECTIVE, DIMANFENG  
 INC, DONGGUANG, DONGMENTAISHANG,  
 EXZPASSION,  
 FOSHANSHISHAALANSHANGMAO,  
 FOSHANSHIZEZAOJIAJUYOUX, GOLDEN KOI,  
 GUANGZHOUKUNKAI, HCHPEJ, HONGC LLC,  
 HONGTAIBAOZHUANGFULIAO,  
 HONGWANGJIE TRADING,  
 JIANYUANWENHUA,  
 JINANLIANJINGWANGLUOKEJI.COM,  
 JINGJING CO.LTD, JUNQI, KEWITY,  
 LANHEXINGCHEN, LI LOONG TOYS, LINNAO  
 LTD, LUOKU CO.LTD, LZGUNGY, MIDEWHIK,  
 NANWANG CO. , LTD., NICE MAKET FOR  
 YOU, PINGXIAO CO.LTD, QBGUGU,  
 SAOAKINY, SHOPPINGNOW CO.ITD, SHUJIN  
 CO.LTD, SZBYHTH LLCXY, SZD CO.LTD,  
 TAIZAI TRADING CO. , LTD., VONGEM  
 FASHION STORE, VORCOY, WEIRUN CO.LTD,  
 WIN WITH SCIENCE, WTXUE CO.LTD,

XIASHUIX, XIUXIA SHOP, YANG CNCT,  
YANZHAO HOME STORE, YHRY,  
YIJIEELECTRONIC, YU CO. , LTD., YULIJU,  
YXMHDGA, SAILING EXPEDITION, and  
YAJINGSONGY012,

Defendants.

**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 patent infringing versions of Plaintiff’s patented **CLEAVA®** and **SNAPPY CAMI®** brand mock camisoles, which infringe on one or more claims of the Plaintiff’s Patent<sup>1</sup> and some of the Defendants and some are copying Plaintiff’s photographs and advertising, throughout the United States, (“Plaintiff’s Works”) (*as described below*) thus infringing on Plaintiff’s copyright<sup>2</sup>, using at least one of the Amazon.com, eBay.com, Temu.com, Wish.com, Walmart.com, and Aliexpress.com online marketplaces (“Internet Marketplaces”) operating under the seller identities as set forth on **Schedule “A”**

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<sup>1</sup> U.S. Patent No. 8,152,591, for a “GARMENT AND BRASSIERE ACCESSORY.” A copy of the patent is attached to the Complaint as **Exhibit 3**.

<sup>2</sup> While all of the Defendants are selling products that infringe on at least one claim of the Plaintiff’s Patent, the following Defendants are using one or more of the Plaintiff’s photographs to advertise, market and sell their Infringing Products and are thus unfairly competing: FATTAH, hehebaihuoshanghang, Militarycollectors2019, Trim Store.

hereto (the “Seller IDs”)(“Infringing Product”). In support of its claims, Plaintiff alleges as follows:

### **NATURE OF THE ACTION**

1. Michelle E. DeSousa is a co-inventor and owner and president of the Plaintiff company, BraNovations, Inc., the exclusive licensee of the Plaintiff’s patented **CLEAVA®** and **SNAPPY CAMI®** brand mock camisoles, together with her husband and co-inventor, Jose De Jesus De Sousa. They are collectively the “Plaintiff” bringing this lawsuit (herein after “Plaintiff”). Plaintiff’s patented **CLEAVA®** and **SNAPPY CAMI®** brand mock camisoles are protected by multiple utility and design patents both here in the United States and Internationally.<sup>3</sup> The Plaintiff’s innovative mock camisoles are a garment and brassiere accessories that are worn under a top, easily adjusted for size, fasten to a brassiere, cover cleavage, and thus provide a user with the ability to wear short tops and dresses in situations that require modest attire.

2. All the Defendants have offered for sale, sold, and distributed knock-off versions of the Plaintiff’s Product which infringe at least one claim of the Plaintiff’s Patent. Moreover, Defendants’ sale, distribution, and advertising of the Infringing Product are highly likely to cause

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<sup>3</sup> U. S. A Utility Patents No.'s 8,062,093 and 8,152,591 and 8,257,139, U. S. A Design Patent No. D661,463 S, U. S. A. Registered Trademarks No.'s 3,784,662 and 3,950,573, Nigeria Utility Patent No. NG/C/1212/628, South Africa Utility Patent No. 2012/03020 and 2012/09413, Israel Utility Patent No. 218,817, Australia Utility Patent No. 2011253119, Mexico Utility Patent No. MX/a/2012/2012/003579, Mongolia Utility Patent No.3936, New Zealand Utility Patent No. NZ 599,573, Philippines Utility Patent No. 2012-500615, Algeria Utility Patent No. 120848, Japan Utility Patent No. 571 9489, Canada Utility Patent No. CA 2,812,384 / CA 2,812,530, CA 2,864,270, Singapore Utility Patent No. 185536, and Tunisia Utility Patent No. 23122.

consumers to believe that Defendants are offering a genuine version of Plaintiff's Product when they are not.

3. Shown below are example types of Infringing Product offered for sale by the Defendants:



**Plaintiff's Listing**



***Infringing Listing of Defendant FATTAH***



**Plaintiff's Listing**



***Infringing Listing of Defendant hehebaihuoshanghang***



**Plaintiff's Listing**



***Infringing Listing of Defendant Militarycollectors2019***

Other Infringing Listings Appear in **Complaint Exhibit 1**.

4. Defendants' Infringing Products are not as well made and may disappoint consumers who may give bad reviews that may impact Plaintiff's products.

5. Defendants' Infringing Products threaten to destroy the reputation of high quality that Plaintiff's Products have earned.

6. Plaintiff's Product is marketed and advertised extensively including on its website <https://www.cleava.com/> and its storefront on Amazon.com. The unique features of Plaintiff's Product and the manner in which it is marketed and advertised, including the distinct photographs, the design, the instructions, the packaging, and the unique presentation of the product, all comprise Plaintiff's valuable intellectual property ("IP") and all have become distinct in consumer's minds such that consumers associate all of this IP with Plaintiff's Product. Screenshots from Plaintiff's Website and Amazon Store are attached as **Complaint Exhibit 2**.

7. The innovative features of Plaintiff's Product are the subject of U. S. Patent No. 8,152,591 entitled "GARMENT AND BRASSIERE ACCESSORY." A copy of the patent is attached as **Complaint Exhibit 3**. The Plaintiff's Product is marked in accordance with the Patent Act. A Claim Chart for an exemplar infringing product is attached as **Complaint Exhibit 4** demonstrating that the Defendant's products infringe on at least Claim 1 of the Plaintiff's Patent.

8. On information and belief, Defendants' sale of Infringing Products gives rise to a plausible expectation that discovery will reveal that Defendants' actions all arise from the same transaction, occurrence, or series of transactions. Specifically, on information and belief, Defendants are actively participating in a conspiracy to distribute and sell Infringing Products.

For example, Defendants, on information and belief, are working together to manufacture, arrange the manufacture of and/or sell and otherwise distribute the Infringing Products.

Moreover, the Infringing Products all infringe on at least one claim of the Plaintiff's Patent.

9. Plaintiff therefore brings this action for Patent Infringement under 35 U.S.C. § 271, and The All-Writs Act, 28 U.S.C. § 1651(a) and against some of the Defendant under Section 43 (a) of the Lanham Act.

### **JURISDICTION AND VENUE**

10. This Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Plaintiff's state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

11. This Court may exercise personal jurisdiction over a non-resident of the State in which the Court sits to the extent authorized by the state's laws. Fed. R. Civ. P. 4(e). Pennsylvania authorizes personal jurisdiction over each Defendant pursuant to 42 Pa. Cons. Stat. § 5322 (a) which provides in pertinent part: "A tribunal of this Commonwealth may exercise personal jurisdiction over a person ... as to a cause of action or other matter arising from such person: (1) Transacting any business in this Commonwealth. Without excluding other acts which may constitute transacting business for the purpose of this paragraph: (ii) The doing of a single act in this Commonwealth for the purpose of thereby realizing pecuniary benefit ... (3) Causing harm or tortious injury by an act or omission in this Commonwealth. (4) Causing harm or tortious injury by an act or omission outside this Commonwealth ... (10) Committing any

violation within the jurisdiction of the Commonwealth of any statute, home rule charter, local ordinance or resolution, or rule or regulation promulgated thereunder by any government unit or of any order of court or other government unit.” In the alternative, Federal Rule of Civil Procedure 4(k) confers personal jurisdiction over the Defendants because, upon information and belief, Defendants regularly conduct, transact and/or solicit business in Pennsylvania and in this judicial district, and/or derive substantial revenue from their business transactions in Pennsylvania and in this judicial district and/or otherwise avail themselves of the privileges and protections of the laws of the Commonwealth of Pennsylvania such that this Court's assertion of jurisdiction over Defendants does not offend traditional notions of fair play and due process, and/or Defendants’ illegal counterfeiting and infringing actions caused injury to Plaintiff in Pennsylvania and in this judicial district such that Defendants should reasonably expect such actions to have consequences in Pennsylvania and in this judicial district, for example:

a. Upon information and belief, at all times relevant hereto, Defendants were and/or are systematically directing and/or targeting their business activities at consumers in the United States, including Pennsylvania, through on-line platforms with Merchant Storefronts (as defined *infra*), via on-line marketplace websites, such as Amazon.com, eBay.com, Temu.com, Wish.com, Walmart.com, and Aliexpress.com, under the Seller IDs, as well as any and all as yet undiscovered accounts with Merchant Storefronts held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“User Accounts”), through which consumers in the United States, including Pennsylvania, can view the one or more of Defendants’ Merchant Storefronts that each Defendant operates, uses to

communicate with Defendants regarding their listings for Infringing Products and to place orders for, receive invoices for and purchase Infringing Products for delivery in the U.S., including Pennsylvania, as a means for establishing regular business with the U.S., including Pennsylvania.

b. Upon information and belief, certain Defendants are sophisticated sellers, each operating one or more commercial businesses using their respective User Accounts through which Defendants, their respective officers, employees, agents, servants and all persons in active concert of participation with any of them, operate storefronts to manufacture, import, export, advertise, market, promote, distribute, offer for sale and/or otherwise deal in products, including the Infringing Products, which are held by or associated with Defendants, their respective officers, employees, agents, servants and all persons in active concert or participation with any of them (“Merchant Storefront(s)”) in wholesale quantities at significantly below-market prices to consumers worldwide, including to those in the U.S., and specifically Pennsylvania.

c. Upon information and belief, Defendants’ Merchant Storefronts reflect multiple sales to consumers all over the world, including repeat sales to consumers in the U.S. and into this judicial district.

d. Upon information and belief, all Defendants accept payment in U.S. Dollars and offer shipping to the U.S., including to Pennsylvania.

e. Upon information and belief, at all times relevant, Defendants have transacted business with consumers located in the U.S., including Pennsylvania, for the sale and shipment of Infringing Products.

f. Upon information and belief, some Defendants are employing and benefiting from substantially similar, paid advertising and marketing and advertising strategies in order to make their Merchant Storefronts selling illegal goods appear more relevant and attractive to search result software across an array of search words, including but not limited to “CLEAVA” and, “SNAPPY CAMI”. By their actions, Defendants are causing concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff of its right to fairly compete for space within the various on-line marketplace search results and reducing the visibility of the Plaintiff’s Product on various on-line marketplaces and/or diluting and driving down the retail market price for the Plaintiff’s Product; (ii) causing an overall degradation of the value of the goodwill associated with Plaintiff’s Product; and (iii) increasing Plaintiff’s overall cost to market its goods and educate consumers about its brand and products.

g. Upon information and belief, Defendants have cooperated, communicated their plans with one another, shared information, and coordinated their efforts, all in order to create an illegal marketplace operating in parallel to the legitimate marketplace of Plaintiff’s and the legally authorized resellers of Plaintiff’s genuine goods.

h. Upon information and belief, Defendants are concurrently targeting their infringing activities toward consumers and causing harm in Allegheny County, Pennsylvania.

i. Upon information and belief, Defendants likely reside and/or operate in foreign jurisdictions with lax trademark and patent enforcement systems and are cooperating by creating an illegal stream of infringing and counterfeit goods.

j. Upon information and belief, Defendants are aware of Plaintiff, its genuine **CLEAVA®** and **SNAPPY CAMI®** mock camisole products, and are aware that their illegal infringing actions alleged herein are likely to cause injury to Plaintiff in the United States, in Pennsylvania and in this judicial district specifically, as Plaintiff conducts substantial business in Pennsylvania.

k. Plaintiff is suffering irreparable and indivisible injury and suffered substantial damages as a result of Defendants' unauthorized and wrongful sale of infringing goods.

12. Venue is proper, *inter alia*, pursuant to 28 U.S.C. § 1391 because, for example:

a. Upon information and belief, Defendants conduct, transact, and/or solicit business in this judicial district.

b. Upon information and belief, Defendants or their agent(s) may be found in this district because personal jurisdiction is proper in this district.

c. Upon information and belief, this is a judicial district in which a substantial part of the events or omissions giving rise to the infringement claims occurred, or a substantial part of the property that is the subject of the action is situated.

d. Defendants not resident in the United States may be sued in this judicial district because personal jurisdiction is proper in this district.

### **THE PLAINTIFF**

13. Plaintiff company, BraNovations, Inc. d/b/a Cleava, is a Florida corporation and has its principal place of business in Naples Florida. Michelle E. De Sousa and Jose De Jesus De Sousa are co-inventors and owners of the Plaintiff's Patent. BraNovations, Inc. is the exclusive licensee of the Plaintiff's Patent.

14. Plaintiff is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, the **CLEAVA®** and **SNAPPY CAMI®** mock camisole products, through its website, cleava.com, its authorized storefront on amazon.com, and various retail establishments. Defendants, through the sale and offer to sell Infringing Products are directly, and unfairly, competing with Plaintiff's economic interest in the Commonwealth of Pennsylvania and causing Plaintiff harm within this jurisdiction.

15. Like many other brand owners, Plaintiff suffers ongoing daily and sustained violations of its rights at the hands of infringers, such as Defendants herein, who wrongfully reproduce Plaintiff's Products for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits from the sale of their Infringing Products. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiff's Products and the destruction of the legitimate market sector in which Plaintiff operates.

16. The recent explosion of counterfeiting and infringement over the Internet, including through online marketplace platforms, has created an environment that requires brand owners, such as Plaintiff, to expend significant time and money across a wide spectrum of efforts in order to protect both consumers and Plaintiff from the ill effects of confusion and the erosion of the goodwill associated with Plaintiff's brand and products.

17. E-commerce sales, including through e-commerce stores like those of Defendants, have resulted in a sharp increase in the shipment of unauthorized products into the United States. *Ference Dec.<sup>4</sup>*, Exhibit 1, Excerpts from Fiscal Year 2021 U.S. Customs and Border Protection ("CBP") Intellectual Property Seizure Statistics Report. Over 89% of all CBP intellectual property seizures were smaller international mail and express shipments (as opposed to large shipping containers). *Id.* More than half (51%) of CBP seizures originated from mainland China and Hong Kong. *Id.* Infringing and pirated products account for billions in economic losses, resulting in tens of thousands of lost jobs for legitimate businesses and broader economic losses, including lost tax revenue.

18. Third party service providers like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing infringers to "routinely use false or inaccurate names and addresses when registering with these e-commerce platforms." *Ference Dec.*, Exhibit 2, Daniel C.K. Chow, Alibaba, Amazon, and Infringing in the Age of the Internet, 40 NW. J. INT'L L. & BUS. 157, 186 (2020); see also, report on "Combating

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<sup>4</sup> Referring to Declaration of Stanley D. Ference III in Support of Temporary Restraining Order, filed herewith.

Trafficking in Infringing and Pirated Goods” prepared by the U.S. Department of Homeland Security’s Office of Strategy, Policy, and Plans (Jan. 24, 2020), attached as *Ference Dec.*, Exhibit 3 and finding that on “at least some e-commerce platforms, little identifying information is necessary for an Infringer to begin selling” and recommending that “[s]ignificantly enhanced vetting of third-party sellers” is necessary. Infringers hedge against the risk of being caught and having their websites taken down from an e-commerce platform by preemptively establishing multiple virtual store-fronts. *Ference Dec.*, Exhibit 3, at p. 22. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, Infringers can have many different profiles that can appear unrelated even though they are commonly owned and operated. *Ference Dec.*, Exhibit 3 at p. 39. Further, “E-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of Infringing and Infringers.” *Ference Dec.*, Exhibit 2 at 186-187.

### **THE DEFENDANTS**

19. The Defendants are individuals and/or business entities of unknown makeup, each of whom, upon information and belief, either reside or operate in foreign jurisdictions, or (though not foreign)<sup>5</sup> redistribute products from the same or similar sources in those foreign locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

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<sup>5</sup> Prior to filing this lawsuit, Plaintiff viewed a public seller profile that is published by certain Defendant’s storefronts that purports to identify the name and address of the Defendant. Solely based upon their representation on their storefronts, the following defendants have identified themselves as US-based and are not at this time alleged to be foreign sellers: 77SuperSevens77, A whole lotta everything, Atomic Punk Inc., avalonbon, behindthepretty, BJG Deals, buckshaw25, cellrite727, cestformidable2014, copaseticalcat, elanza771, Esukceso, EverydayGadgetz, gaslooten, GreenThreads23, krist3497, Pousch Outlet, Sixtyshadesofgrey, tlgoodson75, FATTAH, Trim Store.

Defendants target their business activities toward consumers throughout the United States, including within this district, and conduct pervasive business through the operation of, at least, one fully interactive commercial Internet based e-commerce store via, at least one of the Internet based online marketplaces Aliexpress.com, Amazon.com, eBay.com, Temu, Walmart.com, and Wish.com, all under the Seller IDs.

20. Upon information and belief, the Defendants use aliases in conjunction with the operation of their businesses as set forth in Schedule “A” hereto.

21. Defendants are the past and present controlling forces behind the sale of products infringing at least one claim of the Plaintiff’s Patent described herein using at least the Seller IDs.

22. Upon information and belief, Defendants were willfully advertising, offering for sale and selling goods infringing upon at least one claim of the Plaintiff’s Patent to consumers within the United States and this district through several fully interactive, commercial Internet websites and Internet based e-commerce stores operating under, at least, the storefronts, the Seller IDs, and any additional domain names, websites and corresponding website URLs or seller identifications and store URL aliases not yet known to Plaintiff. Defendants have purposefully directed some portion of their illegal activities towards consumers in the Commonwealth of Pennsylvania through the advertisement, offer to sell, sale, and/or shipment of Infringing Products into the Commonwealth.

23. Defendants have registered, established, or purchased, and maintained the on-line marketplace website storefronts and Seller IDs. Upon information and belief, Defendants have

engaged in fraudulent conduct with respect to the registration of the storefronts and Seller IDs by providing false and/or misleading information to the Internet based e-commerce platforms where they offer for sale and/or sell, during the registration or maintenance process related to their respective Seller ID. Upon information and belief, Defendants have anonymously registered and maintained some of the Seller IDs for the sole purpose of engaging in illegal infringing activities.

24. Upon information and belief, Defendants will continue to register or acquire new seller identification aliases for the purpose of selling and offering for sale goods infringing at least one claim of the Plaintiff's Patent unless preliminarily and permanently enjoined.

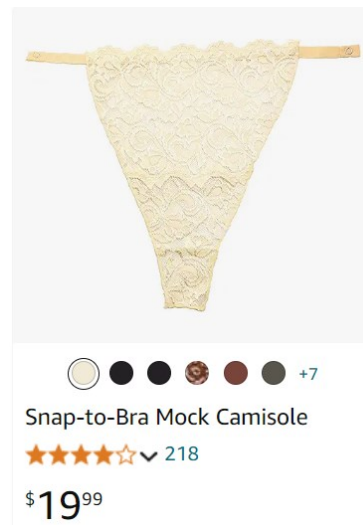
25. Defendants' Internet-based businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiff.

26. Defendants' business names, i.e., the Seller IDs, associated payment accounts, and any other alias seller identification names used in connection with the sale of goods infringing on at least one claim of the Plaintiff's Patent are essential components of Defendants' online activities and are the means by which Defendants further their infringement scheme and cause harm to Plaintiff.

### **COMMON FACTUAL ALLEGATIONS**

#### **Plaintiff and Its Innovative Product**

27. The Plaintiff's Product is designed to quickly attach to a brassiere, adjust to the correct size, convert a short top or dress into a modest manner of dress. The Plaintiff's Product retails for between \$19.99 and \$39.99 (pictured below):



28. The Plaintiff's Patent has never been assigned or licensed to any of the Defendants in this matter. Plaintiff has provided constructive notice of the Plaintiff's Patent by placing the patent number of the patent on the packaging of Plaintiff's Product.

29. Plaintiff's Product has been featured in videos or articles by numerous media outlets.

### **Defendants' Wrongful and Infringing Conduct**

30. Upon information and belief, Defendants are, through at least the Internet based e-commerce stores operating under the Seller IDs, promoting, selling, offering for sale, and distributing goods that willfully infringe at least one claim of the Plaintiff's Patent while marketing their knock-off products in a willful attempt to pass off their knock-off products as the genuine version of Plaintiff's Products.

31. Upon information and belief, Defendants' Infringing Products are of a quality substantially and materially different than that of Plaintiff's genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling, and/or offering for sale substantial quantities of their Infringing Products with the knowledge and intent that such goods will be mistaken for the genuine high-quality goods offered for sale by Plaintiff despite Defendants' knowledge that they are without authority to use the subject matter of the Plaintiff's Patent.

32. Defendants advertise their Infringing Products for sale to the consuming public via Internet based e-commerce stores on, at least, one Internet marketplace using at least the Seller IDs. In so advertising these goods, Defendants improperly and unlawfully infringe at least one claim of the Plaintiff's Patent without Plaintiff's permission.

33. As part of their overall infringement scheme, Defendants are, upon information and belief, concurrently employing and benefitting from substantially similar, advertising and marketing strategies based, in large measure, upon an illegal use of infringements of the Plaintiff's Patent in order to make their e-commerce stores selling illegal goods appear more relevant and attractive to consumers online. By their actions, Defendants are contributing to the creation and maintenance of an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiff's genuine goods. Defendants are causing, individual, concurrent and indivisible harm to Plaintiff and the consuming public by (i) depriving Plaintiff and other third parties of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiff's genuine goods on the World Wide Web, (ii) causing actual consumer confusion, (iii) harm to Plaintiff's reputations, including tarnishing its status as the innovator in

this market, (iv) an overall degradation of the value of the goodwill associated with the Plaintiff's brand, and (v) increasing Plaintiff's overall cost to market its goods and educate consumers about its brand via the Internet.

34. Plaintiff confirmed that Defendants were and/or are still currently offering for sale and/or selling Infringing Products for sale to the consuming public via Internet based e-commerce stores on, at least, one Internet marketplace using at least the Seller IDs and that Defendants provide shipping and/or have actually shipped Infringing Products to customers located within this judicial district.

35. There is no question that the Infringing Product itself and the manner in which it is marketed is designed to confuse and mislead consumers into believing that they are purchasing Plaintiff's Product or that the Infringing Product is otherwise approved by or sourced from Plaintiff, thereby trading on the goodwill and reputation of Plaintiff.

36. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiff's ownership of the Plaintiff's Patent. Defendants' use of the patent is without Plaintiff's consent or authorization.

37. Defendants are engaging in the above-described illegal infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiff's rights for the purpose of infringing the Plaintiff's Patent and trading on Plaintiff's goodwill and reputation. If Defendants' intentional infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiff and the consuming public will continue to be harmed.

38. Defendants' above-identified infringing activities are likely to cause confusion, deception, and mistake in the minds of consumers before, during, and after the time of purchase. Moreover, Defendants' wrongful conduct is likely to create a false impression and deceive customers, the public, and the trade into believing there is a connection or association between Plaintiff's Products and Defendants' Infringing Products, which there is not.

39. Upon information and belief, Defendants' payment and financial accounts are being used by Defendants to accept, receive, and deposit profits from Defendants' infringing activities connected to their Seller IDs and any other alias e-commerce stores, photo albums, seller identification names, domain names, or websites being used and/or controlled by them.

40. Further, upon information and belief, Defendants are likely to transfer or secret their assets to avoid payment of any monetary judgment awarded to Plaintiff.

41. Plaintiff has no adequate remedy at law.

42. Plaintiff is suffering irreparable injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful infringement of at least one claim of the Plaintiff's Patent. If Defendants' infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiff and the consuming public will continue to be harmed.

43. The harm and damages sustained by Plaintiff has been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Infringing Products.

#### **COUNT I – PATENT INFRINGEMENT (35 U.S.C. § 271 (a))**

44. The allegations in the above paragraphs are hereby incorporated by reference.

45. The innovative features of Plaintiff's Product are the subject of U. S. Patent No. 8,152,591 entitled "GARMENT AND BRASSIERE ACCESSORY" (a copy of the patent is attached to the Complaint as **Exhibit 3**). The Plaintiff's Product is marked in accordance with the Patent Act.

46. The Infringing Products infringe at least Claim 1 of the Plaintiff's Product, as more fully detailed in **Exhibit 3 and Exhibit 4**, respectively.

47. Defendants have infringed and continue to infringe the Plaintiff's Patent either directly or indirectly through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271, by making, using, selling, importing and/or offering to sell Infringing Products, namely the knock-offs that infringe at least one claim of the Plaintiff's Patent.

48. Defendants' infringement, contributory infringement and/or inducement to infringe has injured Plaintiff and it, therefore, is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

49. Defendants' infringement, contributory infringement and/or inducement to infringe has been willful and deliberate because Defendants have notice of or knew of the Plaintiff's Patent and have nonetheless injured and will continue to injure Plaintiff, unless and until this Court enters an injunction, which prohibits further infringement and specifically enjoins further manufacture, use, sale, importation and/or offer for sale of products or services that come within the scope of the Plaintiff's Patent.

50. Based on Defendants' wrongful conduct, Plaintiff is entitled to injunctive relief as well as monetary damages and other remedies as provided by the Patent Act, including damages

that Plaintiff has sustained and will sustain as a result of Defendants' illegal and infringing actions as alleged herein, enhanced discretionary damages and reasonable attorneys' fees and costs.

**COUNT II – FEDERAL UNFAIR COMPETITION (15 U.S.C. § 1125(a))**

**Plaintiff vs. Defendant Nos. 66, 116, 117, 118 <sup>6</sup>**

51. Plaintiff hereby adopts and re-alleges the allegations set forth in the preceding paragraphs as if set forth herein.

52. Upon information and belief, Defendants' Infringing Products bearing, offered for sale, and sold using copies of at least one of the Plaintiff's Works have been widely advertised and offered for sale throughout the United States via at least one fully interactive Internet marketplace.

53. Defendants' Infringing Products bearing, offered for sale, and sold using copies of at least one of the Plaintiff's Works are virtually identical in appearance to Plaintiff's genuine goods. Defendants' Infringing Products, however, are different and likely inferior in quality. Accordingly, Defendants' activities are likely to cause confusion in market and among the general public as to at least the origin or sponsorship of their Infringing Products.

54. Defendants, upon information and belief, have used in connection with their advertisement, offer for sale, and sale of their Infringing Products, false designations of origin

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<sup>6</sup> See note 2, *supra*.

and false descriptions and representations, including words or other symbols and trade dress, which tend to falsely describe or represent such goods and have caused such goods to enter into with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Plaintiff's detriment.

55. Defendants have engaged in the unauthorized use of Plaintiff's Works in Defendants' advertisement and promotion of their Infringing Products. Defendants have misrepresented to members of the consuming public that the Infringing Products being advertised and sold by them are genuine, non-infringing goods.

56. Additionally, Defendants are using infringements of the Plaintiff's Works in order to unfairly compete with Plaintiff and others for space within search engine organic results, thereby jointly depriving Plaintiff of a valuable marketing and educational tool which would otherwise be available to Plaintiff and reducing the visibility of Plaintiff's genuine goods on the World Wide Web.

57. Defendants' above-described actions are in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

58. Plaintiff has no adequate remedy at law, and has sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Defendants will continue to wrongfully reap profits and Plaintiff will continue to suffer irreparable injury to its goodwill and business reputation, as well as monetary damages.

59. Based on Defendants' wrongful conduct, Plaintiff is entitled to injunctive relief, Plaintiff's actual damages and Defendants' profits in an amount to be proven at trial, enhanced discretionary damages for willful infringement, and reasonable attorneys' fees and costs.

### **Count III – Common Law Unfair Competition**

#### **Plaintiff vs. Defendant Nos. 66, 116, 117, 118**

60. Plaintiff hereby adopts and re-alleges the allegations set forth in the preceding paragraphs as if set forth herein.

61. This is an action against Defendants based on their promotion, advertisement, distribution, sale, and/or offering for sale of goods bearing and/or using marks that are virtually identical, both visually and phonetically, to one or more of the Plaintiff's Works in violation of Pennsylvania's common law of unfair competition.

62. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale, and distributing goods bearing and/or using infringements of one or more of the Plaintiff's Works. Defendants are also using infringements of one or more of the Plaintiff's Works to unfairly compete with Plaintiff and others on Internet marketplaces, for space in search results across an array of search terms, and visibility on the World Wide Web.

63. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake, and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of one or more of the Plaintiff's Works.

64. Plaintiff has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

65. As a result of Defendants' actions alleged herein, Plaintiff is entitled to injunctive relief, an order granting Plaintiff's damages and Defendants' profits stemming from their infringing activities, and exemplary or punitive damages for Defendants' intentional misconduct.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary, preliminary, and permanent injunctions pursuant to 35 U.S.C. § 283, and Federal Rule of Civil Procedure 65 enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Infringing Products (i.e., patent infringing or unfairly competing by using copies or unauthorized derivative works of Plaintiff's Works);

c. Entry of an Order that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators that are provided with notice of the injunction, including but not limited to the online marketplaces Aliexpress.com, Amazon.com, ebay.com, Temu.com, Walmart.com and wish.com, identify any e-mail address known to be associated with Defendants' respective Seller ID, and cease facilitating access to any or all e-commerce stores through which Defendants engage in the promotion, offering for sale, and/or sale of Infringing Products.

d. Entry of an Order that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to the online marketplaces Aliexpress.com, Amazon.com, ebay.com, Temu.com, Walmart.com and wish.com, permanently remove any and all listings offering for sale Infringing Products via the e-commerce stores operating under the Seller IDs, including any and all listings linked to the same seller or linked to any other alias seller identification name being used and/or controlled by Defendants to promote, offer for sale and/or sell Infringing Products.

e. Entry of an Order that, upon Plaintiff's request, any Internet marketplace website operators and/or administrators who are provided with notice of the injunction, including but not limited to the online marketplaces Aliexpress.com, Amazon.com, ebay.com, Temu.com, Walmart.com and wish.com, immediately cease fulfillment of and sequester all goods of each Defendant or other Seller under a Seller ID offering for sale the Infringing Product in its inventory, possession, custody, or control, and surrender those goods to Plaintiff.

f. Entry of an order awarding Plaintiff damages adequate to compensate for the infringement of its patent, but in no event less than a reasonable royalty for the use made of the invention by the Defendants, together with interest and costs as fixed by the Court pursuant to 35 U.S.C. § 284 and that the award be trebled as provided for under 35 U.S.C. §284.

g. Entry of an order requiring Defendants to account to and pay Plaintiff for all profits and damages resulting from Defendants' infringing and unfairly competitive activities and that the award to Plaintiff be trebled, as provided for under 15 U.S.C. §1117.

h. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Plaintiff's costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

i. Entry of an Order finding that this case is exceptional and an award to Plaintiff of its attorney fees and costs as provided by for under 35 U.S.C. § 285.

j. Entry of an Order that, upon Plaintiff's request, any financial institutions, payment processors, banks, escrow services, money transmitters, including, but not limited to, Amazon Services, LLC d/b/a Amazon.com, and Amazon Payments, Inc. d/b/a Amazon Pay (collectively "Amazon"), Whaleco Inc., a Delaware Corporation, which is a wholly owned subsidiary of Pinduoduo Inc. which is owned by PDD Holdings (collectively, "Temu"), eBay, Inc. d/b/a ebay.com, Walmart Inc. and Wal-Mart.com USA, LLC, wish.com, Alibaba.com US LLC d/b/a Alibaba.com and Aliexpress.com ("Third Party Service Providers") and financial institutions, including but not limited to, Zhejiang Ant Small and Micro Financial Services Group Co., Ltd. AliPay (China) Internet Technology Co. Ltd., and Alipay.com Co., Ltd. (collectively referred to as "AliPay")<sup>7</sup>, Amazon Payments, Inc., Walmart Pay, Klarna, Inc. d/b/a Klarna, PayPal, Inc. d/b/a paypal.com, and Context Logic, Inc. d/b/a wish.com ("Financial Institutions")<sup>8</sup>, and their related companies and affiliates, identify and restrain all funds, up to and including the total amount of judgment, in all financial accounts and/or sub-accounts used in connection with the Seller IDs or other domain names, alias seller identification names, or e-commerce store names

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<sup>7</sup> WorldPay US, Inc. ("WorldPay") processes transactions on behalf of Alibaba and Alipay, which may appear as "AliExpress" on a cardholder's credit card statement.

<sup>8</sup> Plaintiff acknowledge that they are seeking multiple forms of relief. Plaintiff will promptly provide supplemental briefing or oral argument on any issue should the Court request it.

or store URLs used by Defendants presently or in the future, as well as any other related accounts of the same customer(s) and any other accounts which transfer funds into the same financial institution account(s), to be surrendered to Plaintiff in partial satisfaction of the monetary judgment entered herein.

k. Entry of an award of pre- and post-judgment interest on the judgment amount.

l. Entry of an order for any further relief as the Court may deem just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff respectfully demands a trial by jury on all claims.

Respectfully submitted,

Dated: December 10, 2024

/s/ Stanley D. Ference III

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**Schedule “A”**  
**Defendants with Store Name and Seller ID**

| <b>Defendant Number</b> | <b>Store/Seller Name</b> | <b>Seller ID</b> |
|-------------------------|--------------------------|------------------|
| 1                       | smart726                 | 205007979291     |
| 2                       | 100dayslate_9 shop       | 196095579145     |
| 3                       | 2020coming shop          | 364595460117     |
| 4                       | 77SuperSevens77          | 364674748430     |
| 5                       | 9happy9                  | 235783315094     |
| 6                       | A whole lotta everything | 155526371485     |
| 7                       | Accessory                | 156467912458     |
| 8                       | alodi8867                | 387375012173     |
| 9                       | aoyi                     | 305841757126     |
| 10                      | aqc0888888               | 395622959899     |
| 11                      | Atomic Punk Inc.         | 286177158913     |
| 12                      | autumn188                | 296360471177     |
| 13                      | avalonbon                | 387499445064     |
| 14                      | baize yy                 | 235806910718     |
| 15                      | Bargain Warehouse        | 162461261532     |
| 16                      | beautymallus             | 146048631855     |
| 17                      | bebetty-88               | 275967601885     |
| 18                      | behindthepretty          | 225880492749     |
| 19                      | binge955                 | 315927206420     |
| 20                      | BJG Deals                | 382085522570     |
| 21                      | bodui290                 | 176538719233     |
| 22                      | buckshaw25               | 256687331793     |
| 23                      | cctoyoto shop            | 204552303380     |
| 24                      | cellrite727              | 276567277264     |
| 25                      | cestformidable2014       | 296724766397     |
| 26                      | chuqin-62                | 356275991516     |
| 27                      | CleopatraGoods           | 355733912038     |
| 28                      | copaseticalcat           | 405241126160     |
| 29                      | creativityparkcentral    | 154636662021     |
| 30                      | Daily necessities store  | 364880975352     |
| 31                      | darjea894195             | 365095542234     |
| 32                      | dddeds2 shop             | 305283053375     |
| 33                      | elanza771                | 116152657635     |
| 34                      | enjoylife2018y           | 116114076629     |
| 35                      | epblhsntphe              | 235698610203     |

|    |                        |              |
|----|------------------------|--------------|
| 36 | Esukceso               | 315062378297 |
| 37 | EverydayGadgetz        | 146116582998 |
| 38 | fcedfdvs               | 375461624401 |
| 39 | FODIMON JEWELRY        | 405185786814 |
| 40 | freeice                | 355764742222 |
| 41 | gadgetzoness           | 146054977290 |
| 42 | gaslooten              | 146190764147 |
| 43 | Gifts Store-5          | 123997548742 |
| 44 | girl_dressup           | 176429445141 |
| 45 | Global Home Products   | 386823771436 |
| 46 | gooddealstar123        | 126515630936 |
| 47 | goole002               | 387609095052 |
| 48 | GreenThreads23         | 356031858692 |
| 49 | hdfiuwau               | 335385624331 |
| 50 | hello-motorcycle       | 395089067126 |
| 51 | hengshuifubaishan_0    | 356084559873 |
| 52 | hsbabyhomes            | 315693110735 |
| 53 | htza68                 | 386873447328 |
| 54 | huiwa-36               | 404962204572 |
| 55 | Huoweiya               | 315425303392 |
| 56 | indianrealsp84         | 315972769746 |
| 57 | jiaoqingshangmao       | 126760503182 |
| 58 | jiguikeji              | 335530198389 |
| 59 | jisujisu888 shop       | 355224147458 |
| 60 | jizhi1048              | 375671015391 |
| 61 | kacaryda               | 186215988440 |
| 62 | krist3497              | 315977471549 |
| 63 | Lo Pryce Club          | 314438855417 |
| 64 | LUBTFS                 | 305639141955 |
| 65 | Mik 2024 E-COMMERCE    | 155947260613 |
| 66 | Militarycollectors2019 | 163761448772 |
| 67 | mingzhe345 shop        | 305283081684 |
| 68 | minling123             | 326184293080 |
| 69 | moni 7457              | 126524049260 |
| 70 | most important beauty  | 186682623105 |
| 71 | nbaaal shop            | 225884543286 |
| 72 | nhtw9944               | 315952915383 |
| 73 | nsstars                | 226408866402 |
| 74 | oukaide-0              | 226403703123 |
| 75 | Outdoor-Hub            | 375762352609 |
| 76 | pamentech              | 296783997362 |
| 77 | Pousch Outlet          | 134841282192 |

|     |                     |                |
|-----|---------------------|----------------|
| 78  | ppa35869 shop       | 386309230714   |
| 79  | purejoy2024         | 167018128106   |
| 80  | qfi_36              | 305317881434   |
| 81  | retroyears          | 185013152866   |
| 82  | shanghailaife 0     | 285935849124   |
| 83  | shch2254            | 405058815423   |
| 84  | shengy634           | 386982659329   |
| 85  | sherry 47           | 364822847296   |
| 86  | SHUNYASHOP          | 135264395380   |
| 87  | sixtyshadesofgrey   | 226071887637   |
| 88  | s'tar stort         | 315678357259   |
| 89  | su3516271           | 176657512958   |
| 90  | TakshOnline         | 266419327705   |
| 91  | Tasitble            | 387359181472   |
| 92  | tastetrail          | 405151571345   |
| 93  | thelij83            | 405204294982   |
| 94  | thivi.online        | 364793694641   |
| 95  | tlgoodson75         | 387585674285   |
| 96  | toyds888            | 375786533196   |
| 97  | tunsha1525          | 226326076830   |
| 98  | uhqo9816            | 286023879044   |
| 99  | WE444               | 226432768762   |
| 100 | ww6ssx shop         | 225884425955   |
| 101 | xc2020520 shop      | 235311859791   |
| 102 | xiaomayiyiyayi shop | 386308944542   |
| 103 | xiaoxiaolu223 shop  | 395018758673   |
| 104 | xiaoyao02           | 387353654572   |
| 105 | xingyuan1314 shop   | 386308959433   |
| 106 | xymfashionstore     | 305837683938   |
| 107 | yuyuan-888          | 387499927309   |
| 108 | yylyyxx2 shop       | 355504142855   |
| 109 | yyds-2023           | 126615961214   |
| 110 | yyds888             | 126657982420   |
| 111 | zaiajeio            | 235557008882   |
| 112 | zhaobenyi           | 315391891428   |
| 113 | zhonglimao-0        | 235780923935   |
| 114 | zhongyang497        | 365170000055   |
| 115 | ButtBig             | A22O9WBS25PWHR |
| 116 | FATTAH              | A3OH33OJGT4ZLM |
| 117 | hehebaihuoshanghang | AGWUNH3KMEP49  |
| 118 | Trim Store          | A3FG8BGQOYQ3U9 |
| 119 | Aligament           | 101520067      |

|     |                              |           |
|-----|------------------------------|-----------|
| 120 | CHENNUO                      | 101667120 |
| 121 | CHUONI Co.Ltd                | 102486802 |
| 122 | CozyCollective               | 101619355 |
| 123 | DiManFeng Inc                | 101220832 |
| 124 | Dongguang                    | 101567330 |
| 125 | dongmentaishang              | 102478098 |
| 126 | Exzpassion                   | 101565319 |
| 127 | foshanshishaalanshangmao     | 102492053 |
| 128 | foshanshizezaojiajuyoux      | 101672925 |
| 129 | Golden Koi                   | 102500031 |
| 130 | guangzhoukunkai              | 101689019 |
| 131 | HCHPEJ                       | 101623460 |
| 132 | Hongc LLC                    | 101638846 |
| 133 | hongtaibaozhuangfuliao       | 102507417 |
| 134 | Hongwangjie Trading          | 101578106 |
| 135 | Jianyuanwenhua               | 101670145 |
| 136 | jinanlianjingwangluokeji.com | 102490662 |
| 137 | JINGJING Co.Ltd              | 102481928 |
| 138 | JUNQI                        | 101583459 |
| 139 | KEWITY                       | 101633473 |
| 140 | lanhexingchen                | 102477142 |
| 141 | Li loong Toys                | 102510034 |
| 142 | LINNAO Ltd                   | 101250922 |
| 143 | LUOKU Co.Ltd                 | 102484093 |
| 144 | LzGUNGY                      | 101661823 |
| 145 | Midewhik                     | 101464698 |
| 146 | Nanwang Co. , Ltd.           | 101521138 |
| 147 | nice maket for you           | 102621662 |
| 148 | PINGXIAO Co.Ltd              | 102484277 |
| 149 | QBgugu                       | 101596074 |
| 150 | Saoakiny                     | 101576158 |
| 151 | ShoppingNow Co.Itl           | 101222732 |
| 152 | SHUJIN Co.Ltd                | 101677810 |
| 153 | szbyhth LLCxy                | 102576882 |
| 154 | SZD Co.Ltd                   | 101240063 |
| 155 | Taizai Trading Co. , Ltd.    | 102506719 |
| 156 | Vongem Fashion store         | 101651506 |
| 157 | VORCOY                       | 101616915 |
| 158 | WEIRUN Co.Ltd                | 101675172 |
| 159 | WIN WITH SCIENCE             | 101289673 |
| 160 | WTXUE CO.Ltd                 | 101614067 |
| 161 | XIAshuix                     | 102490511 |

|     |                     |                          |
|-----|---------------------|--------------------------|
| 162 | xiuxia shop         | 101694125                |
| 163 | Yang cnct           | 101638538                |
| 164 | Yanzihao Home Store | 101592725                |
| 165 | YHRY                | 101286232                |
| 166 | Yijieelectronic     | 101593777                |
| 167 | YU Co. , Ltd.       | 101521138                |
| 168 | YULIJU              | 101651955                |
| 169 | Yxmhdga             | 102607609                |
| 170 | Sailing Expedition  | 5b05533159206935a1196bb6 |
| 171 | yajingsongy012      | 63ff10e7ca51360b12630a0a |

**LISTING OF EXHIBITS**

Exhibit 1.....Exemplar Screenshots of Infringing Listings  
Exhibit 2.....Screenshots from Plaintiff’s Website and Amazon Store  
Exhibit 3.....U.S. Patent No. 8,152,591  
Exhibit 4.....Comparison of Exemplar Infringing Product to claim 1 of U.S.  
Patent No. 8,152,591