

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:17-CV-24561-RNS

TAPESTRY, INC., COACH IP HOLDINGS
LLC, STUART WEITZMAN IP, LLC, and
KATE SPADE LLC

Plaintiffs,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A,"

Defendants.

**PLAINTIFFS' EX PARTE APPLICATION FOR ENTRY OF TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Plaintiffs Tapestry, Inc., Coach IP Holdings LLC, Stuart Weitzman IP, LLC and Kate Spade LLC (collectively, "Tapestry"), hereby move, on an *ex parte* basis, for entry of a temporary restraining order and, upon expiration of the temporary restraining order, a preliminary injunction against Defendants, the Individuals, Partnerships and Unincorporated Associations identified on Schedule "A" hereto (collectively "Defendants") pursuant to 15 U.S.C. § 1116, Fed. R. Civ. P. 65, and The All Writs Act, 28 U.S.C §1651(a). In support thereof, Tapestry states:¹

¹ Tapestry filed its *Ex Parte* Application for Entry of Temporary Restraining Order and Preliminary Injunction and supporting exhibits with this Court in accordance with L.R. 5.4(d), which requires, unless the Court directs otherwise, ex-parte filings be restricted from public view. Tapestry is not requesting the Court seal its Order on the Motion for TRO. Tapestry requests that upon entry of the Court's Order on the Motion for TRO, this matter be unsealed and the portions of the docket relating to Tapestry's Motion be returned to the public portion of the Court file.

I. INTRODUCTION

The Defendants are knowingly and intentionally promoting, advertising, distributing, offering for sale and selling goods bearing counterfeits and confusingly similar imitations of Tapestry's registered trademarks within this district and throughout the United States, through various fully interactive commercial Internet websites and supporting domains operating under their individual, partnership, and/or business association names identified on the attached Schedule "A" (the "Subject Domain Names") including the URLs identified on the attached Schedule "B". Unless enjoined, Defendants will continue to deceive the public and cause irreparable injury to Tapestry.

For the reasons discussed below, Tapestry respectfully seeks an order: (1) temporarily enjoining the manufacture, importation, distribution, advertisement, offer for sale, and sale of counterfeit products bearing Tapestry's trademarks; (2) disabling Defendants' websites operating under the Subject Domain Names; (3) temporarily restricting transfer of Defendants' assets to preserve Tapestry's rights to an equitable accounting; and (4) permitting expedited discovery to allow Tapestry to inspect and copy records relating to Defendants' creation, promotion, and sale of counterfeit products bearing Tapestry's trademarks.

II. STATEMENT OF FACTS

A. Tapestry's Rights

Coach IP Holdings LLC is the owner of all rights in and to the federally registered Coach trademarks identified in Composite Exhibit 1 attached to the Declaration of Karla Aspiras, ¶ 6 ("Aspiras Decl.") (the "Coach Trademarks") attached as **Exhibit 1**. Stuart Weitzman IP, LLC is the owner of all rights in and to the federally registered Stuart Weitzman trademarks identified in Composite Exhibit 1 of Aspiras Decl., ¶ 7 (the "Stuart Weitzman Trademarks"). Kate Spade LLC is the owner of all rights in and to the federally registered Kate Spade trademarks identified on Composite Exhibit 1 of Aspiras Decl., ¶ 8 (the "Kate Spade Trademarks"). Tapestry is the exclusive licensee for the Coach Trademarks, Stuart Weitzman Trademarks and Kate Spade Trademarks (collectively, the "Tapestry Marks"), and is authorized to enforce all rights in those

trademarks. *Id.*, ¶¶ 6, 7, 8. The Tapestry Marks are used in connection with the manufacture and distribution of high quality goods in the categories identified in the United States Registrations for the Tapestry Marks at issue. *Id.* The Tapestry Marks are symbols of their respective brand's quality, reputation, and goodwill and have never been abandoned. *Id.*, ¶ 10. Moreover, Tapestry has expended substantial time, money, and resources developing, advertising, and otherwise promoting the Tapestry Marks. *Id.*, ¶ 12. Accordingly, the Tapestry Marks are famous marks as the term is used in 15 U.S.C. § 1125(c)(1). *Id.*

Tapestry has extensively used, advertised, and promoted the Tapestry Marks in the United States and elsewhere in association with high quality luxury goods and has carefully monitored and policed the use of the Tapestry Marks. *Id.*, ¶ 13. At all relevant times, Defendants have been aware of: (a) Coach IP Holdings, Stuart Weitzman IP, LLC, and Kate Spade LLC's ownership of their respective trademarks; (b) Tapestry's exclusive rights to use such trademarks; and (c) the substantial goodwill embodied in, and favorable recognition for, the Tapestry Marks.

B. Defendants Wrongfully Use Tapestry's Marks in Connection With the Promotion and Sale of Goods Bearing Counterfeits of Tapestry's Marks

Defendants are promoting and otherwise advertising, distributing, selling and/or offering for sale through their Subject Domain Names, goods bearing counterfeit and infringing trademarks which are substantially indistinguishable from and/or colorable imitations of the registered Tapestry Marks ("Defendants' Goods"), including the URLs identified on Schedule "B". Aspiras Decl., ¶¶ 17, 19; See also relevant web page captures from Defendants' interactive, commercial Internet websites and supporting domains operating under the Subject Domain Names displaying the Tapestry branded products. *Id.*, ¶ 18. Defendants' unlawful activities includes using proprietary images taken directly from Tapestry's respective websites or from the websites of other authorized retailers of Tapestry's products. *Id.* Defendants do not have, nor have they ever had, the right or authority to use the Tapestry Marks for any purpose. *Id.*, ¶ 11. Given Defendants' copying of the Tapestry Marks, authentic goods bearing the Tapestry Marks and the Defendants' Goods are indistinguishable to consumers, both at the point of sale and post-sale. By using the Tapestry Marks, Defendants have created a false association between their counterfeit and

infringing goods and websites and Tapestry's trademarked products. Such false association violates 15 U.S.C. § 1125(a) and continues to cause Tapestry irreparable injury.

The Lanham Act defines a "counterfeit" as "a spurious mark which is identical with, or substantially indistinguishable from, a registered mark." 15 U.S.C. § 1127. A comparison of the Tapestry Marks to the marks used by Defendants in connection with the promotion and sale of Defendants' Goods reveals the obvious counterfeit and infringing nature of Defendants' Goods. *See Aspiras Decl.*, ¶ 18. Tapestry's representative has reviewed and visually inspected each Defendants' websites, and the images of various items bearing the Tapestry Marks offered for sale by Defendants through their websites operating under the Subject Domain Names, and determined the products were counterfeits and unauthorized versions of Tapestry trademarked products. *Id.*, ¶¶ 17, 19.

Defendants are falsely representing to consumers and the trade that their counterfeit and infringing branded goods are authentic, endorsed, and authorized by Tapestry. Ultimately, Defendants' Internet websites are nothing more than illegal operations infringing on the intellectual property rights of Tapestry. The Subject Domain Names are used as common names of Defendants and are themselves a substantial part of the means by which Defendants further their scheme and cause harm to Tapestry.

C. Defendants Unfairly Compete with Tapestry Through Search Engine Optimization Using Counterfeits of the Tapestry's Marks

Tapestry promotes and sells its products via the Internet. *Id.*, ¶¶ 15, 21. Visibility of the Tapestry brands and products on the Internet, particularly via Internet search engines such as Google, Yahoo!, and Bing, has become increasingly important to Tapestry's overall marketing and consumer education efforts. *Id.* Thus, Tapestry expends significant monetary resources on Internet marketing and consumer education regarding its products, including search engine optimization ("SEO") strategies, which allow Tapestry to educate consumers about the value associated with the Tapestry brands and the goods sold thereunder. *Id.*

Defendants appear to use improper SEO tactics and social media spamming so that the Defendant Internet website listings show up at or near the top of relevant search results and misdirect consumers searching for authentic Tapestry products. *Id.* ¶ 27. Defendants that operate

these types of illegal websites also utilize SEO tactics to propel new domain names to the top of search results after other similar websites are shut down. Through their combined actions, Defendants are causing concurrent and indivisible harm to Tapestry and the consuming public by (i) depriving Tapestry of the ability to fairly compete for space within search engine results, (ii) causing an overall degradation of the value of the goodwill associated with the Tapestry Marks, (iii) increasing Tapestry's overall cost to market its goods and educate consumers about its brands and authentic products via the Internet and (iv) creating and maintaining an illegal marketplace using the Internet which permits Defendants to confuse consumers and harm Tapestry by operating businesses that survive on the continued use of counterfeits of the Tapestry Marks . *Id.*, ¶¶ 24-27.

Defendants, each of whom is aware of the existence of the illegal marketplace and the activities of the others to perpetuate the same, are combining the force of their actions in order to cause concurrent and indivisible harm to Tapestry and consumers. Specifically, at a minimum, Defendants use unauthorized counterfeits and infringements of Tapestry Marks within the content, anchor text and/or meta tags of their websites in order to attract the automated eye of various search engines crawling the Internet looking for websites relevant to consumer searches for Tapestry related goods and information. *Id.* ¶ 27. Website operators such as Tapestry and Defendants spend substantial sums of money incorporating concepts and popular search terms, such as the Tapestry Marks, into their on-site and off-site content in order to promote visibility on the Internet and be seen by search engines and returned as part of relevant search results across an array of search phrases. *Id.*, ¶ 21.

III. ARGUMENT

A. A Temporary Restraining Order is Essential to Prevent Immediate Injury

Tapestry is seeking entry of a temporary restraining order (1) temporarily enjoining the manufacture, importation, distribution, advertisement, offer for sale, and sale of counterfeit products bearing Tapestry's trademarks; (2) disabling Defendants' websites operating under the Subject Domain Names; (3) temporarily restricting transfer of Defendants' assets to preserve Tapestry's rights to an equitable accounting; and (4) permitting expedited discovery to allow Tapestry to inspect and copy records relating to Defendants' creation, promotion, and sale of counterfeit products bearing Tapestry's trademarks. The requested relief is necessary to stop

Defendants' ongoing, intentional confusion of consumers and the associated irreparable harm occurring to Tapestry.

Rule 65(b) of the Federal Rules of Civil Procedure provides, in part, that a temporary restraining order may be granted without written or oral notice to the opposing party or that party's counsel where "it clearly appears from the specific facts shown by affidavit "that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition." Moreover, temporary restraining orders are available on an *ex parte* basis if the movant shows through an affidavit that there is a threat of intervening immediate, irreparable harm before the adverse party may be heard in opposition and the movant's attorney certifies in writing why notice should not be required. Fed. R. Civ. P. 65(b). *See* Declaration of David B. Rosemberg ("Rosemberg Decl."), attached as **Exhibit 2**. As demonstrated herein, irreparable and immediate injury will result to Tapestry if Defendants' wrongful activities are not immediately stopped by the issuance of a temporary restraining order.

Defendants fraudulently promote, advertise, offer to sell and sell goods bearing counterfeits and infringements of the Tapestry Marks via the Internet websites operating under, at least, the Subject Domain Names, including the URLs identified on Schedule "B". By their actions, Defendants are creating a false association in the minds of consumers between Defendants and Tapestry and its brands. Specifically, Defendants are wrongfully using counterfeits and infringements of the Tapestry Marks to promote and attract customers to their website businesses and corresponding URLs, and to expand their illegal marketplace.

The entry of a temporary restraining order would serve to immediately stop Defendants from benefiting from their wrongful use of the Tapestry Marks and would preserve the status quo until such time as a hearing can be held. Thus, a temporary restraining order is appropriate. *See Dell Inc. v. BelgiumDomains, LLC*, Case No. 07-22674, 2007 WL 6862341, at *2 (S.D. Fla. Nov. 21, 2007) (finding *ex parte* relief more compelling where Defendants' scheme "is in electronic form and subject to quick, easy, untraceable destruction by Defendants.").

Absent a temporary restraining order, Defendants can significantly alter the status quo before the Court can determine the parties' respective rights. Specifically, the Internet websites at issue are under the complete control of Defendants, and they have the ability to modify registration

data and content, change hosts and, most importantly, redirect traffic to other websites they control. Rosenberg Decl., ¶ 3. Moreover, Defendants operate Internet websites, which they optimize for the sale of counterfeit and infringing Tapestry branded products. The optimization process provides Defendants with their power to unfairly compete with Tapestry by utilizing Tapestry's trademark to help propel their illegal websites into top search engine results. Defendants can easily transfer their optimization efforts to a new domain name in a matter of minutes through a redirect process, and push traffic from the Subject Domain Names to new domains not yet identified. *Id.* The new domains would continue to appear at the top of the search engine results pages by leveraging the Internet traffic to the domains in suit, which were built through the illegal use of the Tapestry Marks. In short, Defendants would completely erase the status quo by transferring all of the benefits of their prior illegal activities to new websites.

Courts have recognized that civil actions against counterfeiters justify proceeding on an *ex parte* basis. *Time Warner Enter. Co. v. Does #1-2*, 876 F. Supp. 407, 410-11 (E.D.N.Y. 1994) (“[w]here plaintiffs have shown that a danger exists of destroying or transferring infringing goods, courts in this Circuit have not hesitated to grant *ex parte* orders under either the Lanham Act or the Copyright Act.”); *see also Acushnet Co. v. onlinegolfale.us*, No. 13-61895-CIV, 2013 WL 5211853 (S.D. Fla. Sept. 13, 2013) (Order granting *Ex Parte* Application for Entry of Temporary Restraining Order). This Court should prevent an injustice from occurring by issuing a temporary restraining order which precludes Defendants from continuing to display their infringing content via the websites operating under the Subject Domain Names and which, after allowing an opportunity for objections, temporarily places control of the websites in the hands of the Court. Only such an order will prevent ongoing irreparable harm and maintain the status quo.

B. Standard for Temporary Restraining Order and Preliminary Injunction

To obtain a temporary restraining order or a preliminary injunction, a party must establish “(1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered if the relief is not granted; (3) that the threatened injury outweighs the harm the relief would inflict on the non-movant; and (4) that entry of the relief would serve the public interest. *Schiavo ex rel. Schindler v. Schiavo*, 403 F.3d 1223, 1225-26 (11th Cir. 2005); *see also Levi Strauss & Co. v. Sunrise Int’l Trading Inc.*, 51 F.3d 982, 985 (11th Cir. 1995) (affirming entry of preliminary

injunction).² Tapestry's evidence establishes all of the relevant factors. Accordingly, preliminary injunctive relief is appropriate.

1. Probability of Success on the Merits of Plaintiffs' Claims

a. Likelihood of Success on Counterfeiting Claim

Title 15 U.S.C. §1114 provides liability for trademark infringement if, without the consent of the registrant, a defendant uses "in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark: which is likely to cause confusion, or to cause mistake, or to deceive." Tapestry must demonstrate (1) ownership of the trademarks at issue; (2) Defendants' use of the trademarks is without Tapestry's authorization; and (3) Defendants' use is likely to cause confusion, mistake, or deception as to the source, affiliation, or sponsorship of Defendants' Goods. *See* 15 U.S.C. § 1114(1).

The first two elements of Tapestry's trademark counterfeiting and infringement claims are easily met. Tapestry is the exclusive licensee of the Tapestry Marks which are registered on the Principal Register of the United States Patent and Trademark Office. *Aspiras Decl.*, ¶¶ 6, 7, 8. Moreover, Tapestry has never licensed or given Defendants the right or authority to use the Tapestry Marks. *Id.*, ¶ 11.

Third, Defendants' use of the Tapestry Marks creates a likelihood of confusion. The Eleventh Circuit uses a seven-factor test in the likelihood of confusion analysis. *See Ross Bicycles, Inc. v. Cycles USA, Inc.*, 765 F.2d 1502, 1506 (11th Cir. 1985). These factors are: (1) the strength of the mark; (2) the similarity of marks; (3) the similarity of the goods; (4) similarity of the sales methods; (5) the similarity of advertising media; (6) defendants' intent; and (7) evidence of actual confusion. *See Fla. Int'l Univ. Bd. of Trs. v. Fla. Nat'l Univ. Online Learning Campus*, 830 F.3d 1242, 1255 (11th Cir. 2016). Tapestry satisfies the likelihood of confusion test.

² The Eleventh Circuit's standard for obtaining a temporary restraining order and the standard for obtaining a preliminary injunction are the same. *See Emerging Vision, Inc. v. Glachman*, Case No. 10-cv-80734, 2010 WL 3293346, at *3 (S.D. Fla. June 29, 2010) (citing *Siegel v. LePore*, 120 F. Supp. 2d 1041 (S.D. Fla. 2000) *aff'd* 234 F.3d 1163 (11th Cir. 2000)).

i) Strength of the Marks

The Tapestry Marks have been used for many years and have become famous as associated with a source of high quality luxury goods such as handbags, wallets, jewelry, watches, shoes, eyewear, fragrances, ready to wear (“RTW”), footwear and fashion accessories under the Coach, Kate Spade, and Stuart Weitzman brands. Aspiras Decl., ¶ 4. The U.S. registrations for the Tapestry Marks are valid, subsisting, in full force and effect, and many are incontestable. *Id.*, ¶¶ 9, 10. Tapestry has expended substantial time, labor, skill, and expense in developing, advertising, and promoting the Tapestry Marks. *Id.*, ¶ 12. The Tapestry Marks enjoy widespread recognition and are prominent in the minds of consumers. *Id.*, ¶¶ 13, 14.

ii) Similarity of the Marks

Defendants are using marks which are nearly identical in appearance (though not quality) to the products bearing authentic Tapestry Marks. *Id.*, ¶ 17. Likelihood of confusion is presumed when an infringer uses the exact trademark. *Gucci America, Inc. v. Duty Free Apparel*, 286 F. Supp. 2d 284, 287 (S.D.N.Y. 2003) (“counterfeits, by their very nature, cause confusion”); *Philip Morris U.S.A. Inc. v. Felizardo*, 2004 U.S. Dist. LEXIS 11154, *18 (S.D.N.Y. 2004) (“in cases involving counterfeit marks, it is unnecessary to perform the step-by-step examination of [the factors] because counterfeit marks are inherently confusing”); *General Motors Corp. v. Autovation Technologies, Inc.*, 317 F. Supp. 2d 756, 761 (E.D. Mich. 2004) (“a likelihood of confusion is presumed when a defendant intentionally copies a trademark design”).

iii) Similarity of the Goods

“The greater the similarity between the products and services, the greater the likelihood of confusion.” *John H. Harland Co. v. Clarke Checks, Inc.*, 711 F.2d 966, 976 (11th Cir. 1983). Defendants are selling the same types of goods Tapestry sells. Aspiras Decl., ¶ 17. Standing alone, this similarity can be held sufficient to establish a likelihood of confusion.

iv) Similarity of Sales Method and v) Advertising Method

Convergent marketing channels increase the likelihood of confusion. *See Turner Greenberg Assocs.*, 320 F. Supp. 2d at 1332. Both Tapestry and Defendants use Tapestry’s trademarks in their domain names, website layouts, and product descriptions. The marks are used in the same channel of commerce—the Internet; the parties target the same consumers—Internet

shoppers; and the parties employ similar marketing procedures—search engine optimization using Tapestry’s trademarks. Thus, the conditions of purchase for both parties are unmistakably identical, and Tapestry is directly competing with Defendants’ products.

vi) Defendants’ Intent

Defendants’ intent can be inferred because they know they are not purchasing their counterfeit products from Tapestry, and yet they are selling known counterfeit goods to unsuspecting consumers. Furthermore, Defendants are all on notice of Tapestry’s trademark rights due to Tapestry’s USPTO registrations and the widespread popularity of the marks, and yet Defendants are using those marks without Tapestry’s permission. In a case of clear-cut copying, it is appropriate to infer Defendants intended to benefit from Tapestry’s reputation, to Tapestry’s detriment. *See Playboy Ent., Inc. v. P.K. Sorren Export Co. Inc. of Fl*, 546 F. Supp. 987, 996 (S.D. Fla. 1982).

vii) Evidence of Actual Confusion

Evidence of actual confusion need not be shown, since the test is likelihood of confusion. *See Frehling Enters. v. Int’l Select Group, Inc.*, 192 F.3d 1330, 1340 (11th Cir. 1999). In this case, however, it is reasonable to infer actual confusion exists in the marketplace based upon counterfeit nature of the marks. *See General Motors Corp. v. Autovation Technologies, Inc.*, 317 F. Supp. 2d 756, 761 (E.D. Mich. 2004) ("a likelihood of confusion is presumed when a defendant intentionally copies a trademark design"). Even if buyers are aware of the counterfeit nature of Defendants’ Goods, other consumers viewing Defendants’ Goods in a post-sale setting will obviously be confused, because they are viewing goods bearing counterfeits of the Tapestry Marks which creates the impression that the goods at issue authentic and authorized by Tapestry. Such post-sale confusion is actionable. *See Remcraft Lighting Products, Inc. v. Maxim Lighting, Inc.*, 706 F. Supp. 855, 859 (S.D. Fla. 1989) (“The likelihood of confusion need not occur at wholesale level when the end user will be confused.”).

In sum, each of the seven factors weighs in favor of Tapestry. Tapestry has demonstrated a reasonable likelihood of success on the merits of its trademark infringement and counterfeiting claim.

b. Likelihood of Success on Cybersquatting Claim

The Anti-Cybersquatting Consumer Protection Act of 1996 (“ACPA”) imposes liability on any person who, with “a bad faith intent to profit from [the plaintiff’s] mark,” “registers, traffics in, or uses a domain name that” is confusingly similar to a distinctive or famous mark, or is dilutive of a famous mark. 15 U.S.C. § 1125(d)(1)(A). Liability is imposed “without regard to the goods or services of the parties.” *Id.* “[I]n addition to any other civil action or remedy otherwise applicable,” the Court may order “the forfeiture or cancellation of the domain name or the transfer of the domain name to the owner of the mark.” 15 U.S.C. §§ 1125(d)(1)(C), 1125(d)(2)(D)(i), 1125(d)(3). The ACPA is intended to address the fairly recent phenomenon of counterfeiters who “register well-known marks to prey on consumer confusion by misusing the domain name to divert customers from the mark owner’s site to the cybersquatter’s own site, and target distinctive marks to defraud consumers.” *Lucas Nursery v. Grosse*, 359 F.3d 806, 809 (6th Cir. 2004).

To prevail under 15 U.S.C. § 1125(d), Tapestry must demonstrate that (1) the Tapestry Marks are distinctive or famous and entitled to protection; (2) Defendants’ domain names are identical or confusingly similar to the Tapestry Marks; and (3) Defendants registered or used the domain names with a bad faith intent to profit. *Bavaro Palace, S.A. v. Vacation Tours, Inc.*, 203 Fed. Appx. 252, 256, 2006 WL 2847233, at *3 (11th Cir. 2006).

In this case, several Defendants have registered domain names which incorporate, at least, one of the Tapestry Marks in its entirety surrounded by descriptive or generic terms, rendering the domain names nearly identical as compared to the Tapestry Marks (the “Cybersquatted Subject Domain Names.”); *See Victoria’s Cyber Secret Ltd. P’ship v. V Secret Catalogue, Inc.*, 161 F. Supp. 2d 1339, 1351 (S.D. Fla. 2001) (“The taking of an identical copy of another’s famous and distinctive trademark for use as a domain name creates a presumption of confusion among Internet users as a matter of law.”). Moreover, Courts have found that even slight differences between a domain name and a registered mark, such as the addition of minor or generic words to the disputed domain name, is irrelevant. *See Ford Motor Co. v. Greatdomains.com, Inc.*, 177 F. Supp. 2d 635, 642 (E.D. Mich. 2001) (holding “unless words or letters added to the plaintiff’s mark within the domain name clearly distinguish it from the plaintiff’s usage, allegations that a domain name incorporates a protected mark generally will suffice.”).

The ACPA lists nine nonexclusive factors for courts to consider in determining whether a domain name has been registered or used in “bad faith” with an intent to profit from a mark in registering or using the mark in a domain name. See 15 U.S.C. § 1125(d)(1)(B)(i); *see also Victoria’s Cyber Secret Ltd. P’ship*, 161 F. Supp. 2d at 1346. These nine factors, include:

(I) the trademark or other intellectual property rights of the person, if any, in the domain name;

(II) the extent to which the domain name consists of the legal name of the person or a name that is otherwise commonly used to identify that person;

(III) the person’s prior use, if any, of the domain name in connection with the bona fide offering of any goods or services;

(IV) the person’s bona fide noncommercial or fair use of the mark in a site accessible under the domain name;

(V) the person’s intent to divert consumers from the mark owner’s online location to a site accessible under the domain name that could harm the goodwill represented by the mark, either for commercial gain or with the intent to tarnish or disparage the mark, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the site;

(VI) the person’s offer to transfer, sell, or otherwise assign the domain name to the mark owner or any third party for financial gain without having used, or having an intent to use, the domain name in the bona fide offering of any goods or services, or the person’s prior conduct indicating a pattern of such conduct;

(VII) the person’s provision of material and misleading false contact information when applying for the registration of the domain name, the person’s intentional failure to maintain accurate contact information, or the person’s prior conduct indicating a pattern of such conduct;

(VIII) the person’s registration or acquisition of multiple domain names which the person knows are identical or confusingly similar to marks of others that are distinctive at the time of registration of such domain names, or dilutive of famous marks of others that are famous at the time of registration of such domain names, without

regard to the goods or services of the parties; and

(IX) the extent to which the mark incorporated in the person's domain name registration is or is not distinctive and famous within the meaning of subsection (c).

15 U.S.C. § 1125(d)(1)(B)(i).

These nine factors are not meant to be exclusive and the Court may consider all relevant factors in making a determination of bad faith. *Victoria's Cyber Secret Ltd. P'ship*, 161 F. Supp. 2d at 1347. Ultimately, each factor addresses whether "the defendant's use of the disputed domain name is legitimate – i.e., for some purpose other than simply to profit from the value of the trademark." *Ford Motor Co.*, 177 F. Supp. 2d at 642. An examination of the bad faith factors compels the conclusion that Defendants' registration and use of the Cybersquatted Subject Domain Names violates 15 U.S.C. § 1125(d).

Defendants' bad faith intent can be inferred from their copying of Tapestry's websites, their manufacture and/or purchase of counterfeit goods from parties other than Tapestry, and their use of Tapestry's registered trademarks without Tapestry's consent in their domain names and meta-tags. Therefore, the circumstances set forth under (V) above are present. Furthermore, the circumstances set forth in items (VII) and (VIII) are also present because many Defendants used fake contact information in registering their infringing domains, and Tapestry's investigation has revealed that at least several of Defendants registered multiple infringing domain names. Finally, none of the mitigating circumstances enumerated in items (I)–(IV) above are present in the instant case. Thus, Tapestry has demonstrated a likelihood of success on the merits of its cybersquatting claim.

c. Likelihood of Success on Common Law Infringement Claim

The analysis of liability for Florida common law trademark infringement is the same as the analysis of liability for trademark infringement under section 32(a) of the Lanham Act. *Chanel, Inc. v. besumart.com*, 240 F. Supp. 3d 1283, 1289 (S.D. Fla. 2016) (citing *PetMed Express, Inc. v. MedPets.Com, Inc.*, 336 F.Supp.2d 1213, 1217–18 (S.D. Fla. 2004)). As discussed above, Tapestry has satisfied the three elements of its trademark counterfeiting and infringement claim against Defendants, establishing that a likelihood of confusion exists herein. Therefore, Tapestry is also likely to succeed on the merits of its common law trademark infringement claim.

2. Tapestry is Suffering Irreparable Injury

“[A] sufficiently strong showing of likelihood of confusion [caused by trademark infringement] may by itself constitute a showing of ... [a] substantial threat of irreparable harm.” *Ferrellgas Ptnrs., L.P. v. Barrow*, 143 Fed. Appx., 180, 191 (11th Cir. 2005) (citing *McDonald’s Corp. v. Robertson*, 147 F.3d 1301, 1310 (11th Cir. 1998)). Such a finding of irreparable injury following a showing of likelihood of confusion is virtually always made in a case such as this, where a plaintiff has demonstrated it will lose control of its reputation as a result of the defendant’s activities. *Id.* A likelihood of confusion exists herein because Defendants have engaged in counterfeiting activities using spurious designations indistinguishable from the Tapestry Marks on low quality goods. Tapestry cannot be compensated monetarily due to this harm to its reputation and goodwill. Aspiras Decl., ¶ 22. Therefore, injunctive relief is necessary.

3. There Is No Harm to Defendants

Tapestry has expended substantial money and other resources to develop the reputation, and goodwill associated with the Tapestry Marks. Aspiras Decl., ¶¶ 12, 13, 14. Should Defendants be permitted to continue their trade in counterfeit goods, Tapestry will suffer losses and damage to its reputation. *Id.* However, Defendants will suffer no legitimate hardship in the event a temporary restraining order is issued, because Defendants have no right to engage in their present activities. Defendants designed and operated their websites with full knowledge and a complete disregard of Tapestry’s rights.

4. The Injunction is in the Public Interest Because it Prevents Consumer Confusion

The public has an interest in not being misled as to the origin of trademarked products. *Nailtiques Cosmetic Corp. v. Salon Sciences, Corp.*, 1997 WL 244746, 5, 41 U.S.P.Q.2d 1995, 1999 (S.D. Fla. 1997) (“The interests of the public in not being victimized and misled are important considerations in determining the propriety of granting injunctive relief.”). Here, the sole purpose of the requested injunctive relief is to shut down websites causing consumer confusion as to the source or affiliation of Defendants websites and counterfeit products with those of Tapestry’s authentic products. An injunction is therefore in the public interest.

C. The Equitable Relief Sought is Appropriate

The Lanham Act authorizes courts to issue injunctive relief “according to principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark ...” 15 U.S.C. § 1116(a).

1. Defendants Should Be Enjoined From Using Tapestry’s Marks

Defendants should be immediately enjoined from using all Tapestry Marks, or any versions thereof, in their domain names and website content. *See Chanel, Inc. v. icheapgrandtrade.ru*, Case No. 17-cv-61179-BB (S.D. Fla. June 16, 2017) (Order Granting Ex Parte Application for Temporary Restraining Order in trademark infringement case); *see Tory Burch LLC v. P’ships & Unincorp. Ass’ns Identified on Schedule A*, No. 13-cv-2059, 2013 WL 1283824, at *9 (N.D. Ill. Mar. 27, 2013) (granting ex parte application for temporary restraining order including the transfer of domain names, freezing of defendants’ financial accounts, service by email and electronic publication, and expedited discovery). Such relief is necessary to stop the ongoing harm to Tapestry’s trademarks and goodwill and to prevent Defendants from continuing to benefit from the increased traffic to their illegal website operations created by their unlawful use of the Tapestry Marks.

2. Defendants Should be Prohibited From Transferring the Domain Names During the Pendency of this Action

To preserve the status quo, Tapestry seeks an order temporarily modifying control of and prohibiting Defendants from transferring the Subject Domain Names to other parties. Without this relief, Defendants can easily change ownership, modify content, and redirect website traffic to other domains. Such tactics frustrate discovery and prevent the Court from providing adequate relief. For these reasons, courts in this district regularly grant such relief. transfer domain names to the injured plaintiff. *See, e.g., Chanel, Inc. v. icheapgrandtrade.ru*, Case No. 17-cv-61179-BB (S.D. Fla. June 16, 2017) (prohibiting Defendant(s) from transferring domain names during pendency or until further Order of the Court); *Gucci America, Inc. v. aabagswear.com*, Case No. 17-cv-61147-BB (S.D. Fla. June 9, 2017) (same).

An interim order prohibiting Defendants from transferring the Subject Domain Names poses no burden on the Defendants, preserves the status quo, and ensures that this Court, after fully hearing the merits of this action, will be able to afford Tapestry full relief. Because the domain name registrars exercise effective control over whether domain names can be transferred, the Lanham Act explicitly provides for registrars to deposit domain name certificates with the court, thereby recognizing the court's control over use of the domain names. *See* 15 U.S.C. § 1114(2)(D); 15 U.S.C. § 1125(d)(2)(C); *see also Philip Morris USA, Inc. v. Otamedia Ltd.*, 331 F. Supp. 2d 228, 230 (S.D.N.Y. 2004) (affirming registrar's decision to deposit certificate with court where registrant used web site to make infringing sales). By this mechanism, the parties, and this Court, are assured that the ownership of the domain names will not change while the action is proceeding. Accordingly, Tapestry also seeks an order requiring the registrars for the Subject Domain Names to deposit domain certificates.

3. An Order Modifying Control, Redirecting, and Disabling the Subject Domain Names and De-Indexing Specific URLs is Appropriate

An interim order redirecting, transferring, disabling, or canceling the offending domain names and de-indexing the specific URLs displaying the counterfeit goods is the only means of affording a plaintiff interim relief that avoids irreparable harm. Accordingly, in order to disable and redirect the Subject Domain Names, Tapestry requests the Court enter an order requiring the registrars and the registries which maintain the Top Level Domain ("TLD") Zone files for the Subject Domain Names change the registrar of record for the Subject Domain Names to a holding account with a Registrar of Tapestry's choosing where they will be held in trust for the Court during the pendency of this action and set to automatically redirect to a website to be established by Tapestry.³ Upon such redirection, a copy of all of the pleadings, other documents and Court orders issued in this matter will be immediately visible to Defendants the moment they type any of their own domain names into their web browsers. The Subject Domain Names would remain in the legal ownership of Defendants, but they would no longer be able to display infringing and

³ Such relief regarding a change of registrars was granted by this Court in *Chanel, Inc. v. icheapgrandtrade.ru*, Case No. 17-cv-61179-BB (S.D. Fla. June 16, 2017); *Louis Vuitton Malletier, S.A. v. louis-vuittononlines.org*, Case No. 17-cv-61033-BB (S.D. Fla. May 31, 2017).

counterfeit website content at issue in this matter. Rather, they would serve as the single most effective means of notifying Defendants of the pendency of this action and the relief sought by Tapestry and affording them and any other interested parties with an opportunity to object.

Tapestry further seeks the Court's interim order include that, upon Tapestry's request, any Internet search engines or service provider referring or linking users to the specific URLs identified on Schedule "B" hereto, that are provided with notice of the injunction temporarily disable the references or links to, and/or de-index or delist the specific URLs identified on Schedule "B" used by Defendants to promote, offer for sale, and/or sell goods bearing counterfeits and/or infringements of the Tapestry Marks. The specific URLs are in use by Defendants to promote, advertise, offer for sale, and sell their counterfeit Tapestry branded goods via the Subject Domain Names. Thus, such relief is necessary to prevent the public from continuing to be defrauded by Defendants' illegal activities and avoids continuing irreparable harm to Tapestry.

4. Defendants' Assets Should be Frozen to Prevent Fraudulent Transfers

Defendants will empty their PayPal and other payment accounts upon receiving notice of this lawsuit. The remedies sought by Tapestry in this action, including statutory damages in excess of \$1 million, and fees/costs, will be ineffective if Defendants' assets are dissipated or become otherwise untraceable. For this reason, courts routinely grant preliminary injunctive relief freezing the assets of defendant domains. *Chanel, Inc. v. Sea Hero*, 235 F. Supp. 3d 1375, 1378 (S.D. Fla. 2016) (granting preliminary injunction against online sellers of counterfeit goods; restraining assets held by third parties on behalf of defendants; *see Lorillard Tobacco Co. v. Montrose Wholesale Candies & Sundries, Inc.*, 2005 WL 3115892, at*13 (N.D. Ill. Nov. 8, 2005) (ruling that courts have "the authority to enter an order freezing assets in cases where the plaintiff seeks an equitable remedy generally, and specifically in Lanham Act cases").

5. Tapestry Should Be Permitted to Conduct Expedited Discovery

The Court has discretion to permit early discovery in order to identify unknown defendants. See FED. R. CIV. P. 26(b)(2); *Gillespie v. Civiletti*, 629 F.2d 637, 642 (9th Cir. 1980). Defendants have hidden their identities behind fake names and addresses or privacy services. Defendants are able to maintain this anonymity by using third-party payment processors such as Visa, PayPal and Western Union.

Tapestry therefore respectfully requests that it be granted leave to conduct discovery into Defendants' identities and bank and payment system account information in order to enforce an order restraining their assets. This discovery is tailored to include only what is needed to prevent further irreparable harm and preserve the possibility of awarding complete relief. (See Proposed Order.) Such narrowly tailored discovery will not impose an undue burden on Defendants or third-party payment systems, the latter of which have routinely complied with discovery requests in similar cases.

Moreover, under Federal Rule of Civil Procedure 65(d)(2)(C), this Court has the power to bind any third party who is in active concert with the Defendants that is given notice of the order to provide expedited discovery in this action. FED. R. CIV. P. 65(d)(2)(C). Tapestry has worked with the same third parties in previous lawsuits and is not aware of any reason that Defendants or third parties cannot comply with these expedited discovery requests without undue burden. Further, many of these third parties have in fact complied with identical requests in previous similar cases. More importantly, as Defendants have engaged in many deceptive practices in hiding their identities and accounts, Tapestry's seizure and asset restraint in the Temporary Restraining Order may have little meaningful effect without the requested relief. Accordingly, Tapestry respectfully request that expedited discovery be granted.

D. A Bond Should Secure the Injunctive Relief

The Court may, in its discretion, require Plaintiffs to post a bond to secure preliminary injunctive relief. Fed. R. Civ. P. 65(c). Given the strong nature of Tapestry's evidence of counterfeiting and infringement, cybersquatting, and common law infringement, Tapestry respectfully requests this Court require it to post a bond of ten thousand dollars (\$10,000.00) in Defendants' favor.

IV. CONCLUSION

For the reasons discussed above, *ex parte* injunctive relief is needed to prevent further infringement of Tapestry's trademark rights, consumer confusion, and harm to Tapestry's goodwill; and to preserve the status quo. Plaintiffs Tapestry, Inc., Coach IP Holdings LLC, Stuart Weitzman IP, LLC and Kate Spade LLC respectfully request that the Court enter a temporary restraining order in the form submitted herewith and set a hearing regarding Tapestry's preliminary injunction before the expiration of the temporary restraining order.

Date: January 10, 2018

Respectfully submitted,

By: /s/ David B. Rosenberg
David B. Rosenberg, P.A. (0582239)
david@roseberglaw.com
ROSEMBERG LAW
18851 NE 29th Ave., Suite 1005
Aventura, Florida 33180
Telephone: 305.602.2008
Facsimile: 305.602.0225

*Counsel for Plaintiffs Tapestry, Inc.,
Coach IP Holdings LLC, Stuart Weitzman
IP, LLC and Kate Spade, LLC*

SCHEDULE "A"
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Domain Name
1	2012coachoutlets.com
2	Cheapcoachoutlet.net
2	Cheapercoacchoutlet.net
3	Classicbagonline.com
4	Classicbagsell.com
5	Classicbagsonlinesale.com
6	Coach--outlet-online.org
7	Coach-factoryoutlet-online.us.com
8	Coach-outlet-online.com
9	Coach-outlet.net
10	Coachbags-outlet2017.org
11	Coachbags2017.com
12	Coachbagsforcheap.com
12	Coachoutletonline2017.com
13	Coachbagsell.com
14	Coachbagsofficialsite.net
15	Coachbagsonclearance.com
15	Coachoutletonline2017.com
16	Coachbagusoutlet.com/
17	Coachbagxen.com/
18	Coachblacksales.com
19	Coachcoachtaiwan.com
20	Coachhandbagsshop.us.com/
21	Coachoutlet-inc.net
22	Coachoutlet-site.com
23	Coachoutletofficial.us.com
24	Coachoutletonline-factory.us.com
25	Coachbagsonsaleoutlet.com
25	Coachoutletonline2017.com/
26	Coachoutletonlinecoachfactoryoutlet.com
26	Coach-factoryoutletclearance.us.com/
27	Coachoutletonlinestoresinc.com
28	Coachoutletonlineshop.com
29	Coachoutlets.us.org
30	Coachoutletsale.net
30	Cheapercoachoutlet.net

31	Coachoutletsstore.net
32	Coachoutletstoress.us.com
33	Coachoverbags.com
34	Coachsaleus.com
35	Coachuscom.com
36	Craftsbagdiscounts.com
37	Craftsmanshipstore.com
38	Fashionbagsell.com
39	Hotbagsstore.com
40	Katespade-outlet.us.org
41	Katespadeous.com
42	Katespadeoutletstore.us.org
43	Katespadeoutletsus.com
44	Katespadeoutletuk.co.uk
45	Katespadesen.com
46	Katespadewen.com
47	Katespadexen.com
48	Katespadexus.com
49	Nystyleshop.com
50	Ofcoachoutlet.com
51	Online-coachbags.com
51	Cheapercoacchoutlet.net
52	Shangpin.com/women/brand/katespade
53	Shopcoach.us
54	Stuartweitzmanheels.com
55	Stuartweitzmanoutlet.store
56	Topclassicalshop.com
57	Topestcraft.com
58	Topsclassicalart.com
59	Vnhline.com
60	Zcoachoutlet.com

SCHEDULE "B"

C-1 Defendant Number 1 - 2012coachoutlets.com

http://www.2012coachoutlets.com/
http://www.2012coachoutlets.com/coach-women-s-reversible-satin-varsity-jacket-shell-multi.html?search=coach

C-2 Defendant Number 2 – cheapcoachoutlet.net

http://www.cheapcoachoutlet.net/
http://www.cheapercoachoutlet.net/
http://www.cheapercoachoutlet.net/coach-flowers-beige-purple-iphone-6-cases-fak-p-2403.html
http://www.cheapercoachoutlet.net/tote-bag-black-brwon-coach-p944.html
http://www.cheapercoachoutlet.net/coach-sunglasses-style001-p-770.html

C-3 Defendant Number 3- classicbagonline.com

http://www.classicbagonline.com
http://www.classicbagonline.com/coach-legacy-pinnacle-lowell-in-signature-large-khaki-satchels-adw-p-133.html#.WBH3U_mECqE
http://www.classicbagonline.com/coach-legacy-candance-carryall-medium-black-satchels-aam-p-123.html#.Wili1GepWUk

C-4 Defendant Number 4 - classicbagsell.com

http://www.classicbagsell.com
http://www.classicbagsell.com/coach-legacy-pinnacle-lowell-in-signature-large-khaki-satchels-adw-p-133.html#.WBH3U_mECqE
http://www.classicbagsell.com/coach-poppy-in-signature-medium-purple-totes-AEG-p-195.html

C-5 Defendant Number 5 - classicbagsonlinesale.com

http://www.classicbagsonlinesale.com
http://www.classicbagsonlinesale.com/Coach-Logo-Signature-Bracelets-CKV-p-191.html
http://www.classicbagsonlinesale.com/Coach-Gorgina-Black-Sunglasses-AMF-p-151.html
http://www.classicbagsonlinesale.com/Coach-Legacy-Accordian-Zip-In-Signature-Large-Pink-Wallets-EUW-p-9.html

http://www.classicbagsonlinesale.com/Coach-Poppy-In-Signature-Medium-Purple-totes-AED-p-195.html

C-6 Defendant Number 35 – *craftsbagdiscounts.com*

http://www.craftsbagdiscounts.com/

http://www.craftsbagdiscounts.com/coach-legacy-duffle-in-printed-signature-medium-grey-crossbody-bags-ACH-p-200.html

http://www.craftsbagdiscounts.com/coach-swagger-20-in-pebble-leather-p-498.html

C-7 Defendant Number 7- *coach-factory-outletonline.us.com*

http://www.coach-factoryoutlet-online.us.com/

http://www.coach-factoryoutlet-online.us.com/coach-sunglass-8020-p-434.htm

http://www.coach-factoryoutlet-online.us.com/coach-legacy-logo-in-monogram-large-black-totes-bqh-p-726.html

http://www.coach-factoryoutlet-online.us.com/coach-logo-monogram-multicolor-iphone-6-eyw-p-575.html

http://www.coach-factoryoutlet-online.us.com/coach-accordion-zip-in-gathered-twist-large-black-wallets-ccf-p-1413.html

C-8 Defendant Number 28 - *coachoutletsale.net*

http://www.coachoutletsale.net/

http://www.coachoutletsale.net/coach-logo-large-coffee-wallets-axz-p-1105.html

http://www.coachoutletsale.net/coach-logo-large-wallets-bct-p-1106.html

http://www.coachoutletsale.net/coach-sunglasses-c-76coach-sunglasses-8002-p-1755.html

C-9 Defendant Number 8 - *coach-outlet-online.com*

http://www.coach-outlet-online.com/

http://www.coach-outlet-online.com/newlist.php

http://www.coach-outlet-online.com/coach-outlet-coupons-texas-n-1236.html

http://www.coach-outlet-online.com/printable-coach-outlet-coupons-discounts-n-1123.html

C-10 Defendant Number 46- coach-outlet-online.org

http://www.coach-outlet-online.org
http://www.coachoutlet-inc.net/

C-11 Defendant Number 9 – coach-outlet.net

http://www.coach-outlet.net/
http://www.coach-outlet.net/Coach-Turnlock-Large-Silver-Hobo-BAE-Style-NO.-158380-p-1291.html
http://www.coach-outlet.net/Coach-Big-Logo-Red-Samsung-Note-3-Cases-DRP-Style-No.-157163-p-137.html
http://www.coach-outlet.net/Coach-Daylan-Red-Sunglasses-DLU-Style-No.-157276-p-420.html

C-12 Defendant Number 10 – coachbags-outlet2017.org

http://www.coachbags-outlet2017.org/
http://www.coachbags-outlet2017.org/coach-logo-c-small-organge-crossbody-bags-eqb-p-171.html?zenid=4elirmg6fnudb5es1aacn3vt493
http://www.coachbags-outlet2017.org/coach-legacy-in-signature-large-khaki-satchels-accpink-wallets-euw-p-127.html?zenid=ntk1tq2q71i75g5armou5n1g2

C-13 Defendant Number 11 - coachbags2017.com

http://www.coachbags2017.com
http://www.coachbags2017.com/Authentic-Outlet-Online-1735_p
http://www.coachbags2017.com/Authentic-Outlet-Online-1677_p
http://www.coachbags2017.com/Authentic-Outlet-Online-2471_p
http://www.coachbags2017.com/Authentic-Outlet-Online-2928_p

C-14 Defendant Number 13 – coachbagsell.com

<http://www.coachbagsell.com/>

C-15 Defendant Number 14 – coachbagsofficialsite.net

http://www.coachbagsofficialsite.net/
http://www.coachbagsofficialsite.net/coach-classic-in-signature-medium-black-backpacks-eja-p-5.html

<http://www.coachbagsofficialsite.net/coach-in-monogram-large-khaki-business-bags-dhh-p-16.html>

<http://www.coachbagsofficialsite.net/coach-shoulder-bags-outlet-197-p-213.html>

C-16 Defendant Number 15 - coachbagsonclearance.com/

<http://www.coachbagsonclearance.com/>

<http://www.coachoutletonline2017.com>

C-17 Defendant Number 16 - coachbagusoutlet.com

<http://www.coachbagusoutlet.com/>

<http://www.coachbagusoutlet.com/coach-legacy-candance-in-signature-medium-black-satchels-asn-p-1176.html?zenid=8r70t4rt960ma6rsvgq8nal6q7>

<http://www.coachbagusoutlet.com/coach-poppy-candance-carryall-large-beige-satchels-abh-p-2433.html>

C-18 Defendant Number 17- coachbagxen.com

<http://www.coachbagxen.com/>

<http://www.coachbagxen.com/rogue-bag-25-in-glovetanned-pebble-leather-style-no-54536-p-194.html>

<http://www.coachbagxen.com/accordion-signature-zip-wallet-yellow-p-70.html>

C - 19 Defendant Number 18 - coachblacksales.com

<http://www.coachblacksales.com/>

<http://www.coachblacksales.com/coach-outlet-logo-monogram-khaki-heels-cnx-p-167.html>

<http://www.coachblacksales.com/coach-outlet-big-logo-black-white-ipod-touch-5th-cab-p-3044.html>

<http://www.coachblacksales.com/coach-outlet-charm-hang-tag-black-necklaces-czk-p-3289.html>

<http://www.coachblacksales.com/coach-outlet-annette-red-sunglasses-dat-p-3456.html>

C-20 Defendant Number 19 - coachcoachtaiwan.com

<http://www.coachcoachtaiwan.com/>

<http://www.coachcoachtaiwan.com/new-arrival-2017-c-18.html>

<http://www.coachcoachtaiwan.com/coach-bownot-black-bracelets-ako-p-2.html>

<http://www.coachcoachtaiwan.com/coach-fashion-signature-medium-coffee-shoulder-bag-erg-p-131.html>

<http://www.coachcoachtaiwan.com/coach-legacy-in-signature-large-pink-wallets-bvu-p-128.html>

C-21 Defendant Number 20 - coachhandbagsshop.us.com

<http://www.coachhandbagsshop.us.com/>

<http://www.coachhandbagsshop.us.com/coach-madison-signs-large-apricot-totes-fem-p-2621.html>

<http://www.coachhandbagsshop.us.com/coach-alegra-khaki-sneakers-cok-p-1075.html>

<http://www.coachhandbagsshop.us.com/coach-angeline-brown-sunglasses-bht-p-1720.html>

<http://www.coachhandbagsshop.us.com/coach-julia-logo-medium-grey-totes-fep-2624.html>

<http://www.coachhandbagsshop.us.com/coach-bowknot-logo-black-bracelets-akm-p-2410.html>

<http://www.coachhandbagsshop.us.com/coach-big-logo-black-white-samsung-note-3-cases-drm-p-672.html>

C-22 Defendant Number 21 - coachoutlet-inc.net

<http://www.coachoutlet-inc.net/>

<http://www.coachoutlet-inc.net/coach-only-125-value-spree-23-ddj-p-1094.html>

<http://www.coachoutlet-inc.net/coach-only-185-value-spree-3-efa-p-1102.html>

<http://www.coachoutlet-inc.net/coach-only-185-value-spree-10-efh-p-1109.html>

C-23 Defendant Number 22 - coachoutlet-site.com

<http://www.coachoutlet-site.com/> redirects to

<http://www.coachoutletonlineshopping.us.org/>

<http://www.coachoutletonlineshopping.us.org/coahc-handbags-063-p-2422.html>

<http://www.coachoutletonlineshopping.us.org/coahc-handbags-070-p-2415.html>

C-24 Defendant Number 23- Coachoutletofficial.us.com

<http://www.coachoutletofficial.us.com/>

C-25 Defendant Number 24 - coachoutletonline-factory.us.com

<http://www.coachoutletonline-factory.us.com/>

http://www.coachoutletonline-factory.us.com/sunglasses-2017-c-24/coach-sunglasses-8002-p-169.html
http://www.coachoutletonline-factory.us.com/cases-c-28_30/coach-logo-monogram-multicolor-iphone-5-5s-cases-aug-p-369.html
http://www.coachoutletonline-factory.us.com/jewelry-c-28_29/coach-circle-charm-gold-necklaces-czd-p-269.html
http://www.coachoutletonline-factory.us.com/poppy-c-66_67/coach-big-c-signature-large-yellow-satchels-emx-p-970.html
http://www.coachoutletonline-factory.us.com/coach-bleeker-pinnacle-riley-logo-medium-coffee-satchels-etv-p-1179.html

C-26 Defendant Number 23 - coachoutletonline2017.com

http://www.coachoutletonline2017.com/
http://www.coachoutletonline2017.com/coach-black-gray-poppy-bag-p-538.html
http://www.coachoutletonline2017.com/2016-best-sallers-style05-p-1391.html
http://www.coachoutletonline2017.com/gray-brown-caoch-handbag-p-393.html
http://www.coachoutletonline2017.com/2016-best-sallers-style40-p-1426.html
http://www.coachoutletonline2017.com/2016-best-sallers-style02-p-1388.html
http://www.coachoutletonline2017.com/coach-big-logo-red-iphone-6-cases-ezr-p-1643.html

C-27 Defendant Number 31 - coachoutletsale.net/

Http://www.coachoutletsale.net
http://www.cheapercoachoutlet.net

C-28 Defendant Number 12 - Coachbagsforcheap.com

http://www.coachbagsforcheap.com
http://www.coachoutletonline2017.com/

C-29 Defendant Number 25 - Coachbagsonsaleoutlet.com

http://www.coachbagsonsaleoutlet.com
http://www.coachoutletonline2017.com/

C-30 Defendant Number 26 - Coachoutletonlinecoachfactoryoutlet.com

http://www.coachoutletonlinecoachfactoryoutlet.com

http://www.coach-factoryoutletclearance.us.com/
http://www.coach-factoryoutletclearance.us.com/coach-sunglasses-8024-p-1671.html
http://www.coach-factoryoutletclearance.us.com/coach-convertible-hippie-signature-medium-brown-crossbody-bags-ayy-p-1389.html

C-31 Defendant Number 27 - Coachoutletonlineestoresinc.com

http://www.coachoutletonlineestoresinc.com/
http://www.coachoutletonlineestoresinc.com/coach-julia-logo-medium-grey-totes-outlet-176.html?zenid=6gi4mpu65isgn6p85kmsu0gt41
http://www.coachoutletonlineestoresinc.com/caoch-outlet-store-sunglasses-outlet-135.html?zenid=6gi4mpu65isgn6p85kmsu0gt41
http://www.coachoutletonlineestoresinc.com/coach-kristin-lock-in-signature-large-brown-wallets-outlet-326.html?zenid=6gi4mpu65isgn6p85kmsu0gt41
http://www.coachoutletonlineestoresinc.com/coach-legacy-accordion-zip-large-coffee-wallets-outlet-94.html?zenid=6gi4mpu65isgn6p85kmsu0gt41
http://www.coachoutletonlineestoresinc.com/coach-in-confetti-signature-mulyicolor-iphone-6cases-outlet-298.html

C-32 Defendant Number 28 - Coachoutletonlineshop.com

http://www.coachoutletonlineshop.com/
http://www.coachoutletonlineshop.com/coach-dinky-in-exotic-coach-link-leather-86855-light-antique-nickel-black-pink-p-1333.html?zenid=tkd5jtoj7jpoav5vhojaulvb75

C-33 Defendant Number 29 - Coachoutlets.us.org

http://www.coachoutlets.us.org/
http://www.coachoutlets.us.org/coach-outlet-diamond-circle-stud-silver-earrings-akb-p-1323.html

C-34 Defendant Number 31 - Coachoutletsstore.net

http://www.coachoutletsstore.net/
http://www.coachoutletsstore.net/coach-logo-large-coffee-wallets-axz-p-1105.html
http://www.coachoutletsstore.net/coach-logo-red-wallets-axz-p-1106.html
http://www.coachoutletsstore.net/coach-sunglasses-c-76/coachsunglasses-8002-p-1755.html

C-35 Defendant Number 32 - Coachoutletstoress.us.com

http://www.coachoutletstoress.us.com/

http://www.coachoutletstore.us.com/coach-only-109-value-spree-21-20269-p-25.html#.WiiEOWepWuk
http://www.coachoutletstore.us.com/coach-only-109-value-spree-8-20241-p-12.html#.WiiEWmepWUk
http://www.coachoutletstore.us.com/coach-logo-oblong-black-scarf-22421-p-2367.html#.WiiE3mepWUk
http://www.coachoutletstore.us.com/coach-logo-oblong-purple-scarf-22405-p-2361.html#.WiiE-mepWUk
http://www.coachoutletstore.us.com/coach-alena-khaki-flats-22301-p-2519.html#.WiiFZ2epWUk
http://www.coachoutletstore.us.com/coach-big-logo-black-iphone-6-cases-21813-p-290.html#.WiiFhWepWUk
http://www.coachoutletstore.us.com/coach-bowknot-logo-black-bracelets-22619-p-1051.html#.WiiFnepWUk
http://www.coachoutletstore.us.com/coach-charm-hang-tag-black-necklaces-22123-p-990.html#.WiiFv2epWUk

C-35 Defendant Number 33 - Coachoverbags.com

<http://www.coachoverbags.com/>

C-36 Defendant Number 34- Coachsaleus.com

http://www.coachsaleus.com/
Http://www.coachsaleus.com/pebbled-leather-crossbody-bag-black-p-209.html
Http://www.coachsaleus.com/accordion-wallet-in-signature-canvas-p-28.html

C-37 Defendant Number 35 - Coachuscom.com

http://www.coachuscom.com/
http://www.coachuscom.com/madison-c-7_8/coach-accordion-zip-in-croc-embossed-large-red-wallets-cclp-22.html
http://www.coachuscom.com/new-arrivals-c-6/coach-swagger-27in-pebble-leather-in-cheap-price-p-3813.html

C-38 Defendant Number 36 - craftbagdiscounts.com

http://www.craftbagdiscounts.com/
http://www.craftbagdiscounts.com/coach-legacy-duffle-in-printed-signature-medium-grey-crossbody-bags-ACH-p-200.html

<http://www.craftsbagdiscounts.com/craftsbagdiscounts.com/coach-swagger-20-in-pebble-leather-p-498.html>

C-39 Defendant Number 37 - Craftsmanshipstore.com

<http://www.craftsmanshipstore.com/>

<http://www.craftsmanshipstore.com/rogue-bag-in-colorblock-python-p-157.html>

<http://www.craftsmanshipstore.com/combination-meals-style-no-36370style-no-53602-p-44.html>

<http://www.craftsmanshipstore.com/shoulder-bags-c-7.html>

<http://www.craftsmanshipstore.com/edie-shoulder-bag-28-insignature-jacquard-p-95.html>

C-40 Defendant Number 38 - Fashionbagsell.com

<http://www.fashionbagsell.com/>

C-41 Defendant Number 39 - Hotbagsstore.com

[http://www.hotbagsstore.com /](http://www.hotbagsstore.com/)

<http://www.hotbagsstore.com/coach-braided-in-signature-large-black-totes-bfq-p-188.html?zenid=ea9rp6nicn3pk984ra3pkdtf14>

<http://www.hotbagsstore.com/coach-poppy-bowknot-signature-medium-coffee-totes-ana-p-191.html?zenid=ea9rp6nicn3pk984ra3pkdtf14>

<http://www.hotbagsstore.com/coach-legacy-logo-signature-large-black-wallets-brw-p-44.html>

C-42 Defendant Number 40 - Katespade-outlet.us.org

[http://www.katespade-outlet.us.org /](http://www.katespade-outlet.us.org/)

<http://www.katespade-outlet.us.org/kate-spade-lacey-gold-coast-quilted-leather-clutch-wallet-cream-p-167.html>

C-43 Defendant Number 41 - Katespadeous.com

<http://www.katespadeous.com/>

<http://www.katespadeous.com/kate-spade-make-it-mine-candance-p-153.html?zenid=hl2srb2bbfud2v991717t8n636>

<http://www.katespadeous.com/brooks-drive-stacy-p-198.html>

C-44 Defendant Number 42 - Katespadeoutletstore.us.org

<http://www.katespadeoutletstore.us.org/>

<http://www.katespadeoutletstore.us.org/kate-spade-2-park-avenue-small-beau-bag-cream-french-black-p-142.html>

http://www.katespadeoutletstore.us.org/kate-spade-bow-terrace-darla-wallet-cream-p-219.html
http://www.katespadeoutletstore.us.org/kate-spade-new-york-satchel-grove-court-maise-whiteblack-p-107.html

C-45 Defendant Number 43 - Katespadeoutletstore.us.com

http://www.katespadeoutletsus.com/
http://www.katespadeoutletsus.com/medina-heels-s82601002s-pink-champagne-p-744.html?zenid=snhs9g9ofj1qs9neh6uc4j17n2
http://www.katespadeoutletsus.com/state-of-mind-pendant-wbruc252-mi-p-375.html
http://www.katespadeoutletsus.com/cameron-street-little-babe-pxru7445-punch-p-1208.html
http://www.katespadeoutletsus.com/cocktail-iphone-7-case-wiru0554-multi-p-412.1208.html

C-46 Defendant Number 44 - Katespadeoutletuk.co.uk

http://www.katespadeoutletuk.co.uk/
http://www.katespadeoutletuk.co.uk/Kate-Spade-Shoulder-Bags-Outlet-UK/Kate-Spade-New-York-Cobble-Hill-Tenley-Crossby-Leather-bag-Red-Outlet-UK.html
http://www.katespadeoutletuk.co.uk/Kate-Spade-New-York-Wellesley-Neda-Zip-Around-Wallet-Black-Outlet-UK.html

C-47 Defendant Number 45 - Katespadesen.com

http://www.katespadesen.com
http://www.katespadesen.com/kate-spade-cameron-street-lottie-p-84.html?zenid=a6rjt9bi482pcckhf2nusqmj0
http://www.katespadesen.com/kate-spade-new-york-wellesley-neda-zip-around-wallet-deeppink-p-14.html

C-48 Defendant Number 46 - Katespadewen.com

http://www.katespadewen.com/
http://www.katespadewen.com/kate-spadelogan-street-large-elosia-p-160.html?zenid=8te0o01no8hruccegfmmnb50v37
http://www.katespadewen.com//kate-spade-new-york-wellesley-neda-zip-around-wallet-deeppink-p-14.html

C-49 Defendant Number 47 - Katespadexen.com

http://www.katespadexen.com/
http://www.katespadexen.com/kate-spade-new-york-wellesley-neda-zip-around-wallet-black-p-11.html?zeid=6ivss0m1ajht6tj1hh2vanhmm0
http://www.katespadexen.com/kate-spade-carter-street-shawna-p-143.html

C-50 Defendant Number 48 - Katespadexus.com

http://www.katespadexus.com/
http://www.katespadexus.com/kate-spade-cameron-street-shreya-p-80.html?zenid=cgbje0v4k4soc4jdanj77uqqj1
http://www.katespadexus.com/kate-spade-new-york-wellesley-neda-zip-around-wallet-deeppink-p-14.html

C-50 Defendant Number 49 - Nystyleshop.com

http://www.nystyleshop.com/
http://www.nystyleshop.com/coach-swagger-27-In-Pebble-Leather-p-77.html?zenid=4n877io0eb3iftnv7b2l3n9h4

C-51 Defendant Number 50 - ofcoachoutlet.com

http://www.ofcoachoutlet.com/
http://www.ofcoachoutlet.com/coach-logo-monogram-lz510-hobobag-in-grey.html
http://ofcouachoutlet.com/coach-logo-monogram-lz1704-flap-wallet-in-wallet-in-red-.html

C-52 Defendant Number 51 - online-coachbags.com

http://www.online-coachbags.com/
https://www.cheapercoachoutlet.net

C-53 Defendant Number 52 - Shangpin.com/women/brand/katespade

http://www.shangpin.com/women/brand/katespade
http://www.shangpin.com.hk/women/product/30822874
http://www.shangpin.com/women/product/30783758

C-54 Defendant Number 53 - Shopcoach.us

https://www.shopcoach.us/
https://www.shopcoach.us/coach-satchels/coach-1941-rouge-bag-in-glovetanned-pebble-leather-sky-blue.html

C-55 Defendant Number 54 - Stuartweitzmanheels.com

http://www.stuartweitzmanheels.com/
http://www.stuartweitzmanheels.com/stuart-weitzman-5050-stretch-leather-boot-nigeria-nappa-women-p-11.html?zenid=scto6a728gdb3q1kvc2dsqokm1
http://www.stuartweitzmanoutlet.store/

C-56 Defendant Number 55 - Stuartweitzmanoutlet.store

http://www.stuartweitzmanoutlet.store/
http://www.stuartweitzmanoutlet.store/staurt-weitzman-the-5050-boot-blck-nappa_p44.html

C-56 Defendant Number 56 - Topclassicalshop.com

http://www.topclassicalshop.com/
http://www.topclassicalshop.com/coach-legacy-accordion-zip-in-signature-large-pink-wallets-euw-p-255.html
http://www.topclassicalshop.com/coach-poppy-c-signature-large-black-satchels-ekg-p-330.html
http://www.topclassicalshop.com/coach-legacy-pinnacle-lowell-in-signature-large-khaki-satchels-adw-p-286.html

C-57 Defendant Number 57 - Topestcraft.com

http://www.topestcraft.com
http://www.topestcraft.com/coach-legacy-in-signature-large-grey-satchels-acbgrey-totes-ancgrey-wallets-ayagrey-wallets-blk-p-82.html
http://www.topestcraft.com/coach-bowknot-logo-black-bracelets-ako-p-33.html
http://www.topestcraft.com/coach-gorgina-black-sunglasses-amf-p-270.html
http://www.topestcraft.com/coach-iphone-66-plus-best-wallet-cases-002-p-258.html
http://www.topestcraft.com/coach-iphone-66-plus-best-wallet-cases-003-p-257.html

C-58 Defendant Number 58 - Topclassicalart.com

http://www.topsclassicalart.com/
http://www.topsclassicalart.com/coach-poppy-bowknot-signature-medium-khaki-totes-amz-p-329.html
http://www.topsclassicalart.com/coach-legacy-accordion-zip-signature-large-pink-wallets-euw-p-255.html

C-59 Defendant Number 59 - Vnhline.com

<http://www.vnhline.com/>

<http://www.vnhline.com/online/kate-spade-knollwood-drive-large-celestina-in-black/>

C-60 Defendant Number 60 - Zcoachoutlet.com/coach-outlet-online

<http://www.zcoachoutlet.com/coach-outlet-online/>