

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

PADDINGTON & COMPANY LTD.,

Plaintiff,

v.

THE PARTNERSHIPS and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A”,

Defendants.

Case No. 25-cv-03773

COMPLAINT

Plaintiff Paddington & Company Ltd. (“Paddington” or “Plaintiff”) hereby brings the present action against the Partnerships and Unincorporated Associations Identified on Schedule A attached hereto (collectively, “Defendants”) and alleges as follows:

I. JURISDICTION AND VENUE

1. This Court has original subject matter jurisdiction over Plaintiff’s claims pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051, *et seq.*, 28 U.S.C. § 1338(a)-(b) and 28 U.S.C. § 1331.

2. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendants because Defendants structure their business activities to target consumers in the United States, including Illinois, through at least the fully interactive e-commerce stores operating under the aliases identified on Schedule A attached hereto (the “Seller Aliases”). Specifically, Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and, on information and belief,

sell products using infringing and counterfeit versions of Plaintiff's federally registered trademarks (collectively, the "Unauthorized Products") to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the state of Illinois.

II. INTRODUCTION

3. Plaintiff filed this case to prevent e-commerce store operators who trade upon Plaintiff's reputation and goodwill from further selling and/or offering for sale Unauthorized Products. Defendants create e-commerce stores under one or more Seller Aliases and then advertise, offer for sale, and/or sell Unauthorized Products to unknowing consumers. E-commerce stores operating under the Seller Aliases share identifiers, such as design elements and similarities of the Unauthorized Products offered for sale, establishing that a logical relationship exists between them, and that Defendants' counterfeiting operation arises out of the same transaction, occurrence, or series of transactions or occurrences. Defendants take advantage of a set of circumstances, including the anonymity and mass reach afforded by the Internet and the cover afforded by international borders, to violate Plaintiff's intellectual property rights with impunity. Defendants attempt to avoid liability by operating under one or more Seller Aliases to conceal their identities, locations, and the full scope and interworking of their counterfeiting operation. Plaintiff is forced to file this action to combat Defendants' counterfeiting of its registered trademarks, as well as to protect consumers from purchasing Unauthorized Products over the Internet. Plaintiff has been, and continues to be, irreparably damaged through consumer confusion and dilution of its valuable trademarks because of Defendants' actions and therefore seeks injunctive and monetary relief.

III. THE PARTIES

4. Plaintiff, Paddington & Company Ltd., is a British publishing company having its principal place of business in London, United Kingdom. Paddington & Company Ltd. is the owner of the trademark rights asserted herein, which relate to the famous Paddington Bear franchise.

5. The Paddington Bear franchise began in 1958 when Michael Bond published the children's book *A Bear Called Paddington*. The Paddington Bear franchise is based on a lovable young bear, Paddington, who travels from the jungles of Peru to London in search of a new home. Paddington is subsequently discovered by the Brown family on a railway platform in London, with a sign around his neck saying "Please look after this bear. Thank you", resulting in the Brown family taking in Paddington. After the first book, Michael Bond went on to write a whole series of books documenting Paddington's adventures and mishaps in England and, by 1965, his books were so successful that he was able to quit his job. Michael Bond's *Paddington* books have sold more than thirty-five million copies worldwide and have been translated into over forty languages.

6. Paddington transitioned from books to television screens in the mid-1970s in the form of a puppet animated series that aired on BBC. In 1979, a second series of 26 episodes were screened and they were awarded a silver medal at the New York Film and Television festival, becoming the first British animated series to ever win a major award. The launch of Paddington onto television screens in the mid-seventies also coincided with the arrival of Paddington Bear merchandise. Ever since, Paddington has become recognizable across the world.

7. A twenty-nine-foot-tall Paddington float made its first of several appearances in the Macy's Thanksgiving Day Parade in 1990, with 60 million homes watching. In 2014, Paddington launched a new clothing line available around the world with babyGap. Additionally, in 2014, the first full-length *Paddington* film was released, garnering BAFTA nominations, as well as

accolades from the Writers Guild of Great Britain and the Empire Awards in the UK. *Paddington 2* was released in 2017 to similar acclaim. In February, 2025, *Paddington in Peru* was released in movie theatres across the globe. From humble beginnings, the Paddington Bear franchise has evolved to include television series, award-winning films, games, stuffed animals and other merchandise, theme parks, and much more.

8. Plaintiff and its licensees market and sell a variety of Paddington branded products, including books, apparel such as t-shirts and sweatshirts, plush toys, puzzles, blankets, posters, home goods, bags, and other merchandise bearing Plaintiff's Paddington trademarks (collectively, "Paddington Products"). Paddington Products have become enormously popular and even iconic, driven by Plaintiff's quality standards and innovative designs. Among the purchasing public, Paddington Products are instantly recognizable as such. Paddington Products are distributed and sold to consumers by Plaintiff and its licensees, in toy and gift shops, and online at store.paddington.com.

9. Plaintiff has used the PADDINGTON trademark, and other trademarks, for many years and has continuously sold products under its trademarks (collectively, the "Paddington Trademarks"). As a result of this long-standing use, strong common law trademark rights have amassed in the Paddington Trademarks. Plaintiff's use of the Paddington Trademarks has also built substantial goodwill in the Paddington Trademarks. The Paddington Trademarks are famous marks and valuable assets of Plaintiff. Paddington Products also typically include at least one of the Paddington Trademarks.

10. The Paddington Trademarks are registered with the United States Patent and Trademark Office and are included below.

Registration Number	Trademark	Registration Date	Goods and Services
2,997,536	PADDINGTON BEAR	Sep. 20, 2005	For: Pre-recorded CD's featuring stories and music in class 009.
4,420,579	PADDINGTON BEAR	Oct. 22, 2013	For: Motion picture films featuring children's entertainment and animation; animated motion picture films and film series prepared for television and cinema featuring children's entertainment and animations; video and data recordings and carriers, namely, video tapes and DVDs featuring children's entertainment and animation; pre-recorded films incorporated into discs, DVDs, CDs, laser disks, video tapes and cassettes featuring children's entertainment and animation; video recordings and sound recordings featuring children's entertainment, comedy, drama and/or animation in electronic form downloadable from the Internet; downloadable publications in electronic form in the nature of books in the field of children's entertainment, comedy, drama and animations supplied on-line from

		<p>computer databases, from the Internet or any other communications network; interactive video game programmes, computer game programmes, computer programmes for video and computer games; interactive multimedia software and associated electronic publications in the nature of books in the field of children's entertainment, comedy, drama and animation motion picture films recorded in computer media; downloadable audio and video recordings and files featuring music, comedy, drama, action/adventure and/or animation; computer programmes, namely, computer game software; in class 009.</p> <p>For: Entertainment services in the nature of on-going live action, comedy, drama and/or animated television programmes; presentations of theatrical performances by visual and audio performance of actors and musicians by live action and through animated films; production, preparation, presentation, distribution and rental of television and radio programmes and animated motion picture films; providing a website featuring</p>
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			<p>non-downloadable presentations of videos featuring children's entertainment, comedy, drama and animated motion picture films; rental of motion picture and animated films, videos, DVDs, sound and visual records; education and entertainment services provided via the Internet or other computer or communications networks including wireless, cable or satellite, namely, children's entertainment in the nature of online video games and puzzles, online interactive children's stories, continuing children's programs; information relating to education and entertainment provided online from a computer data base or the Internet, namely, information in the fields of education and entertainment for children; electronic games services provided via a global computer network, namely, providing online electronic games; providing interactive multi-player computer games on-line via the Internet and electronic communications networks; in class 041.</p>
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2,659,785	PADDINGTON	Dec. 10, 2002	For: Children's books, knitting, embroidery and clothing design patterns in class 016.
4,428,149	PADDINGTON	Nov. 05, 2013	For: Calendars; diaries; notebooks; travel journals; stationery sets that also include graduated rulers sold as a set; erasers, pencil sharpeners, pencils, pens and graduated rulers sold as a set; children's activity books; book marks; paper coasters; coloring books; sticker books; coated cardboard coasters; and decorative posters in class 016.
4,948,551	PADDINGTON	May 03, 2016	For: Motion picture films featuring children's entertainment and animation; cinematographic films featuring children's entertainment and animation; animated films featuring children's entertainment and animation; cinematographic films prepared for exhibition featuring children's entertainment and animation; motion picture films featuring children's entertainment and animation and downloadable programmes prepared for television featuring children's entertainment and animation; films and programmes prepared for

			<p>cinema featuring children's entertainment and animation; video disks and video tapes with recorded animated cartoons; video and data recordings and carriers, including video tapes and DVDs, featuring children's entertainment and animation; downloadable video and audio content featuring children's entertainment and animation, images in the field of children's entertainment and animation, graphics in the field of children's entertainment and animation, and music provided by a telecommunications network, by on-line delivery and by way of the Internet or other computer or communications networks; pre-recorded films featuring children's entertainment and animation incorporated into discs, DVDs, CDs, laser discs, video tapes and cassettes; apparatus for the storage, reproduction, transmission or projection of sound and/or images, namely, blank digital storage media, multimedia projectors, televisions, mobile telephones, smart phones, computers, mp3</p>
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		<p>players, portable electronic book readers; video recordings and sound recordings featuring children's entertainment, comedy, drama and/or animation in electronic form downloadable from the Internet; downloadable image files in the field of children's entertainment and animation; downloadable publications in electronic form, namely, books, magazines, journals and newsletters about children's entertainment, comedy, drama and/or animation supplied on-line from computer databases, from the Internet or any other communications network; electronic and computerised video game software; video games software; interactive software for watching, downloading, and streaming audio and video entertainment and associated computer hardware featuring entertainment; electronic publications recorded on computer media, namely, books, magazines, journals and newsletters about children's entertainment, comedy, drama and/or animation; downloadable electronic publications, namely, books,</p>
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			<p>magazines, journals and newsletters about children's entertainment, comedy, drama and/or animation; downloadable audio and video recordings and files featuring music, comedy, drama, action, adventure and/or animation; computer programs being downloadable software for watching, downloading, streaming audio and video entertainment; downloadable ring tones in class 009.</p> <p>For: Leather and imitations of leather; leather boxes; trunks and travelling bags; luggage; suitcases; rucksacks; school bags; tote bags in class 018.</p> <p>For: Clothing, namely, t-shirts; sleepwear; pyjamas; scarves; costumes, namely, fancy dress costumes in the nature of costumes for children's entertainment; masquerade costumes; costumes for use in role-playing games; costumes for use in children's dress up play in class 025.</p> <p>For: Plush toys; fabric toys in the nature of stuffed toys; children's multiple activity toys; children's educational toys for developing fine motor, cognitive, oral</p>
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		<p>language, numbers, counting skills, colors and alphabet skills, educational toys for teaching math principles to children, namely, manipulative blocks for displaying patterns and groupings; puzzles; jigsaw puzzles; manipulative games in class 028.</p> <p>For: Advertising; business management; business administration; office functions; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring motion picture films, cinematographic films, animated films, films prepared for exhibition, films and programmes prepared for television, films and programmes prepared for cinema, animated cartoons; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring video and data recordings and carriers, including video tapes and DVDs, video and audio content, images, graphics and music provided by a telecommunications</p>
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		<p>network, by on-line delivery and by way of the Internet or other computer or communications networks, wired and wireless networks for use in downloading to wireless and hand held devices and mobile telephones; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring pre-recorded films incorporated into discs, DVDs, CDs, laser discs, video tapes and cassettes, apparatus for the storage, reproduction, transmission or projection of sound and/or images, video recordings and sound recordings in electronic form downloadable from the Internet, downloadable image files; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring publications in electronic form, supplied on-line from computer databases, from the Internet or any other communications network, electronic and computerised video games, video games</p>
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		<p>software, interactive software and associated hardware featuring entertainment, electronic publications recorded on computer media, downloadable electronic publications; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring downloadable audio and video recordings and files featuring music, comedy, drama, action, adventure and/or animation, computer programs downloadable software, downloadable ringtones; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring books, magazines and comics, children's books, colouring books, children's activity books, pop-up books, activity books, printed publications, magazines journals, periodicals, comics, writing paper, printed matter, book bindings, stationery, pens, pencils, coloured pencils, erasers, rulers, pencil sharpeners, markers and</p>
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		<p>crayons, chalk and chalkboards, pencil cases, pencil holders; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring pictures, photographs and prints, adhesives for stationery or household purposes, artists' materials, paint brushes, printing stamps and ink pads, painting sets for children, arts, crafts and modelling equipment, modeling clay, modeling materials for use by children, memo and notice boards, instructional and teaching materials, decalcomanias and stickers, heat transfers; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring book ends, paper weights, height charts, writing materials, bookplates, typewriters, office requisites, printers' type, printing blocks, book covers, booklets, envelopes, notebooks, albums, almanacs, autograph books, address books, calendars, diaries, personal organisers,</p>
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			<p>greetings cards, postcards, blank cards, Christmas cards, gift cards, book marks, labels, note cards; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring trading cards, flash cards, trivia cards, lithographs, posters, wrapping paper, gift tags, paper gift bags, table cloths of paper, table mats of paper, cardboard and card, paper coasters, table napkins of paper, tissues, paper towels, tissue paper, toilet paper, paper party decorations, party stationery, party paper bags, paper coasters, paper doilies, crepe paper, crepe paper streamers; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring banners of paper, invitations, printed tickets, paper cake decorations, maps, charts, papier mâché, papier mâché statuettes, paper flags, packaging materials, bags made of paper for packaging, bags made of plastics for</p>
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		<p>packaging, bottle wrappers of cardboard or paper, packaging cartons of cardboard, plastic materials for packaging; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring printed patterns, printed patterns for costumes, pyjamas, sweatshirts and t-shirts, embroidery design patterns, knitting, embroidery and clothing patterns, leather and imitations of leather, animal skins, hides, leather boxes, leather covers, trunks and travelling bags, luggage, suitcases, rucksacks, school bags, duffle bags, holdalls, tote bags, beach bags, handbags; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring purses, wallets, umbrellas and parasols, walking sticks, harness and saddlery, household or kitchen utensils and containers, plates, cups, saucers, mugs, jugs, pots, dishes, bowls, glasses, drinking vessels and barware, napkin rings,</p>
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		<p>coasters being tableware, paper plates, rubber gloves for domestic use, plastic egg holders for domestic use, laundry hampers for domestic or household use; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring trays for domestic use, waste bins for household use, soap boxes, picnic boxes, lunch boxes, bread boxes, bottles, cosmetic utensils, toilet utensils, combs and sponges, brushes except paintbrushes, brush-making materials, articles for cleaning purposes, unworked or semi-worked glass except glass used in building, glassware, porcelain and earthenware not included in other classes; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring statues, figurines, plaques and works of art, made of materials such as porcelain, terra-cotta or glass, included in the class, ceramic ornaments, glassware not included in</p>
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			<p>other classes, chinaware, money boxes, baby bathtubs, clothing, t-shirts, sweatshirts, sweaters, dresses, skirts, blouses, knitwear, dungarees, jogging suits, trousers, jeans, pants, shorts, tank tops; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring coats, jackets, anoraks, rainwear, raincoats, rainproof jackets, snow suits, sleepwear, pyjamas, lingerie, underwear, socks, slipper socks, footwear, boots, wellington boots, shoes, slippers, sneakers, sandals, booties, headgear, hats, caps, swimming caps, scarves, gloves, mittens, aprons, tabards, robes, tights, ties, fabric belts, waist belts, belts made of leather, suspenders; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring sun visors, swimwear, cloth bibs, costumes, fancy dress costumes, masquerade costumes, costumes for use in role-playing games, toys,</p>
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			<p>games, playthings and novelties, plush toys, fabric toys, bathtub toys, inflatable toys, children's multiple activity toys, ride-on toys, ride-on toy vehicles, playing cards, card games, toy vehicles, board games, educational playthings, puzzles, jigsaw puzzles; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring manipulative games, electronic learning games, parlor games, pinball machines, hand held video games, hand-held electronic games, electronic games, electronic toys, handheld computer games, radio-controlled toys, climbing slides being play apparatus for children, children's playhouses, play structures for children, mobiles toys, rattles playthings, toy blocks, playing balls; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring dolls, puppets, doll costumes, toy hats, paper party hats, sporting articles</p>
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		<p>and equipment, gymnastic and sporting articles not included in other classes, decorations for Christmas trees, balloons, costumes being childrens' playthings, play swimming pools, swimming floats, swimming equipment, toy banks, snow globes, toy torches not working, toy camping apparatus; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring toy cameras not capable of taking a photograph, confetti, paper face-masks, face masks being playthings, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, tinned fruits, jellies, jams, compotes, fruit and vegetable spreads, marmalades, fruit marmalade, peanut butter, eggs, milk and milk products, dairy products and dairy substitutes; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring yoghurts, cheese, cheese</p>
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		<p>products, butter, margarine, edible oils and fats, preserves, pickles, potato-based snack foods, potato crisps in the form of snack foods, crisps, fruit-based snack food, stock, stock cubes, coffee, tea, cocoa and artificial coffee, rice, tapioca and sago, flour and preparations made from cereals, bread, edible ices, sugar, honey, treacle, yeast, baking-powder; on-line retail store services, electronic shopping retail services in the nature of operating an on-line shopping site, and retail store services featuring salt, mustard, vinegar, sauces being condiments, spices, flavourings and seasonings, fruit sauces, salad dressings, sauces, ice, confectionery, chocolate, sweets being candy, boiled sweets, candy bars and chewing gum, easter eggs, chocolate spreads, pastries, cakes, tarts and biscuits being cookies, rice crisps, ice cream, breakfast cereals, porridge and grits, corn flakes in class 035.</p> <p>For: Educational services, namely, conducting programs featuring recreational activities, literacy training, art events,</p>
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		<p>and sporting events for children, providing on-line interactive children's stories, conducting online educational programs in the field of reading comprehension, science, math, colors, numbers, and alphabet via an interactive website; and operating an interactive website to provide interactive games for children; providing classes, seminars, workshops and conferences in the field of children's education; organizing community sporting and cultural events; entertainment services in the nature of continuing live-action, comedy, drama and/or animated television programmes; theatrical performances both animated and live action, namely, movie theaters, cinema theaters, entertainment in the nature of theatre productions; production and rental of television and radio programmes and films, animated films, videos, DVDs, computer games and sound and/or visual recordings; distribution of television and radio programmes and motion picture films, animated films; publication of printed</p>
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		<p>media and recordings, namely, publication of printed matter, digital video, audio and multimedia publishing services; arranging and conducting exhibitions, shows and tours, all for entertainment purposes, namely, arranging and organizing exhibitions and live performances in the field of children's entertainment; entertainment services provided via the Internet or other computer or communications networks including wireless, cable or satellite, namely, children's entertainment in the nature of online computer games, video games and puzzles, online interactive stories; information relating to education and entertainment provided on-line from a computer database or the internet; electronic games services provided via a global computer network; providing on-line non-downloadable or non-streamable publications, namely, books, magazines, journals and newsletters in the field of children's entertainment; on-line publication of non-downloadable electronic books and journals;</p>
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			<p>providing interactive multi-player computer games via the Internet and electronic communication networks; organising and conducting entertainment, games and competitions, namely, video games competitions, provision of an interactive website in the field of children's entertainment, the organization of live show performances, character appearances, and drawing competitions; amusement and theme park services; providing of training in the field of children's entertainment and education; arranging and conducting of outdoor and indoor live entertainment and sporting events in the nature of live musical performances, soccer games, outdoor festivals, performances and concerts in the field of children's entertainment; providing online non-downloadable ring tones in class 041.</p>
1,431,281	PADDINGTON STN	Mar. 03, 1987	For: Stuffed toys in class 028.

<p>6,920,301</p>		<p>Dec. 13, 2022</p>	<p>For: Motion picture films featuring children's entertainment; exposed cinematographic films; animated motion picture films featuring children's entertainment; motion picture films featuring children's entertainment and animation cartoons prepared for exhibition; motion picture films and films prepared for television featuring animated cartoons; prerecorded magnetic data carriers featuring animated cartoons; Prerecorded video tapes and dvds featuring animated cartoons; video and audio content, images, graphics and music provided by a telecommunications network, by on-line delivery and by way of the internet or other computer or communications networks, namely, downloadable ring tones, music and electronic games via the internet and wireless devices; prerecorded discs, dvds, cds, laser discs, video tapes and cassettes all featuring motion picture films featuring children's entertainment; apparatus for the recording, transmission and reproduction of sound and images; video recordings and sound</p>
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			<p>recordings in electronic form downloadable from the internet, namely, downloadable music videos; downloadable image files in the field of children's animated cartoon characters; downloadable publications, namely, books, magazines, journals and newsletters in the field of children's entertainment, comedy, drama and animation; downloadable computer programs for video and computer games; downloadable video game software; downloadable interactive video game software and associated computer hardware; electronic publications recorded on computer media, namely, books, magazines, journals and newsletters in the field of children's entertainment, comedy, drama and animation; downloadable electronic publications, namely, books, magazines, journals and newsletters in the field of children's entertainment, comedy, drama and animation; downloadable audio and video recordings featuring comedy, drama, action, adventure and animation films; downloadable music</p>
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		<p>files; downloadable computer game programs, for children's entertainment featuring audio and video entertainment; downloadable video game software for children's entertainment featuring audio and video entertainment; downloadable ring tones in class 009.</p> <p>For: Printed comic books; printed children's books; printed coloring books; printed children's activity books; printed children's pop-up story books and activity books; printed publications, namely, books, magazines, newsletters and journals in the field of children's entertainment, animation and cartoons; printed periodicals in the field of movies; printed comics; writing paper; printed matter, namely, greeting cards; stationery; pens; pencils; colored pencils; erasers; ungraduated rulers; drawing rulers; pencil sharpeners; markers and crayons; chalk and chalkboards; pencil cases; pencil holders; pictures in the nature of drawings, framed art pictures and printed lithographs; printed</p>
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		<p>photographs and prints in the nature of printed lithographs; adhesives for stationery or household purposes; artists' materials in the nature of molds for modeling clays; paint brushes; ink stamps and ink pads; painting sets for children; arts and crafts clay modelling kits; modeling clay; modeling clay for use by children; memorandum boards; printed instructional and teaching materials in the field of reading comprehension, science, math, numbers and alphabet; decalcomanias and stickers; heat transfer paper; book ends; paper weights; printed charts for displaying data about human height; writing materials, namely, fountain pens; book plates; typewriters; office requisites, namely, paper hole punches, staplers, rubber bands and adhesive tape dispensers; printers' type; printing blocks; book covers; printed booklets in the field of children's entertainment and education; envelopes; paper and wire-bound notebooks; albums for coins, photographs, stamps and stickers; printed almanacs; printed autograph books;</p>
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		<p>printed address books; printed calendars; printed diaries; personal organizers; printed greetings cards; printed postcards; blank notecards; printed Christmas cards; non-pinically encoded gift cards; book marks; paper labels; printed note cards; printed collectible non-sports trading cards; printed flash cards in the field of spelling; printed trivia cards other than for games; lithographs; printed posters; wrapping paper; paper gift tags; paper gift bags; table cloths of paper; table mats of paper; cardboard; paper coasters; table napkins of paper; facial tissues; paper towels; tissue paper; toilet paper; paper party decorations; party stationery, namely, printed invitation cards; paper party bags; paper doilies; crepe paper; banners of paper; printed invitations; printed tickets; paper cake decorations; printed maps; paper mache; paper mache figurines; paper flags; packaging materials, namely, bags made of paper for packaging, bags made of plastics for packaging, bottle wrappers of cardboard or paper, packaging cartons of cardboard; plastic materials</p>
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		<p>for packaging, namely plastic film; printed sewing patterns; printed patterns for making costumes, pajamas, sweatshirts and t-shirts; printed embroidery design patterns; printed patterns for knitting, embroidery and sewing clothing in class 016.</p> <p>For: Leather and imitations of leather; animal skins, hides; travelling trunks and travelling bags; luggage; suitcases; rucksacks; school bags; duffle bags; holdalls; tote bags; beach bags; handbags; purses; wallets; umbrellas and parasols; walking sticks; harness and saddlery in class 018.</p> <p>For: Household or kitchen utensils and containers, namely, plates, cups, saucers, mugs, jugs, pots, dishes, bowls, knives, cooking and serving forks, cooking and serving spoons, chopsticks, drinking glasses, drinking vessels and barware in the nature of bottle openers, ice buckets, cocktail shakers, corkscrews, beverage stirrers, seltzer bottles and ice scoops; napkin rings; coasters not of paper and other than textile; paper plates; rubber gloves for</p>
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		<p>domestic use; plastic egg holders for domestic use; laundry hampers for domestic or household use; trays for domestic use; waste bins for household use; soap boxes; picnic baskets sold empty; lunch boxes; bread boxes; bottles sold empty; cosmetic utensils, namely, non-woven fabric wipes, cosmetic brushes, cosmetic brushes and spatulas; toilet brushes and toilet brush holders; hair combs; bath sponges; hair, nail and tooth brushes; lint brushes; shaving brushes; brush-making materials; articles for cleaning purposes, namely, cleaning cloths, steel wool, cleaning sponges, mops and brooms; unworked or semi-worked glass other than building glass; statues, figurines plaques and works of art of glassware, porcelain and earthenware; ceramic figurines; beverage glassware; chinaware, namely, china ornaments; money boxes, namely, piggy banks; baby bathtubs in class 021.</p> <p>For: Clothing, namely, t-shirts, sweatshirts, sweaters, dresses, skirts, and blouses; knitwear, namely, jumpers in the nature of sweaters;</p>
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		<p>shirts and pants; dungarees; jogging suits; trousers; jeans; pants; shorts; tank tops; coats; jackets; anoraks; rainwear; raincoats; rainproof jackets; snow suits; sleepwear; pajamas; lingerie; underwear; socks; slipper socks; footwear; boots; wellington boots; shoes; slippers; sneakers; sandals; booties; headwear; hats; baseball caps; swimming caps; scarves; gloves; mittens; aprons; tabards; robes; tights; ties being clothing; fabric belts; waist belts; belts made of leather; suspenders; sun visors being headwear; swimwear; cloth bibs; swimming costumes; dance costumes; Halloween costumes; fancy dress costumes, namely, masquerade costumes; costumes for use in role-playing games in class 025.</p> <p>For: Toys, games, playthings and novelties, namely, plush toys, fabric toys being dolls, bathtub toys, inflatable toys, children's multiple activity toys, ride-on toys, ride-on toy vehicles, playing cards, card games, toy vehicles, and board games; educational playthings, namely, puzzles, jigsaw</p>
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		<p>puzzles, manipulative games, electronic learning games for the teaching of children; parlor games; pinball machines; hand held joy stick units for playing video games; hand held units for playing electronic games; electronic educational game machines for children; radio-controlled toy vehicles; playground equipment, namely, climbing slides for children; children's play houses; playground equipment, namely, outdoor play structures for children; toy mobiles; baby rattles; toy building blocks; play balls; dolls; puppets; doll costumes; toy hats; paper party hats; sporting articles and equipment, namely, soccer balls, sport balls, tennis rackets, gymnastic training stools, roller skates and skipping ropes; gymnastic apparatus; decorations for Christmas trees other than confectionery or lights; balloons; costumes for dolls; play swimming pools; swimming floats; swimming equipment, namely, racing lanes and starting blocks, flippers for swimming, swimming belts, swimming jackets and swimming kick</p>
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		<p>boards; play money; snow globes; toy torches being toy flashlights that do not emit light; toy camping apparatus in the nature of play tents; toy cameras not capable of taking a photograph; confetti; paper face masks being toy masks; face masks being playthings; crepe paper streamers in class 028.</p> <p>For: Meat, fish, poultry and game, not live; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; tinned fruits; jellies, jams, compotes, fruit and vegetable spreads; marmalades; fruit marmalade; peanut butter; eggs; milk and milk products excluding ice cream, ice milk and frozen yogurt; dairy products, namely, cheese; dairy substitutes, namely, artificial cream and non-dairy creamer; yoghurts; cheese; cheese substitutes; cheese products, namely, cheese spreads and cheese dips; butter; margarine; edible oils and fats; meat and fish preserves, preserved fruits and vegetables; pickles; potato-based snack foods; potato crisps in the form of snack foods; nut-based snack foods, namely, nut crisps; fruit-based snack</p>
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		<p>food; stock; stock cubes in class 029.</p> <p>For: Coffee, tea, cocoa and artificial coffee; rice; tapioca and sago; flour; cereal-based snack foods; breakfasts cereals and cereal bars; bread and pastry; confectionery namely chocolate confectionery and candy; edible ices; sugar, honey, treacle; yeast, baking-powder; salt; mustard; vinegar; condiments, namely, prepared horseradish, oyster sauce, and pepper sauce; spices; food flavorings and seasonings other than essential oils; fruit sauces excluding cranberry sauce and applesauce; salad dressings; sauces; ice; chocolate; sweets; boiled sweets; candy bars and chewing gum; candy in the form of Easter eggs; chocolate spreads; pastries, cakes, tarts and biscuits and cookies; rice crisps; ice cream; breakfast cereals, porridge and grits; corn flakes in class 030.</p> <p>For: Advertising; business management; business administration; office functions; online retail store services and online retail ordering services featuring</p>
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			<p>motion picture films, cinematographic films, animated films, films prepared for exhibition, films and programs prepared for television and cinema, animated cartoons, video and data recordings, video tapes and dvds, videos, apparatus for the storage, reproduction, transmission and projection of sound and images, video recordings and sound recordings in electronic form downloadable from the internet, downloadable image files, electronic publications, electronic and computerized video games, video game software, interactive software and associated computer hardware featuring entertainment, electronic publications recorded on computer media, downloadable electronic publications, downloadable audio and video recordings and files featuring music, comedy, drama, action, adventure and animation, computer programs, downloadable software, downloadable ring tones, books, magazines and comics, children's books, colouring books, children's activity books, pop-up</p>
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			<p>books, activity books, printed publications, magazines, journals, periodicals, comics, writing paper, book bindings, stationery, pens, pencils, coloured pencils, erasers, rulers, pencil sharpeners, markers and crayons, chalk and chalkboards, pencil cases, pencil holders, pictures, photographs and prints, adhesives for stationery or household purposes, artists' materials, paint brushes, ink stamps and ink pads, painting sets for children, arts, crafts and modelling equipment, modeling clay, modeling materials for use by children, memo and notice boards, printed instructional and teaching materials in the field of reading comprehension, science, math, numbers and alphabet, decalcomanias and stickers, heat transfers, book ends, paper weights, height charts, writing paper, book plates, typewriters, office requisites, printers' type, printing blocks, book covers, booklets, envelopes, notebooks, albums, almanacs, autograph books, address books, calendars, diaries, personal organizers, greetings cards, postcards,</p>
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		<p>blank cards, Christmas cards, gift cards, book marks, labels, note cards, trading cards, flash cards, trivia cards, lithographs, posters, wrapping paper, gift tags, paper gift bags, table cloths of paper, table mats of paper, cardboard, paper coasters, table napkins of paper, tissues, paper towels, tissue paper, toilet paper, paper party decorations, party stationery, party paper bags, paper doilies, crepe paper, crepe paper streamers, banners of paper, invitations, printed tickets, paper cake decorations, maps, charts, paper mache, paper mache statuettes, paper flags, packaging materials, bags made of paper for packaging, bags made of plastics for packaging, bottle wrappers of cardboard or paper, packaging cartons of cardboard, plastic materials for packaging, printed patterns, printed patterns for costumes, pajamas, sweatshirts and t-shirts, embroidery design patterns, knitting, embroidery and clothing patterns, leather and imitations of leather, animal skins, hides, trunks and travelling bags, luggage, suitcases, rucksacks, school</p>
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			bags, duffle bags, holdalls, tote bags, beach bags, handbags, purses, wallets, umbrellas and parasols, walking sticks, harness and saddlery, household or kitchen utensils and containers, plates, cups, saucers, mugs, jugs, pots, dishes, bowls, glasses, drinking vessels and barware, napkin rings, coasters, paper plates, rubber gloves for domestic use, plastic egg holders for domestic use, laundry hampers for domestic or household use, trays for domestic use, waste bins for household use, soap boxes, picnic boxes, lunch boxes, bread boxes, bottles, cosmetic utensils, toilet utensils, combs and sponges, brushes except paintbrushes, brush-making materials, articles for cleaning purposes, unworked or semi-worked glass except glass used in building, statues and figurines and plaques and works of art made of porcelain, terra-cotta and glass, ceramic ornaments, glassware, chinaware, money boxes, baby bathtubs, clothing, t-shirts, sweatshirts, sweaters, dresses, skirts, blouses,
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			knitwear, dungarees, jogging suits, trousers, jeans, pants, shorts, tank tops, coats, jackets, anoraks, rainwear, raincoats, rainproof jackets, snow suits, sleepwear, pajamas, lingerie, underwear, socks, slipper socks, footwear, boots, wellington boots, shoes, slippers, sneakers, sandals, booties, headgear, hats, caps, swimming caps, scarves, gloves, mittens, aprons, tabards, robes, tights, ties, fabric belts, waist belts, belts made of leather, suspenders, sun visors, swimwear, cloth bibs, costumes, fancy dress costumes, masquerade costumes, costumes for use in role-playing games, toys, games, playthings and novelties, plush toys, fabric toys, bathtub toys, inflatable toys, children's multiple activity toys, ride-on toys, ride-on toy vehicles, playing cards, card games, toy vehicles, board games, educational playthings, puzzles, jigsaw puzzles, manipulative games, electronic learning games, parlor games, pinball machines, hand held video games, hand-held electronic games, electronic games, electronic toys, handheld
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		<p>computer games, radio-controlled toys, climbing slides being play apparatus for children, children's playhouses, play structures for children, toy mobiles, rattles, toy blocks, playing balls, dolls, puppets, doll costumes, toy hats, paper party hats, sporting articles and equipment, gymnastic and sporting articles, decorations for Christmas trees, balloons, costumes being children playthings, play swimming pools, swimming floats, swimming equipment, toy banks, snow globes, toy torches not working, toy camping apparatus, toy cameras not capable of taking a photograph, confetti, paper face masks, face masks being playthings, meat, fish, poultry and game, meat extracts, preserved, frozen, dried and cooked fruits and vegetables, tinned fruits, jellies, jams, compotes, fruit and vegetable spreads, marmalades, fruit marmalade, peanut butter, eggs, milk and milk products, dairy products and dairy substitutes, yoghurts, cheese, cheese products, butter, margarine, edible oils and fats, fruit preserves, pickles, potato-based snack</p>
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		<p>foods, potato crisps in the form of snack foods, fruit-based snack food, stock, stock cubes, coffee, tea, cocoa and artificial coffee, rice, tapioca and sago, flour and cereal based snack food, bread, pastry and confectionery, edible ices, sugar, honey, treacle, yeast, baking-powder, salt, mustard, vinegar, sauce condiments, spices, food flavorings and seasonings, fruit sauces, salad dressings, sauces, ice, confectionery, chocolate, sweets, boiled sweets, candy bars and chewing gum, chocolate candy in the form of Easter eggs, chocolate spreads, pastries, cakes, tarts and biscuits, rice crisps, ice cream, breakfast cereals, porridge and grits and corn flakes in class 035.</p> <p>For: Education services, namely, conducting programs in the field of physical exercise and the arts featuring recreational activities, literacy training, art events and sporting events for children; educational services, namely, providing on-line classes in the field of social development for children that also feature interactive children's stories;</p>
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			<p>entertainment services, namely providing a website featuring photographic, audio, video, and prose presentations featuring children's education; providing online interactive games for children including educational games; providing classes, seminars, workshops and conferences in the field of children's education; organizing community sporting and cultural events; entertainment services, namely, continuing television programs featuring live action, comedy, drama and animated cartoons broadcast over television, satellite, audio and video media; entertainment in the nature of theater productions featuring live action and animation; production and distribution of television and radio programs, motion picture films and animated films; production and distribution of videos in the field of children's entertainment; production of musical sound recordings; rental of films, animated films, videos, DVDs and computer games; publication of printed matter; arranging and</p>
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		<p>conducting guided walking tours for recreational purposes; organizing exhibitions for entertainment purposes; organization of live shows, namely stand-up comedy and theatrical show performances for entertainment purposes; conducting live educational computer training seminars; providing information about education and entertainment via online from a computer database and the internet; electronic games services provided via a global computer network; providing online non-downloadable publications, namely, electronic books and journals in the field of children's entertainment, reading comprehension, science, math, numbers and alphabet; entertainment services, namely, providing temporary use of non-downloadable interactive multi-player games via the internet and electronic communication networks; organizing and conducting entertainment, games and competitions, namely, video games competitions, provision of an interactive website featuring information and links</p>
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			relating to children's entertainment, organization of live musical performances, personal appearances by fictional television and movie characters, and art competitions in the field of drawing; amusement park and theme park services; providing of training in the field of children's entertainment and education; providing movie showings, live musical performances, soccer games, performances and concerts in the field of children's entertainment in outdoor and indoor venues; providing online non-downloadable ring tones in class 041.
1,406,885	<p>Please look after this BEAR THANK YOU.</p>	Aug. 26, 1986	For: STUFFED TOYS in class 028.

11. The U.S. registrations for the Paddington Trademarks are valid, subsisting, in full force and effect, and some are incontestable pursuant to 15 U.S.C. § 1065. The registrations for the Paddington Trademarks constitute *prima facie* evidence of their validity and of Plaintiff's exclusive right to use the Paddington Trademarks pursuant to 15 U.S.C. § 1057(b). True and

correct copies of the United States Registration Certificates for the Paddington Trademarks are attached hereto as **Exhibit 1**.

12. The Paddington Trademarks are exclusive to Plaintiff and are displayed extensively on Paddington Products and in marketing and promotional materials. The Paddington Trademarks are also distinctive when applied to Paddington Products, signifying to the purchaser that the products come from Plaintiff, or its licensees, and are manufactured to Plaintiff's quality standards. Whether Plaintiff manufactures the products itself or contracts with others to do so, Plaintiff has ensured that products bearing the Paddington Trademarks are manufactured to the highest quality standards.

13. The Paddington Trademarks are famous marks, as that term is used in 15 U.S.C. § 1125(c)(1), and have been continuously used and never abandoned. The success of the Paddington Bear franchise, in addition to the marketing of Paddington Products, has enabled the Paddington brand to achieve widespread recognition and fame and has made the Paddington Trademarks some of the most well-known marks in the world. The widespread fame, outstanding reputation, and significant goodwill associated with the Paddington brand have made the Paddington Trademarks valuable assets of Plaintiff.

14. Products bearing the Paddington Trademarks have been the subject of substantial and continuous marketing and promotion. Plaintiff has marketed and promoted, and continues to market and promote, the Paddington Trademarks in the industry and to consumers through traditional print media, authorized retailers, social media sites, point of sale material, and the website store.paddington.com.

15. Plaintiff has expended substantial time, money, and other resources advertising, promoting, and marketing Paddington Products. Paddington Products have also been the subject

of extensive unsolicited publicity due to the longstanding success of the Paddington brand. As a result, products bearing the Paddington Trademarks are widely recognized and exclusively associated by consumers as being high-quality products sourced from Plaintiff or Plaintiff's licensees. The Paddington Trademarks have achieved tremendous fame and recognition, adding to the inherent distinctiveness of the marks. As such, the goodwill associated with the Paddington Trademarks is of immeasurable value to Plaintiff.

16. Paddington Products are sold only by Plaintiff or through authorized licensees and are recognized by the public as being exclusively associated with the Paddington brand.

17. Defendants are unknown individuals and business entities who own and/or operate one or more of the e-commerce stores under the Seller Aliases identified on Schedule A and/or other seller aliases not yet known to Plaintiff. On information and belief, Defendants reside and/or operate in foreign jurisdictions and redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rules of Civil Procedure 17(b).

18. On information and belief, Defendants, either individually or jointly, operate one or more e-commerce stores under the Seller Aliases listed in Schedule A attached hereto. Tactics used by Defendants to conceal their identities and the full scope of their operation make it virtually impossible for Plaintiff to learn Defendants' true identities and the exact interworking of their counterfeit network. If Defendants provide additional credible information regarding their identities, Plaintiff will take appropriate steps to amend the Complaint.

IV. DEFENDANTS' UNLAWFUL CONDUCT

19. The success of the Paddington brand has resulted in significant counterfeiting of the Paddington Trademarks. Because of this, Plaintiff has implemented a brand protection program

that involves investigating suspicious websites and online marketplace listings identified in proactive Internet sweeps. Recently, Plaintiff has identified many fully interactive e-commerce stores offering Unauthorized Products on online marketplace platforms such as AliExpress.com (“AliExpress”), Amazon.com, Inc. (“Amazon”), Etsy, Inc. (“Etsy”), Pixels.com, LLC d/b/a Fine Art America (“Fine Art America”), Fruugo.com Limited (“Fruugo”), Printerval.com (“Printerval”), Redbubble Limited (“Redbubble”), TP Apparel LLC (“Teepublic”), WhaleCo, Inc. (“Temu”), and Walmart, Inc. (“Walmart”), including the e-commerce stores operating under the Seller Aliases. The Seller Aliases target consumers in this Judicial District and throughout the United States. According to a report prepared for The Buy Safe America Coalition, most counterfeit products now come through international mail and express courier services (as opposed to containers) due to increased sales from offshore online counterfeiters. *The Counterfeit Silk Road: Impact of Counterfeit Consumer Products Smuggled Into the United States*, prepared by John Dunham & Associates (**Exhibit 2**).

20. Because counterfeit products sold by offshore online counterfeiters do not enter normal retail distribution channels, the U.S. economy lost an estimated 300,000 or more full-time jobs in the wholesale and retail sectors alone in 2020. *Id.* When accounting for lost jobs from suppliers that would serve these retail and wholesale establishments, and the lost jobs that would have been induced by employees re-spending their wages in the economy, the total economic impact resulting from the sale of counterfeit products was estimated to cost the United States economy over 650,000 full-time jobs that would have paid over \$33.6 billion in wages and benefits. *Id.* Additionally, it is estimated that the importation of counterfeit goods costs the United States government nearly \$7.2 billion in personal and business tax revenues in the same period. *Id.*

21. Online marketplace platforms like those used by Defendants do not adequately subject new sellers to verification and confirmation of their identities, allowing counterfeiters to “routinely use false or inaccurate names and addresses when registering with these e-commerce platforms.” **Exhibit 3**, Daniel C.K. Chow, *Alibaba, Amazon, and Counterfeiting in the Age of the Internet*, 40 NW. J. INT’L L. & BUS. 157, 186 (2020); *see also* report on “Combating Trafficking in Counterfeit and Pirated Goods” prepared by the U.S. Department of Homeland Security’s Office of Strategy, Policy, and Plans (Jan. 24, 2020), attached as **Exhibit 4**, and finding that on “at least some e-commerce platforms, little identifying information is necessary for a counterfeiter to begin selling” and that “[t]he ability to rapidly proliferate third-party online marketplaces greatly complicates enforcement efforts, especially for intellectual property rights holders.” Counterfeiters hedge against the risk of being caught and having their websites taken down from an e-commerce platform by establishing multiple virtual storefronts. **Exhibit 4** at p. 22. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, counterfeiters can have many different profiles that can appear unrelated even though they are commonly owned and operated. **Exhibit 4** at p. 39. Further, “[e]-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of counterfeits and counterfeiters.” **Exhibit 3** at 186-187. Specifically, brand owners are forced to “suffer through a long and convoluted notice and takedown procedure only [for the counterfeit seller] to reappear under a new false name and address in short order.” *Id.* at p. 161.

22. Defendants have targeted sales to Illinois residents by setting up and operating e-commerce stores that target United States consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and, on information and belief, sell Unauthorized Products to residents of Illinois.

23. Defendants concurrently employ and benefit from similar advertising and marketing strategies. For example, Defendants facilitate sales by designing the e-commerce stores operating under the Seller Aliases so that they appear to unknowing consumers to be authorized online retailers, outlet stores, or wholesalers. E-commerce stores operating under the Seller Aliases appear sophisticated and accept payment in U.S. dollars in multiple ways, including via credit cards, Alipay, Amazon Pay, and/or PayPal. E-commerce stores operating under the Seller Aliases often include content and images that make it very difficult for consumers to distinguish their stores from an authorized retailer. Plaintiff has not licensed or authorized Defendants to use the Paddington Trademarks and none of the Defendants are authorized retailers of Paddington Products.

24. Many Defendants also deceive unknowing consumers by using the Paddington Trademarks within the content, text, and/or meta tags of their e-commerce stores to attract consumers using search engines to find websites relevant to Paddington Products. Other e-commerce stores operating under the Seller Aliases omit using the Paddington Trademarks in the item title to evade enforcement efforts while using strategic item titles and descriptions that will trigger their listings when consumers are searching for Paddington Products.

25. E-commerce store operators like Defendants commonly engage in fraudulent conduct when registering the Seller Aliases by providing false, misleading and/or incomplete information to e-commerce platforms to prevent discovery of their true identities and the scope of their e-commerce operation.

26. E-commerce store operators like Defendants regularly register or acquire new seller aliases for the purpose of offering for sale and selling Unauthorized Products. Such seller alias registration patterns are one of many common tactics used by e-commerce store operators like

Defendants to conceal their identities and the full scope and interworking of their counterfeiting operation, and to avoid being shut down.

27. Even though Defendants operate under multiple fictitious aliases, the e-commerce stores operating under the Seller Aliases often share unique identifiers, such as templates with common design elements that intentionally omit contact information or other information for identifying Defendants or other Seller Aliases they operate or use. E-commerce stores operating under the Seller Aliases include other common features, such as registration patterns, accepted payment methods, check-out methods, keywords, advertising tactics, similarities in price and quantities, the same incorrect grammar and misspellings, and/or the use of the same text and images. Additionally, Unauthorized Products for sale by the Seller Aliases bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Unauthorized Products were manufactured by and come from a common source and that Defendants are interrelated.

28. E-commerce store operators like Defendants communicate with each other through QQ.com chat rooms and utilize websites, like sellerdefense.cn, that provide tactics for operating multiple online marketplace accounts and evading detection by brand owners. Websites like sellerdefense.cn also tip off e-commerce store operators, like Defendants, of new intellectual property infringement lawsuits filed by brand owners, such as Plaintiff, and recommend that e-commerce operators cease their infringing activity, liquidate their associated financial accounts, and change the payment processors that they currently use to accept payments in their online stores.

29. Counterfeiters such as Defendants typically operate under multiple seller aliases and payment accounts so that they can continue operation despite Plaintiff's enforcement. E-commerce store operators like Defendants maintain off-shore bank accounts and regularly move

funds from their financial accounts to offshore accounts outside the jurisdiction of this Court to avoid payment of any monetary judgment awarded to Plaintiff.

30. Defendants are working to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Unauthorized Products in the same transaction, occurrence, or series of transactions or occurrences. Defendants, without any authorization or license from Plaintiff, have knowingly and willfully used and continue to use the Paddington Trademarks in connection with the advertisement, distribution, offering for sale, and sale of Unauthorized Products into the United States and Illinois over the Internet.

31. Defendants' unauthorized use of the Paddington Trademarks in connection with the advertising, distribution, offering for sale, and/or sale of Unauthorized Products, including the sale of Unauthorized Products into the United States, including Illinois, is likely to cause, and has caused, confusion, mistake, and deception by and among consumers and is irreparably harming Plaintiff.

COUNT I
TRADEMARK INFRINGEMENT AND COUNTERFEITING (15 U.S.C. § 1114)

32. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

33. This is a trademark infringement action against Defendants based on their unauthorized use in commerce of counterfeit imitations of the Paddington Trademarks in connection with the sale, offering for sale, distribution, and/or advertising of infringing goods. The Paddington Trademarks are highly distinctive marks. Consumers have come to expect the highest quality from products offered, sold, or marketed under the Paddington Trademarks.

34. Defendants have sold, offered to sell, marketed, distributed, and advertised, and are still selling, offering to sell, marketing, distributing, and advertising products using counterfeit reproductions of the Paddington Trademarks without Plaintiff's permission.

35. Plaintiff is the owner of the Paddington Trademarks. Plaintiff's United States registrations for the Paddington Trademarks are in full force and effect. On information and belief, Defendants have knowledge of Plaintiff's rights in the Paddington Trademarks and are willfully infringing and intentionally using infringing and counterfeit versions of the Paddington Trademarks. Defendants' willful, intentional, and unauthorized use of the Paddington Trademarks is likely to cause, and is causing, confusion, mistake, and deception as to the origin and quality of the Unauthorized Products among the general public.

36. Defendants' activities constitute willful trademark infringement and counterfeiting under Section 32 of the Lanham Act, 15 U.S.C. § 1114.

37. Plaintiff has no adequate remedy at law, and if Defendants' actions are not enjoined, Plaintiff will continue to suffer irreparable harm to its reputation and the goodwill of the Paddington Trademarks.

38. The injuries and damages sustained by Plaintiff have been directly and proximately caused by Defendants' wrongful reproduction, use of advertisement, promotion, offering to sell, and/or sale of Unauthorized Products.

COUNT II
FALSE DESIGNATION OF ORIGIN (15 U.S.C. § 1125(a))

39. Plaintiff hereby re-alleges and incorporates by reference the allegations set forth in the preceding paragraphs.

40. Defendants' promotion, marketing, offering for sale, and sale of Unauthorized Products has created and is creating a likelihood of confusion, mistake, and deception among the

general public as to the affiliation, connection, or association with Plaintiff or the origin, sponsorship, or approval of Defendants' Unauthorized Products by Plaintiff.

41. By using the Paddington Trademarks in connection with the offering for sale and/or sale of Unauthorized Products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the Unauthorized Products.

42. Defendants' false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the Unauthorized Products to the general public involves the use of counterfeit marks and is a willful violation of Section 43 of the Lanham Act, 15 U.S.C. § 1125.

43. Plaintiff has no remedy at law and will continue to suffer irreparable harm to its reputation and the associated goodwill of the Paddington brand if Defendants' actions are not enjoined.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 1) That Defendants, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in active concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:
 - a. using the Paddington Trademarks or any reproductions, counterfeit copies or colorable imitations thereof in any manner in connection with the distribution, marketing, advertising, offering for sale, or sale of any product that is not an Paddington Product or is not authorized by Plaintiff to be sold in connection with the Paddington Trademarks;
 - b. passing off, inducing, or enabling others to sell or pass off any product as one of the Paddington Products or any other product produced by Plaintiff, that is not

Plaintiff's or not produced under the authorization, control, or supervision of Plaintiff and approved by Plaintiff for sale under the Paddington Trademarks;

- c. committing any acts calculated to cause consumers to believe that Defendants' Unauthorized Products are those sold under the authorization, control, or supervision of Plaintiff, or are sponsored by, approved by, or otherwise connected with Plaintiff;
- d. further infringing the Paddington Trademarks and damaging Plaintiff's goodwill; and
- e. manufacturing, shipping, delivering, holding for sale, transferring, or otherwise moving, storing, distributing, returning, or otherwise disposing of, in any manner, products or inventory not manufactured by or for Plaintiff, nor authorized by Plaintiff to be sold or offered for sale, and which bear the Paddington Trademarks;

2) Entry of an Order that, upon Plaintiff's request, those with notice of the injunction, including without limitation, any websites and/or online marketplace platforms including AliExpress, Amazon, Etsy, Fine Art America, Fruugo, Printerval, Redbubble, Teepublic, Temu, and Walmart, shall disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of counterfeit and infringing goods using the Paddington Trademarks;

3) That Defendants account for and pay to Plaintiff all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of the Paddington Trademarks be increased by a sum not exceeding three times the amount thereof as provided by 15 U.S.C. § 1117;

- 4) In the alternative, that Plaintiff be awarded statutory damages for willful trademark counterfeiting pursuant to 15 U.S.C. § 1117(c)(2) of \$2,000,000 for each and every use of the Paddington Trademarks;
- 5) That Plaintiff be awarded its reasonable attorneys' fees and costs; and
- 6) Award any and all other relief that this Court deems just and proper.

Dated this 8th day of April 2025.

Respectfully submitted,

/s/ Martin F. Trainor

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