

AO 120 (Rev. 08/10)

TO:	<p align="center">Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450</p>	<p align="center">REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</p>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court on the following

☐ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT	
PLAINTIFF		DEFENDANT	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 15-cv-62512-Cohn/Seltzer

MARC JACOBS TRADEMARKS, LLC and
MARC JACOBS INTERNATIONAL, LLC,

Plaintiffs,

vs.

THE INDIVIDUALS, PARTNERSHIPS, and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A" and DOES
1-10,

Defendants.

COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

Plaintiffs, Marc Jacobs Trademarks, LLC, a Delaware limited liability company ("MJT") and Marc Jacobs International, LLC, a Delaware limited liability company ("MJI") (collectively "Plaintiffs"), hereby sue Defendants the Individuals, Partnerships, and Unincorporated Associations identified on Schedule "A" hereto and Does 1-10 (collectively "Defendants"). Defendants are promoting, selling, offering for sale and distributing goods bearing counterfeits and confusingly similar imitations of Plaintiffs' trademarks within this district through at least the fully interactive commercial Internet websites operating under the domain names identified on Schedule "A" hereto (the "Subject Domain Names"). In support of their claims, Plaintiffs allege as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1125(a), 1125(d), and The All

Writs Act, 28 U.S.C §1651(a). Accordingly, this Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Plaintiffs' state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this district because they operate commercial websites accessible in this district and direct business activities towards consumers throughout the United States, including within the State of Florida and this district through at least the fully interactive commercial Internet websites operating under the Subject Domain Names.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 since Defendants are, upon information and belief, aliens engaged in infringing activities and causing harm within this district by advertising, offering to sell, and/or selling infringing products into this district.

THE PLAINTIFF

4. MJT is a limited liability company duly organized under the laws of the State of Delaware with its principal place of business in the United States located at 72 Spring Street, 2nd Floor, New York, New York 10012.

5. MJI is a limited liability company organized under the laws of Delaware with its principal place of business in the United States located at 72 Spring Street, 2nd Floor, New York, New York 10012.

6. MJI is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high quality luxury goods under multiple world famous common law and federally registered trademarks, including those

identified in Paragraph 18 below. MJJ operates a boutique within this district. MJJ offers for sale and sells Plaintiffs' trademarked goods within the State of Florida, including this district, through its boutique, at high quality prestigious department stores, and via the Internet. Defendants, through the sale and offering for sale of counterfeit and infringing versions of Plaintiffs' branded products, are directly, and unfairly, competing with Plaintiffs' economic interests in the State of Florida and causing Plaintiffs harm within this jurisdiction.

7. Like many other famous trademark owners in the luxury goods market, Plaintiffs suffer ongoing daily and sustained violations of their trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Plaintiffs' trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits.

8. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Plaintiffs expend significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement, such as field training guides and seminars. The recent explosion of counterfeiting over the Internet has created an environment that requires companies such as Plaintiffs to file a large number of lawsuits, often it later turns out, against the same individuals and groups, in order to protect both consumers and themselves from the ill effects of confusion and the erosion of the goodwill associated with Plaintiffs' brand.

THE DEFENDANTS

9. Defendants operate through domain names registered with registrars in multiple countries and are comprised of individuals and/or business entities of unknown makeup, who,

upon information and belief, reside and/or operate in foreign jurisdictions, including the People's Republic of China. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities towards consumers throughout the United States, including within this district through the simultaneous operation of at least the fully interactive commercial websites existing under the Subject Domain Names.

10. Upon information and belief, Defendants use aliases in conjunction with the operation of their businesses, including but not limited to those identified by the same Defendant Number on Schedule "A" hereto.

11. Plaintiffs are presently unaware of the true names of Does 1-10, although they are generally identified as the managing agents and/or co-conspirators of Defendants. Plaintiffs will amend this Complaint upon discovery of the identities of such fictitious Defendants.

12. Upon information and belief, Defendants are directly and personally contributing to, inducing and engaging in the sale of counterfeit branded products as alleged herein, often times as partners, co-conspirators and/or suppliers.

13. Defendants are part of an ongoing scheme to create and maintain an illegal marketplace enterprise on the World Wide Web, which (i) confuses consumers regarding the source of Defendants' goods for profit, and (ii) expands the marketplace for illegal, counterfeit versions of Plaintiffs' branded goods while shrinking the legitimate marketplace for Plaintiffs' genuine branded goods. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiffs' names and associated trademarks, as well as the destruction of the legitimate market sector in which they operate.

14. Defendants are the past and present controlling forces behind the operation of, at least, the Subject Domain Names.

15. Upon information and belief, Defendants directly engage in unfair competition with Plaintiffs by (i) offering for sale and/or selling goods bearing counterfeits and infringements of one or more of Plaintiffs' trademarks to consumers within the United States and this district through at least the fully interactive commercial websites operating under the Subject Domain Names and additional domains and websites not yet known to Plaintiffs and (ii) creating and maintaining an illegal marketplace enterprise for the purpose of diverting business from Plaintiffs' legitimate marketplace for their genuine goods. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale and shipment of counterfeit versions of Plaintiffs' branded goods into the State, and by operating an illegal marketplace enterprise which impacts and interferes with commerce throughout the United States, including within the State of Florida.

16. Upon information and belief, Defendants have registered, established or purchased, and maintained their respective Subject Domain Names, and the websites operating thereunder. Upon information and belief, many Defendants have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information to their various registrars during the registration or maintenance process. Upon information and belief, many Defendants have anonymously registered and maintained their Subject Domain Names for the sole purpose of engaging in illegal counterfeiting activities.

17. Upon information and belief, Defendants will continue to register or acquire new domain names for the purpose of selling and/or offering for sale goods bearing counterfeit and confusingly similar imitations of Plaintiffs' trademarks unless preliminarily and permanently enjoined. Moreover, upon information and belief, Defendants will continue to maintain and grow

their illegal marketplace enterprise at Plaintiffs' expense unless preliminarily and permanently enjoined.

18. Defendants' entire Internet-based website businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiffs and others.

19. Defendants' business names, i.e., the Subject Domain Names and any other domain names used in connection with the sale of counterfeits bearing Plaintiffs' trademarks, are essential components of Defendants' counterfeiting and infringing activities and are the means by which Defendants further their counterfeiting and infringing scheme and cause harm to Plaintiffs. Moreover, Defendants are using Plaintiffs' famous names and trademarks to drive Internet consumer traffic to their websites operating under the Subject Domain Names, thereby creating and increasing the value of the Subject Domain Names and decreasing the size and value of Plaintiffs' legitimate consumer marketplace at Plaintiffs' expense.

COMMON FACTUAL ALLEGATIONS

Plaintiffs' Trademark Rights

20. MJT is the registered owner and MJI is the licensee of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office ("Plaintiffs' Marks"):

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
MARC JACOBS	1,967,123	April 9, 1996	<p>IC 018; Handbags, knapsacks, back packs, tote bags, satchels, clutch bags, sling bags, bucket-shaped bags, waist packs, purses, cosmetic bags, change purses, wallets, key cases, eyeglass cases</p> <p>IC 025; women's apparel, namely dresses, skirts, blouses, pants, jackets, coats, shoes, scarves, and hats; [furs, namely coats, jackets, stoles, and hats,] knitwear, namely sweaters, coats, dresses, skirts, pants, gloves, hats and scarves; belts; bras, panties, teddies, full slips, half slips and hosiery.</p>

MARC BY MARC JACOBS	3,699,162	October 20, 2009	<p>IC 009; Spectacles, sunglasses and spectacle cases</p> <p>IC 014; Goods of precious metals, their alloys, or plated therewith, namely, works of art of precious metal, boxes, jewelry caskets and powder compacts of precious metal; jewelry articles; jewelry and fashion jewelry, namely, rings, buckles for watchstraps, earrings, cuff links, bracelets, charms, brooches, chains, necklaces, pendants, fancy key rings of precious metal, their alloys, or plated therewith, tie pins, ornaments of precious metal, medallions; timepieces and chronometric instruments, namely, watches, watch bands, watchcases, wrist-watches, wall clocks, pendulettes, alarm clocks, boxes and cases for clocks and watches</p> <p>IC 018; Boxes of leather and imitation leather for packaging and carrying goods, trunks, suitcases, traveling sets comprised of matching luggage, traveling bags, luggage, garment bags for travel, hatboxes of leather, hatboxes not of paper, cardboard or plastic, unfitted vanity cases, toiletry cases sold empty, rucksacks, satchels, handbags, beach bags, shopping bags, shoulder bags, animal carrier bags, carrier bags for suits, animal game bags, waist bags, purses, portmanteaus, briefcases, briefcase-type portfolio satchels, pochettes, namely, pocket handbags and wallets, leather pouches, wallets, change purses, key cases, business and credit card cases; umbrellas, parasols</p> <p>IC 022; Clothing and underwear, namely, jerseys, shirts, T-shirts, lingerie, belts, scarves, ties, shawls, waistcoats, skirts, raincoats, overcoats, braces, trousers, denim trousers, pullovers, dresses, jackets, sashes for wear, gloves, tights, socks, bathing suits, bath robes, pajamas, nightshirts, shorts, pocket squares; shoes, boots, slippers; headwear</p>
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MARC JACOBS	4,517,198	April 22, 2014	IC 09; Sunglasses; sunglass frames; sunglass cases; eyeglasses; eyeglass frames; eyeglass cases; cases for mobile phones; carrying cases for cell phones; laptop carrying cases; USB hardware; headphones; protective cases for tablet computers; protective covers for tablet computers; electronic book readers; digital book readers; protective sleeves for tablet computers
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True and correct copies of the Certificates of Registration for Plaintiffs' Marks are attached hereto as Composite Exhibit "A."

21. Plaintiffs' Marks have been used in interstate commerce to identify and distinguish Plaintiffs' high quality goods for an extended period of time.

22. Plaintiffs' Marks have never been assigned or licensed to any of the Defendants in this matter.

23. Plaintiffs' Marks are symbols of Plaintiffs' quality, reputation and goodwill.

24. Further, Plaintiffs have expended substantial time, money and other resources developing, advertising and otherwise promoting Plaintiffs' Marks. Plaintiffs' Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).

25. Plaintiffs have extensively used, advertised, and promoted Plaintiffs' Marks in the United States in association with the sale of high quality luxury goods and have carefully monitored and policed the use of Plaintiffs' Marks.

26. As a result of Plaintiffs' efforts, members of the consuming public readily identify merchandise bearing or sold under Plaintiffs' Marks as being high quality goods sponsored and approved by Plaintiffs.

27. Accordingly, Plaintiffs' Marks have achieved secondary meaning as identifiers of high quality luxury goods.

28. Genuine goods bearing Plaintiffs' Marks are widely legitimately advertised and promoted by Plaintiffs and their authorized distributors via the Internet. Over the course of the past ten years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo! and Bing has become increasingly important to Plaintiffs' overall marketing and consumer education efforts. Thus, Plaintiffs expend significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Plaintiffs and their authorized retailers to fairly and legitimately educate consumers about the value associated with Plaintiffs' brand and the goods sold thereunder.

Defendants' Infringing Activities

29. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiffs' ownership of Plaintiffs' Marks, including their exclusive right to use and license such intellectual property and the goodwill associated therewith.

30. Upon information and belief, Defendants are promoting and advertising, distributing, selling and/or offering for sale goods in interstate commerce bearing counterfeits and confusingly similar imitations of Plaintiffs' Marks (the "Counterfeit Goods") through the fully interactive commercial Internet websites operating under the Subject Domain Names. True and correct copies of the web pages reflecting samples of the Internet websites operating under the Subject Domain Names are attached hereto as Composite Exhibit "B." Specifically, upon information and belief, Defendants are using identical copies of Plaintiffs' Marks for different quality goods. Plaintiffs have used Plaintiffs' Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Plaintiffs'

merchandise. A true and correct copy of the summary comparison table illustrating examples of Defendants' infringement of each of Plaintiffs' Marks, together with true and correct web page captures from Defendants' websites demonstrating infringement by Defendants is attached hereto as Composite Exhibit "C."

31. Upon information and belief, Defendants' Counterfeit Goods are of a quality substantially different than that of Plaintiffs' genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling, and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine high quality products offered for sale by Plaintiffs despite Defendants' knowledge that they are without authority to use Plaintiffs' Marks. The net effect of Defendants' actions will cause confusion of consumers at the time of initial interest, sale, and in the post-sale setting, who will believe Defendants' Counterfeit Goods are genuine goods originating from, associated with, and approved by Plaintiffs.

32. Defendants advertise their Counterfeit Goods for sale to the consuming public via at least their websites operating under the Subject Domain Names. In so advertising these products, Defendants improperly and unlawfully use Plaintiffs' Marks without Plaintiffs' permission. Indeed, Defendants herein misappropriated Plaintiffs' advertising ideas and methods of doing business with regard to the advertisement and sale of Plaintiffs' genuine goods. Upon information and belief, the misappropriation of Plaintiffs' advertising ideas in the form of Plaintiffs' Marks is, in part, the proximate cause of harm to Plaintiffs.

33. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, all concurrently employing substantially similar, and often times coordinated, paid advertising and SEO strategies based, in large measure, upon an illegal use of

counterfeits and infringements of Plaintiffs' Marks. Specifically, Defendants are using counterfeits of Plaintiffs' famous names and Plaintiffs' Marks in order to make their websites selling illegal goods appear more relevant and attractive to search engines across an array of search terms. By their actions, Defendants have created an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiffs' genuine goods. Defendants are causing concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with Plaintiffs' Marks, (iii) increasing Plaintiffs' overall cost to market their goods and educate consumers about their brand via the Internet, and (iv) maintaining an illegal marketplace enterprise which perpetuates the ability of Defendants and future entrants to that marketplace to confuse consumers and harm Plaintiffs with impunity.

34. Upon information and belief, Defendants are concurrently conducting and targeting their counterfeiting and infringing activities toward consumers and causing harm, within this district and elsewhere throughout the United States. As a result, Defendants are defrauding Plaintiffs and the consuming public for Defendants' own benefit.

35. Defendants' use of Plaintiffs' Marks, including the promotion and advertisement, reproduction, distribution, sale, and offering for sale of their Counterfeit Goods, is without Plaintiffs' consent or authorization.

36. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiffs' rights for the purpose of trading on Plaintiffs' goodwill and reputation. If Defendants'

intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

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

38. Moreover, multiple Defendants have registered their respective Subject Domain Name(s), using marks that are nearly identical and/or confusingly similar to at least one of Plaintiffs' Marks (collectively the "Cybersquatted Subject Domain Names").

39. Defendants do not have, nor have they ever had, the right or authority to use Plaintiffs' Marks. Further, Plaintiffs' Marks have never been assigned or licensed to be used on any of the websites operating under the Cybersquatted Subject Domain Names.

40. Upon information and belief, Defendants have provided false and/or misleading contact information when applying for the registration of the Cybersquatted Subject Domain Names, or have intentionally failed to maintain accurate contact information with respect to the registration of the Cybersquatted Subject Domain Names.

41. Upon information and belief, Defendants have never used any of the Cybersquatted Subject Domain Names in connection with a bona fide offering of goods or services.

42. Upon information and belief, Defendants have not made any bona fide non-commercial or fair use of Plaintiffs' Marks on a website accessible under any of the Cybersquatted Subject Domain Names.

43. Upon information and belief, Defendants have intentionally incorporated Plaintiffs' Marks in their Cybersquatted Subject Domain Names to divert consumers looking for Plaintiffs' Internet website to their own Internet websites for commercial gain.

44. Given the visibility of Defendants' various websites and the similarity of their actions, including their SEO activities, it is clear Defendants are either related or, at a minimum, cannot help but know of each other's existence and the damage likely to be caused to Plaintiffs as a result of Defendants' concurrent actions.

45. Although some Defendants may be acting independently, they may properly be deemed to be acting in concert because they are combining the force of their actions to multiply the harm caused to Plaintiffs.

46. Plaintiffs have no adequate remedy at law.

47. Plaintiffs are suffering irreparable and indivisible injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful use of Plaintiffs' Marks. If Defendants' counterfeiting and infringing, cybersquatting, unfairly competitive activities, and their illegal marketplace enterprise, are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

48. The harm and damage sustained by Plaintiffs have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods and by the creation, maintenance and very existence of Defendants' illegal marketplace enterprise.

**COUNT I - TRADEMARK COUNTERFEITING AND INFRINGEMENT
PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)**

49. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

50. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeits, copies, and/or colorable imitations of Plaintiffs' Marks in commerce in connection with the promotion, advertisement, distribution, sale and/or offering for sale of the Counterfeit Goods.

51. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing products bearing one or more of Plaintiffs' Marks. Defendants are continuously infringing and inducing others to infringe Plaintiffs' Marks by using them to advertise, promote, sell and/or offer to sell goods bearing Plaintiffs' Marks.

52. Defendants' indivisible and concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

53. Defendants' unlawful actions have individually and jointly caused and are continuing to cause unquantifiable and irreparable harm and damage to Plaintiffs and are unjustly enriching Defendants at Plaintiffs' expense.

54. Defendants' above-described illegal actions constitute counterfeiting and infringement of Plaintiffs' Marks in violation of Plaintiffs' rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

55. Plaintiffs have suffered and will continue to suffer irreparable injury due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined.

**COUNT II - FALSE DESIGNATION OF ORIGIN
PURSUANT TO § 43(a) OF THE LANHAM ACT (15 U.S.C. § 1125(a))**

56. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

57. Defendants' Counterfeit Goods bearing and sold under copies of Plaintiffs' Marks have been widely advertised and offered for sale throughout the United States.

58. Defendants' Counterfeit Goods bearing and sold under copies of Plaintiffs' Marks are virtually identical in appearance to each of Plaintiffs' genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Counterfeit Goods.

59. Defendants, upon information and belief, have used in connection with their advertisement, offers for sale, and sale of the Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Plaintiffs' detriment

60. Defendants have authorized infringing uses of Plaintiffs' Marks in Defendants' advertisement and promotion of their counterfeit and infringing branded products. Defendants have also misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

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

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

63. Plaintiffs have no adequate remedy at law and have sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Plaintiffs will continue to suffer irreparable injury to their goodwill and business reputation as well as monetary damages.

**COUNT III - CLAIM FOR RELIEF FOR CYBERSQUATTING
PURSUANT TO §43(d) OF THE LANHAM ACT (15 U.S.C. §1125(d))**

64. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

65. Upon information and belief, certain Defendants have acted with the bad faith intent to profit from Plaintiffs' Marks and the goodwill associated with Plaintiffs' Marks by registering and using the Cybersquatted Subject Domain Names.

66. Plaintiffs' Marks were distinctive and famous at the time Defendants registered the Cybersquatted Subject Domain Names.

67. Defendants have no intellectual property rights in or to Plaintiffs' Marks.

68. The Cybersquatted Subject Domain Names are identical to, confusingly similar to, or dilutive of at least one of Plaintiffs' Marks.

69. Defendants' conduct is done with knowledge and constitutes a willful violation of Plaintiffs' rights in Plaintiffs' Marks. At a minimum, Defendants' conduct constitutes reckless disregard for and willful blindness to Plaintiffs' rights.

70. Plaintiffs have no adequate remedy at law.

71. Defendants' actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. §1125(d).

72. Plaintiffs have suffered and will continue to suffer irreparable injury due to the above described activities of Defendants if Defendants are not preliminarily and permanently enjoined.

COUNT IV - COMMON LAW UNFAIR COMPETITION

73. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

74. This is an action against Defendants based on their (i) promotion, advertisement, distribution, sale and/or offering for sale of goods bearing marks which are virtually identical, both visually and phonetically, to Plaintiffs' Marks, and (ii) creation and maintenance of an illegal, ongoing marketplace enterprise operating in parallel to the legitimate marketplace in which Plaintiffs sell their genuine goods, in violation of Florida's common law of unfair competition.

75. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing infringing and counterfeit versions of Plaintiffs' branded goods. Defendants are also using counterfeits and infringements of Plaintiffs' Marks to unfairly compete with Plaintiffs and others for (i) space in search engine results across an array of search terms and (ii) visibility on the World Wide Web.

76. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of Plaintiffs' Marks.

77. Plaintiffs have no adequate remedy at law and are suffering irreparable injury and damages as a result of Defendants' actions.

COUNT V - COMMON LAW TRADEMARK INFRINGEMENT

78. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

79. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and sale of their Counterfeit Goods bearing Plaintiffs' Marks. MJT is the owner of all common law rights in and to Plaintiffs' Marks.

80. Specifically, Defendants, upon information and belief, are promoting and otherwise advertising, distributing, offering for sale, and selling goods bearing infringements of Plaintiffs' Marks.

81. Defendants infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods bearing Plaintiffs' Marks.

82. Plaintiffs have no adequate remedy at law and are suffering damages and irreparable injury as a result of Defendants' actions.

PRAYER FOR RELIEF

83. WHEREFORE, Plaintiffs demand judgment on all Counts of this Complaint and an award of equitable relief and monetary relief, jointly and severally, against Defendants as follows:

a. Entry of temporary, preliminary and permanent injunctions pursuant to 15 U.S.C. § 1116 and Federal Rule of Civil Procedure 65, enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting Plaintiffs' Marks; from using Plaintiffs' Marks, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name, trademark or trade dress which may be calculated to falsely advertise the services or products of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiffs; from falsely representing themselves as being connected with Plaintiffs, through sponsorship or association, or engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Plaintiffs; from using any reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of Plaintiffs, or in any way endorsed by Plaintiffs and from offering such goods in

commerce; from engaging in search engine optimization strategies using colorable imitations of Plaintiffs' names or Plaintiffs' Marks; and from otherwise unfairly competing with Plaintiffs.

b. Entry of temporary, preliminary and permanent injunctions enjoining Defendants from creating, maintaining, operating, joining, and participating in their World Wide Web based illegal marketplace for the sale and distribution of non-genuine goods bearing counterfeits of Plaintiffs' Marks.

c. Entry of an order pursuant to 28 U.S.C §1651(a), The All Writs Act, that, upon Plaintiffs' request, the top level domain (TLD) Registry for each of the Subject Domain Names or their administrators, including backend registry operators or administrators, place the Subject Domain Names on Registry Hold status for the remainder of the registration period for any such domain name, thus removing them from the TLD zone files which link the Subject Domain Names to the IP addresses where the associated websites are hosted.

d. Entry of an order pursuant to 28 U.S.C §1651(a), The All Writs Act, canceling for the life of the current registration or, at Plaintiffs' election, transferring the Subject Domain Names and any other domain names used by Defendants to engage in their counterfeiting of Plaintiffs' Marks at issue to Plaintiffs' control so they may no longer be used for illegal purposes.

e. Entry of an order requiring Defendants to account to and pay Plaintiffs for all profits and damages resulting from Defendants' trademark counterfeiting and infringing activities and that the award to Plaintiffs be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiffs' election with respect to Count I, that Plaintiffs be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

f. Entry of an order requiring the relevant Defendants to account to and pay Plaintiffs for all profits and damages resulting from those Defendants' cybersquatting activities and that the award to Plaintiffs be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiffs' election with respect to Count III, that Plaintiffs be awarded statutory damages from the relevant Defendants in the amount of one hundred thousand dollars (\$100,000.00) per cybersquatted domain name used as provided by 15 U.S.C. §1117(d) of the Lanham Act.

g. Entry of an award of Plaintiffs' costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

h. Entry of an award of pre-judgment interest on the judgment amount.

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

DATED: November 30, 2015.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

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Attorneys for Plaintiffs

SCHEDULE A
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Domain Name
1	marc-jacobsoutlet.com
2	7sperfectbags.com
2	7sperfectshoes.com
3	asmenuiserie.fr
4	authenticlouisvuittonartsymm.xyz
5	bagsbrandshop.com
6	bagspascher.com
7	berufswahlkompass.ch
8	bijbaanrunner.nl
9	brandoffer99.com
10	buckleykinglpa.com
10	womensmarcjacobs.us
11	bureauchapeau.nl
12	buymarcjacobs.co.uk
12	carl-goran.se
12	dentalhemsida.se
12	goffifulvio.it
12	iannuzzi.be
12	latinflavour.se
12	maltiantos.fr
12	marcjacobsboom.com
12	smartaplatser.se
12	taekwondo-centre.fr
12	vleterhof.be
13	cheapbagsgifts.com
14	choosevipbags.com
15	dedoro.net
16	discountmarcjacobs.us
17	donlee.org
17	eastvirginiacompany.com
18	gift-xmas.com
18	serve21.com
18	soaol.cc
18	tnday.org
18	tnmany.com
18	todaybingo.com
19	giuseppezanottidesigner.com
20	glotrade.co

21	gtgrandprix.de
22	handbagreplica.co
23	handbagsreplica.co.uk
24	imartedi.it
25	jacobsmarcjacobs.com
25	marcjacobsusaonline.com
26	kosmetikita.com
27	lazyrunner.se
27	marcjacobssaleca.com
27	showpony.co.nz
28	liederkranz-rositz.de
29	linehk.com
30	lisagarrity.co.uk
31	longea.it
32	marcjacobsbags.us
32	womenmarcjacobs.us
33	marcjacobsbagsalese.com
33	marcjacobsveskeno.com
34	marcjacobsbagsoutlets.us
34	u-do.us
35	marcjacobsbutikk norge.com
36	marcjacobshandbag.us
37	marcjacobs-handbags.us
38	marcjacobsmarcjacobs.com
39	marcjacobsoutlets2u.com
40	marcjacobsoutletstores.com
41	marcjacobsreaonline.com
42	marcjacobsretailoutlet.com
43	marcjacobs-sale.org
44	marcjacobssale2014.com
45	marcjacobsstore.co.uk
46	marcjacobssveske.com
47	marcsbymarcjacobs.com
48	modeprix.com
49	montreguess-pascher.com
49	montreguesspascherfr.com
50	netgranny.ch
51	nfl-jerseys.co.uk
52	ohpla.it
53	olympiskerejser.dk
54	omergokyar.com
55	oniva.fr
56	paulzornig.nl

57	planete-france.fr
58	polepositionab.se
59	prairiepassions.us
60	proctodoc.com
61	relco.dk
62	sac007.fr
63	sammicarter.com
64	sammyonline.com.au
65	sebastam.fr
66	shopchicbag.com
67	shopmarcbymarcjacobsonline.com
68	shopping-handbags.biz
69	shxclipin.com
70	silverstadenskennel.se
71	sortielesfrs.com
72	stylesunion.es
73	sundudvikling.dk
74	sverigeoutlets.se
75	tamerserbay.de
76	topbagsales.com
76	topbagswall.net
77	vasmb.com
78	voguefront.me
79	vogueking.cc
80	vogueladies.org
81	watchescart.com
82	zagcase.com
83	zapatillasmarca.com

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 15-cv-62512-Cohn/Seltzer

MARC JACOBS TRADEMARKS, LLC and
MARC JACOBS INTERNATIONAL, LLC,

Plaintiffs,

vs.

THE INDIVIDUALS, PARTNERSHIPS, and
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE "A" and DOES
1-10,

Defendants.

COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

Plaintiffs, Marc Jacobs Trademarks, LLC, a Delaware limited liability company ("MJT") and Marc Jacobs International, LLC, a Delaware limited liability company ("MJI") (collectively "Plaintiffs"), hereby sue Defendants the Individuals, Partnerships, and Unincorporated Associations identified on Schedule "A" hereto and Does 1-10 (collectively "Defendants"). Defendants are promoting, selling, offering for sale and distributing goods bearing counterfeits and confusingly similar imitations of Plaintiffs' trademarks within this district through at least the fully interactive commercial Internet websites operating under the domain names identified on Schedule "A" hereto (the "Subject Domain Names"). In support of their claims, Plaintiffs allege as follows:

JURISDICTION AND VENUE

1. This is an action for federal trademark counterfeiting and infringement, false designation of origin, cybersquatting, common law unfair competition, and common law trademark infringement pursuant to 15 U.S.C. §§ 1114, 1116, 1125(a), 1125(d), and The All

Writs Act, 28 U.S.C §1651(a). Accordingly, this Court has subject matter jurisdiction over this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. This Court has supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over Plaintiffs' state law claims because those claims are so related to the federal claims that they form part of the same case or controversy.

2. Defendants are subject to personal jurisdiction in this district because they operate commercial websites accessible in this district and direct business activities towards consumers throughout the United States, including within the State of Florida and this district through at least the fully interactive commercial Internet websites operating under the Subject Domain Names.

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 since Defendants are, upon information and belief, aliens engaged in infringing activities and causing harm within this district by advertising, offering to sell, and/or selling infringing products into this district.

THE PLAINTIFF

4. MJT is a limited liability company duly organized under the laws of the State of Delaware with its principal place of business in the United States located at 72 Spring Street, 2nd Floor, New York, New York 10012.

5. MJI is a limited liability company organized under the laws of Delaware with its principal place of business in the United States located at 72 Spring Street, 2nd Floor, New York, New York 10012.

6. MJI is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high quality luxury goods under multiple world famous common law and federally registered trademarks, including those

identified in Paragraph 18 below. MJJ operates a boutique within this district. MJJ offers for sale and sells Plaintiffs' trademarked goods within the State of Florida, including this district, through its boutique, at high quality prestigious department stores, and via the Internet. Defendants, through the sale and offering for sale of counterfeit and infringing versions of Plaintiffs' branded products, are directly, and unfairly, competing with Plaintiffs' economic interests in the State of Florida and causing Plaintiffs harm within this jurisdiction.

7. Like many other famous trademark owners in the luxury goods market, Plaintiffs suffer ongoing daily and sustained violations of their trademark rights at the hands of counterfeiters and infringers, such as Defendants herein, who wrongfully reproduce and counterfeit Plaintiffs' trademarks for the twin purposes of (i) duping and confusing the consuming public and (ii) earning substantial profits.

8. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Plaintiffs expend significant monetary resources in connection with trademark enforcement efforts, including legal fees, investigative fees, and support mechanisms for law enforcement, such as field training guides and seminars. The recent explosion of counterfeiting over the Internet has created an environment that requires companies such as Plaintiffs to file a large number of lawsuits, often it later turns out, against the same individuals and groups, in order to protect both consumers and themselves from the ill effects of confusion and the erosion of the goodwill associated with Plaintiffs' brand.

THE DEFENDANTS

9. Defendants operate through domain names registered with registrars in multiple countries and are comprised of individuals and/or business entities of unknown makeup, who,

upon information and belief, reside and/or operate in foreign jurisdictions, including the People's Republic of China. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b). Defendants target their business activities towards consumers throughout the United States, including within this district through the simultaneous operation of at least the fully interactive commercial websites existing under the Subject Domain Names.

10. Upon information and belief, Defendants use aliases in conjunction with the operation of their businesses, including but not limited to those identified by the same Defendant Number on Schedule "A" hereto.

11. Plaintiffs are presently unaware of the true names of Does 1-10, although they are generally identified as the managing agents and/or co-conspirators of Defendants. Plaintiffs will amend this Complaint upon discovery of the identities of such fictitious Defendants.

12. Upon information and belief, Defendants are directly and personally contributing to, inducing and engaging in the sale of counterfeit branded products as alleged herein, often times as partners, co-conspirators and/or suppliers.

13. Defendants are part of an ongoing scheme to create and maintain an illegal marketplace enterprise on the World Wide Web, which (i) confuses consumers regarding the source of Defendants' goods for profit, and (ii) expands the marketplace for illegal, counterfeit versions of Plaintiffs' branded goods while shrinking the legitimate marketplace for Plaintiffs' genuine branded goods. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with Plaintiffs' names and associated trademarks, as well as the destruction of the legitimate market sector in which they operate.

14. Defendants are the past and present controlling forces behind the operation of, at least, the Subject Domain Names.

15. Upon information and belief, Defendants directly engage in unfair competition with Plaintiffs by (i) offering for sale and/or selling goods bearing counterfeits and infringements of one or more of Plaintiffs' trademarks to consumers within the United States and this district through at least the fully interactive commercial websites operating under the Subject Domain Names and additional domains and websites not yet known to Plaintiffs and (ii) creating and maintaining an illegal marketplace enterprise for the purpose of diverting business from Plaintiffs' legitimate marketplace for their genuine goods. Defendants have purposefully directed some portion of their illegal activities towards consumers in the State of Florida through the advertisement, offer to sell, sale and shipment of counterfeit versions of Plaintiffs' branded goods into the State, and by operating an illegal marketplace enterprise which impacts and interferes with commerce throughout the United States, including within the State of Florida.

16. Upon information and belief, Defendants have registered, established or purchased, and maintained their respective Subject Domain Names, and the websites operating thereunder. Upon information and belief, many Defendants have engaged in fraudulent conduct with respect to the registration of the Subject Domain Names by providing false and/or misleading information to their various registrars during the registration or maintenance process. Upon information and belief, many Defendants have anonymously registered and maintained their Subject Domain Names for the sole purpose of engaging in illegal counterfeiting activities.

17. Upon information and belief, Defendants will continue to register or acquire new domain names for the purpose of selling and/or offering for sale goods bearing counterfeit and confusingly similar imitations of Plaintiffs' trademarks unless preliminarily and permanently enjoined. Moreover, upon information and belief, Defendants will continue to maintain and grow

their illegal marketplace enterprise at Plaintiffs' expense unless preliminarily and permanently enjoined.

18. Defendants' entire Internet-based website businesses amount to nothing more than illegal operations established and operated in order to infringe the intellectual property rights of Plaintiffs and others.

19. Defendants' business names, i.e., the Subject Domain Names and any other domain names used in connection with the sale of counterfeits bearing Plaintiffs' trademarks, are essential components of Defendants' counterfeiting and infringing activities and are the means by which Defendants further their counterfeiting and infringing scheme and cause harm to Plaintiffs. Moreover, Defendants are using Plaintiffs' famous names and trademarks to drive Internet consumer traffic to their websites operating under the Subject Domain Names, thereby creating and increasing the value of the Subject Domain Names and decreasing the size and value of Plaintiffs' legitimate consumer marketplace at Plaintiffs' expense.

COMMON FACTUAL ALLEGATIONS

Plaintiffs' Trademark Rights

20. MJT is the registered owner and MJI is the licensee of the following trademarks, which are valid and registered on the Principal Register of the United States Patent and Trademark Office ("Plaintiffs' Marks"):

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
MARC JACOBS	1,967,123	April 9, 1996	<p>IC 018; Handbags, knapsacks, back packs, tote bags, satchels, clutch bags, sling bags, bucket-shaped bags, waist packs, purses, cosmetic bags, change purses, wallets, key cases, eyeglass cases</p> <p>IC 025; women's apparel, namely dresses, skirts, blouses, pants, jackets, coats, shoes, scarves, and hats; [furs, namely coats, jackets, stoles, and hats,] knitwear, namely sweaters, coats, dresses, skirts, pants, gloves, hats and scarves; belts; bras, panties, teddies, full slips, half slips and hosiery.</p>

MARC BY MARC JACOBS	3,699,162	October 20, 2009	<p>IC 009; Spectacles, sunglasses and spectacle cases</p> <p>IC 014; Goods of precious metals, their alloys, or plated therewith, namely, works of art of precious metal, boxes, jewelry caskets and powder compacts of precious metal; jewelry articles; jewelry and fashion jewelry, namely, rings, buckles for watchstraps, earrings, cuff links, bracelets, charms, brooches, chains, necklaces, pendants, fancy key rings of precious metal, their alloys, or plated therewith, tie pins, ornaments of precious metal, medallions; timepieces and chronometric instruments, namely, watches, watch bands, watchcases, wrist-watches, wall clocks, pendulettes, alarm clocks, boxes and cases for clocks and watches</p> <p>IC 018; Boxes of leather and imitation leather for packaging and carrying goods, trunks, suitcases, traveling sets comprised of matching luggage, traveling bags, luggage, garment bags for travel, hatboxes of leather, hatboxes not of paper, cardboard or plastic, unfitted vanity cases, toiletry cases sold empty, rucksacks, satchels, handbags, beach bags, shopping bags, shoulder bags, animal carrier bags, carrier bags for suits, animal game bags, waist bags, purses, portmanteaus, briefcases, briefcase-type portfolio satchels, pochettes, namely, pocket handbags and wallets, leather pouches, wallets, change purses, key cases, business and credit card cases; umbrellas, parasols</p> <p>IC 022; Clothing and underwear, namely, jerseys, shirts, T-shirts, lingerie, belts, scarves, ties, shawls, waistcoats, skirts, raincoats, overcoats, braces, trousers, denim trousers, pullovers, dresses, jackets, sashes for wear, gloves, tights, socks, bathing suits, bath robes, pajamas, nightshirts, shorts, pocket squares; shoes, boots, slippers; headwear</p>
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MARC JACOBS	4,517,198	April 22, 2014	IC 09; Sunglasses; sunglass frames; sunglass cases; eyeglasses; eyeglass frames; eyeglass cases; cases for mobile phones; carrying cases for cell phones; laptop carrying cases; USB hardware; headphones; protective cases for tablet computers; protective covers for tablet computers; electronic book readers; digital book readers; protective sleeves for tablet computers
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True and correct copies of the Certificates of Registration for Plaintiffs' Marks are attached hereto as Composite Exhibit "A."

21. Plaintiffs' Marks have been used in interstate commerce to identify and distinguish Plaintiffs' high quality goods for an extended period of time.

22. Plaintiffs' Marks have never been assigned or licensed to any of the Defendants in this matter.

23. Plaintiffs' Marks are symbols of Plaintiffs' quality, reputation and goodwill.

24. Further, Plaintiffs have expended substantial time, money and other resources developing, advertising and otherwise promoting Plaintiffs' Marks. Plaintiffs' Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).

25. Plaintiffs have extensively used, advertised, and promoted Plaintiffs' Marks in the United States in association with the sale of high quality luxury goods and have carefully monitored and policed the use of Plaintiffs' Marks.

26. As a result of Plaintiffs' efforts, members of the consuming public readily identify merchandise bearing or sold under Plaintiffs' Marks as being high quality goods sponsored and approved by Plaintiffs.

27. Accordingly, Plaintiffs' Marks have achieved secondary meaning as identifiers of high quality luxury goods.

28. Genuine goods bearing Plaintiffs' Marks are widely legitimately advertised and promoted by Plaintiffs and their authorized distributors via the Internet. Over the course of the past ten years, visibility on the Internet, particularly via Internet search engines such as Google, Yahoo! and Bing has become increasingly important to Plaintiffs' overall marketing and consumer education efforts. Thus, Plaintiffs expend significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Plaintiffs and their authorized retailers to fairly and legitimately educate consumers about the value associated with Plaintiffs' brand and the goods sold thereunder.

Defendants' Infringing Activities

29. Upon information and belief, at all times relevant hereto, Defendants in this action had full knowledge of Plaintiffs' ownership of Plaintiffs' Marks, including their exclusive right to use and license such intellectual property and the goodwill associated therewith.

30. Upon information and belief, Defendants are promoting and advertising, distributing, selling and/or offering for sale goods in interstate commerce bearing counterfeits and confusingly similar imitations of Plaintiffs' Marks (the "Counterfeit Goods") through the fully interactive commercial Internet websites operating under the Subject Domain Names. True and correct copies of the web pages reflecting samples of the Internet websites operating under the Subject Domain Names are attached hereto as Composite Exhibit "B." Specifically, upon information and belief, Defendants are using identical copies of Plaintiffs' Marks for different quality goods. Plaintiffs have used Plaintiffs' Marks extensively and continuously before Defendants began offering counterfeit and confusingly similar imitations of Plaintiffs'

merchandise. A true and correct copy of the summary comparison table illustrating examples of Defendants' infringement of each of Plaintiffs' Marks, together with true and correct web page captures from Defendants' websites demonstrating infringement by Defendants is attached hereto as Composite Exhibit "C."

31. Upon information and belief, Defendants' Counterfeit Goods are of a quality substantially different than that of Plaintiffs' genuine goods. Defendants, upon information and belief, are actively using, promoting and otherwise advertising, distributing, selling, and/or offering for sale substantial quantities of their Counterfeit Goods with the knowledge and intent that such goods will be mistaken for the genuine high quality products offered for sale by Plaintiffs despite Defendants' knowledge that they are without authority to use Plaintiffs' Marks. The net effect of Defendants' actions will cause confusion of consumers at the time of initial interest, sale, and in the post-sale setting, who will believe Defendants' Counterfeit Goods are genuine goods originating from, associated with, and approved by Plaintiffs.

32. Defendants advertise their Counterfeit Goods for sale to the consuming public via at least their websites operating under the Subject Domain Names. In so advertising these products, Defendants improperly and unlawfully use Plaintiffs' Marks without Plaintiffs' permission. Indeed, Defendants herein misappropriated Plaintiffs' advertising ideas and methods of doing business with regard to the advertisement and sale of Plaintiffs' genuine goods. Upon information and belief, the misappropriation of Plaintiffs' advertising ideas in the form of Plaintiffs' Marks is, in part, the proximate cause of harm to Plaintiffs.

33. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, all concurrently employing substantially similar, and often times coordinated, paid advertising and SEO strategies based, in large measure, upon an illegal use of

counterfeits and infringements of Plaintiffs' Marks. Specifically, Defendants are using counterfeits of Plaintiffs' famous names and Plaintiffs' Marks in order to make their websites selling illegal goods appear more relevant and attractive to search engines across an array of search terms. By their actions, Defendants have created an illegal marketplace operating in parallel to the legitimate marketplace for Plaintiffs' genuine goods. Defendants are causing concurrent and indivisible harm to Plaintiffs and the consuming public by (i) depriving Plaintiffs of their right to fairly compete for space within search engine results and reducing the visibility of Plaintiffs' genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with Plaintiffs' Marks, (iii) increasing Plaintiffs' overall cost to market their goods and educate consumers about their brand via the Internet, and (iv) maintaining an illegal marketplace enterprise which perpetuates the ability of Defendants and future entrants to that marketplace to confuse consumers and harm Plaintiffs with impunity.

34. Upon information and belief, Defendants are concurrently conducting and targeting their counterfeiting and infringing activities toward consumers and causing harm, within this district and elsewhere throughout the United States. As a result, Defendants are defrauding Plaintiffs and the consuming public for Defendants' own benefit.

35. Defendants' use of Plaintiffs' Marks, including the promotion and advertisement, reproduction, distribution, sale, and offering for sale of their Counterfeit Goods, is without Plaintiffs' consent or authorization.

36. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Plaintiffs' rights for the purpose of trading on Plaintiffs' goodwill and reputation. If Defendants'

intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

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

38. Moreover, multiple Defendants have registered their respective Subject Domain Name(s), using marks that are nearly identical and/or confusingly similar to at least one of Plaintiffs' Marks (collectively the "Cybersquatted Subject Domain Names").

39. Defendants do not have, nor have they ever had, the right or authority to use Plaintiffs' Marks. Further, Plaintiffs' Marks have never been assigned or licensed to be used on any of the websites operating under the Cybersquatted Subject Domain Names.

40. Upon information and belief, Defendants have provided false and/or misleading contact information when applying for the registration of the Cybersquatted Subject Domain Names, or have intentionally failed to maintain accurate contact information with respect to the registration of the Cybersquatted Subject Domain Names.

41. Upon information and belief, Defendants have never used any of the Cybersquatted Subject Domain Names in connection with a bona fide offering of goods or services.

42. Upon information and belief, Defendants have not made any bona fide non-commercial or fair use of Plaintiffs' Marks on a website accessible under any of the Cybersquatted Subject Domain Names.

43. Upon information and belief, Defendants have intentionally incorporated Plaintiffs' Marks in their Cybersquatted Subject Domain Names to divert consumers looking for Plaintiffs' Internet website to their own Internet websites for commercial gain.

44. Given the visibility of Defendants' various websites and the similarity of their actions, including their SEO activities, it is clear Defendants are either related or, at a minimum, cannot help but know of each other's existence and the damage likely to be caused to Plaintiffs as a result of Defendants' concurrent actions.

45. Although some Defendants may be acting independently, they may properly be deemed to be acting in concert because they are combining the force of their actions to multiply the harm caused to Plaintiffs.

46. Plaintiffs have no adequate remedy at law.

47. Plaintiffs are suffering irreparable and indivisible injury and have suffered substantial damages as a result of Defendants' unauthorized and wrongful use of Plaintiffs' Marks. If Defendants' counterfeiting and infringing, cybersquatting, unfairly competitive activities, and their illegal marketplace enterprise, are not preliminarily and permanently enjoined by this Court, Plaintiffs and the consuming public will continue to be harmed.

48. The harm and damage sustained by Plaintiffs have been directly and proximately caused by Defendants' wrongful reproduction, use, advertisement, promotion, offers to sell, and sale of their Counterfeit Goods and by the creation, maintenance and very existence of Defendants' illegal marketplace enterprise.

**COUNT I - TRADEMARK COUNTERFEITING AND INFRINGEMENT
PURSUANT TO § 32 OF THE LANHAM ACT (15 U.S.C. § 1114)**

49. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

50. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeits, copies, and/or colorable imitations of Plaintiffs' Marks in commerce in connection with the promotion, advertisement, distribution, sale and/or offering for sale of the Counterfeit Goods.

51. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing products bearing one or more of Plaintiffs' Marks. Defendants are continuously infringing and inducing others to infringe Plaintiffs' Marks by using them to advertise, promote, sell and/or offer to sell goods bearing Plaintiffs' Marks.

52. Defendants' indivisible and concurrent counterfeiting and infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods.

53. Defendants' unlawful actions have individually and jointly caused and are continuing to cause unquantifiable and irreparable harm and damage to Plaintiffs and are unjustly enriching Defendants at Plaintiffs' expense.

54. Defendants' above-described illegal actions constitute counterfeiting and infringement of Plaintiffs' Marks in violation of Plaintiffs' rights under § 32 of the Lanham Act, 15 U.S.C. § 1114.

55. Plaintiffs have suffered and will continue to suffer irreparable injury due to Defendants' above described activities if Defendants are not preliminarily and permanently enjoined.

**COUNT II - FALSE DESIGNATION OF ORIGIN
PURSUANT TO § 43(a) OF THE LANHAM ACT (15 U.S.C. § 1125(a))**

56. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

57. Defendants' Counterfeit Goods bearing and sold under copies of Plaintiffs' Marks have been widely advertised and offered for sale throughout the United States.

58. Defendants' Counterfeit Goods bearing and sold under copies of Plaintiffs' Marks are virtually identical in appearance to each of Plaintiffs' genuine goods. However, Defendants' Counterfeit Goods are different in quality. Accordingly, Defendants' activities are likely to cause confusion in the trade and among the general public as to at least the origin or sponsorship of their Counterfeit Goods.

59. Defendants, upon information and belief, have used in connection with their advertisement, offers for sale, and sale of the Counterfeit Goods, false designations of origin and false descriptions and representations, including words or other symbols and trade dress which tend to falsely describe or represent such goods and have caused such goods to enter into commerce with full knowledge of the falsity of such designations of origin and such descriptions and representations, all to Plaintiffs' detriment

60. Defendants have authorized infringing uses of Plaintiffs' Marks in Defendants' advertisement and promotion of their counterfeit and infringing branded products. Defendants have also misrepresented to members of the consuming public that the Counterfeit Goods being advertised and sold by them are genuine, non-infringing goods.

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

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

63. Plaintiffs have no adequate remedy at law and have sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Plaintiffs will continue to suffer irreparable injury to their goodwill and business reputation as well as monetary damages.

**COUNT III - CLAIM FOR RELIEF FOR CYBERSQUATTING
PURSUANT TO §43(d) OF THE LANHAM ACT (15 U.S.C. §1125(d))**

64. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

65. Upon information and belief, certain Defendants have acted with the bad faith intent to profit from Plaintiffs' Marks and the goodwill associated with Plaintiffs' Marks by registering and using the Cybersquatted Subject Domain Names.

66. Plaintiffs' Marks were distinctive and famous at the time Defendants registered the Cybersquatted Subject Domain Names.

67. Defendants have no intellectual property rights in or to Plaintiffs' Marks.

68. The Cybersquatted Subject Domain Names are identical to, confusingly similar to, or dilutive of at least one of Plaintiffs' Marks.

69. Defendants' conduct is done with knowledge and constitutes a willful violation of Plaintiffs' rights in Plaintiffs' Marks. At a minimum, Defendants' conduct constitutes reckless disregard for and willful blindness to Plaintiffs' rights.

70. Plaintiffs have no adequate remedy at law.

71. Defendants' actions constitute cybersquatting in violation of §43(d) of the Lanham Act, 15 U.S.C. §1125(d).

72. Plaintiffs have suffered and will continue to suffer irreparable injury due to the above described activities of Defendants if Defendants are not preliminarily and permanently enjoined.

COUNT IV - COMMON LAW UNFAIR COMPETITION

73. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

74. This is an action against Defendants based on their (i) promotion, advertisement, distribution, sale and/or offering for sale of goods bearing marks which are virtually identical, both visually and phonetically, to Plaintiffs' Marks, and (ii) creation and maintenance of an illegal, ongoing marketplace enterprise operating in parallel to the legitimate marketplace in which Plaintiffs sell their genuine goods, in violation of Florida's common law of unfair competition.

75. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing infringing and counterfeit versions of Plaintiffs' branded goods. Defendants are also using counterfeits and infringements of Plaintiffs' Marks to unfairly compete with Plaintiffs and others for (i) space in search engine results across an array of search terms and (ii) visibility on the World Wide Web.

76. Defendants' infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' products by their use of Plaintiffs' Marks.

77. Plaintiffs have no adequate remedy at law and are suffering irreparable injury and damages as a result of Defendants' actions.

COUNT V - COMMON LAW TRADEMARK INFRINGEMENT

78. Plaintiffs hereby adopt and re-allege the allegations set forth in Paragraphs 1 through 48 above.

79. This is an action for common law trademark infringement against Defendants based on their promotion, advertisement, offering for sale, and sale of their Counterfeit Goods bearing Plaintiffs' Marks. MJT is the owner of all common law rights in and to Plaintiffs' Marks.

80. Specifically, Defendants, upon information and belief, are promoting and otherwise advertising, distributing, offering for sale, and selling goods bearing infringements of Plaintiffs' Marks.

81. Defendants infringing activities are likely to cause and actually are causing confusion, mistake and deception among members of the trade and the general consuming public as to the origin and quality of Defendants' Counterfeit Goods bearing Plaintiffs' Marks.

82. Plaintiffs have no adequate remedy at law and are suffering damages and irreparable injury as a result of Defendants' actions.

PRAYER FOR RELIEF

83. WHEREFORE, Plaintiffs demand judgment on all Counts of this Complaint and an award of equitable relief and monetary relief, jointly and severally, against Defendants as follows:

a. Entry of temporary, preliminary and permanent injunctions pursuant to 15 U.S.C. § 1116 and Federal Rule of Civil Procedure 65, enjoining Defendants, their agents, representatives, servants, employees, and all those acting in concert or participation therewith, from manufacturing or causing to be manufactured, importing, advertising or promoting, distributing, selling or offering to sell their Counterfeit Goods; from infringing, counterfeiting, or diluting Plaintiffs' Marks; from using Plaintiffs' Marks, or any mark or trade dress similar thereto, in connection with the sale of any unauthorized goods; from using any logo, trade name, trademark or trade dress which may be calculated to falsely advertise the services or products of Defendants as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiffs; from falsely representing themselves as being connected with Plaintiffs, through sponsorship or association, or engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendants are in any way endorsed by, approved by, and/or associated with Plaintiffs; from using any reproduction, counterfeit, copy, or colorable imitation of Plaintiffs' Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendants; from affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent Defendants' goods as being those of Plaintiffs, or in any way endorsed by Plaintiffs and from offering such goods in

commerce; from engaging in search engine optimization strategies using colorable imitations of Plaintiffs' names or Plaintiffs' Marks; and from otherwise unfairly competing with Plaintiffs.

b. Entry of temporary, preliminary and permanent injunctions enjoining Defendants from creating, maintaining, operating, joining, and participating in their World Wide Web based illegal marketplace for the sale and distribution of non-genuine goods bearing counterfeits of Plaintiffs' Marks.

c. Entry of an order pursuant to 28 U.S.C §1651(a), The All Writs Act, that, upon Plaintiffs' request, the top level domain (TLD) Registry for each of the Subject Domain Names or their administrators, including backend registry operators or administrators, place the Subject Domain Names on Registry Hold status for the remainder of the registration period for any such domain name, thus removing them from the TLD zone files which link the Subject Domain Names to the IP addresses where the associated websites are hosted.

d. Entry of an order pursuant to 28 U.S.C §1651(a), The All Writs Act, canceling for the life of the current registration or, at Plaintiffs' election, transferring the Subject Domain Names and any other domain names used by Defendants to engage in their counterfeiting of Plaintiffs' Marks at issue to Plaintiffs' control so they may no longer be used for illegal purposes.

e. Entry of an order requiring Defendants to account to and pay Plaintiffs for all profits and damages resulting from Defendants' trademark counterfeiting and infringing activities and that the award to Plaintiffs be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiffs' election with respect to Count I, that Plaintiffs be awarded statutory damages from each Defendant in the amount of two million dollars (\$2,000,000.00) per each counterfeit trademark used and product sold, as provided by 15 U.S.C. §1117(c)(2) of the Lanham Act.

f. Entry of an order requiring the relevant Defendants to account to and pay Plaintiffs for all profits and damages resulting from those Defendants' cybersquatting activities and that the award to Plaintiffs be trebled, as provided for under 15 U.S.C. §1117, or, at Plaintiffs' election with respect to Count III, that Plaintiffs be awarded statutory damages from the relevant Defendants in the amount of one hundred thousand dollars (\$100,000.00) per cybersquatted domain name used as provided by 15 U.S.C. §1117(d) of the Lanham Act.

g. Entry of an award of Plaintiffs' costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

h. Entry of an award of pre-judgment interest on the judgment amount.

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

DATED: November 30, 2015.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

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Attorneys for Plaintiffs

SCHEDULE A
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Defendant Number	Defendant / Domain Name
1	marc-jacobsoutlet.com
2	7sperfectbags.com
2	7sperfectshoes.com
3	asmenuiserie.fr
4	authenticlouisvuittonartsymm.xyz
5	bagsbrandshop.com
6	bagspascher.com
7	berufswahlkompass.ch
8	bijbaanrunner.nl
9	brandoffer99.com
10	buckleykinglpa.com
10	womensmarcjacobs.us
11	bureauchapeau.nl
12	buymarcjacobs.co.uk
12	carl-goran.se
12	dentalhemsida.se
12	goffifulvio.it
12	iannuzzi.be
12	latinflavour.se
12	maltiantos.fr
12	marcjacobsboom.com
12	smartaplatser.se
12	taekwondo-centre.fr
12	vleterhof.be
13	cheapbagsgifts.com
14	choosevipbags.com
15	dedoro.net
16	discountmarcjacobs.us
17	donlee.org
17	eastvirginiacompany.com
18	gift-xmas.com
18	serve21.com
18	soaol.cc
18	tnday.org
18	tnmany.com
18	todaybingo.com
19	giuseppesanottidesigner.com
20	glotrade.co

21	gtgrandprix.de
22	handbagreplica.co
23	handbagsreplica.co.uk
24	imartedi.it
25	jacobsmarcjacobs.com
25	marcjacobsusaonline.com
26	kosmetikita.com
27	lazyrunner.se
27	marcjacobssaleca.com
27	showpony.co.nz
28	liederkranz-rositz.de
29	linehk.com
30	lisagarrity.co.uk
31	longea.it
32	marcjacobsbags.us
32	womenmarcjacobs.us
33	marcjacobsbagsalese.com
33	marcjacobsveskeno.com
34	marcjacobsbagsoutlets.us
34	u-do.us
35	marcjacobsbutikk norge.com
36	marcjacobshandbag.us
37	marcjacobs-handbags.us
38	marcjacobsmarcjacobs.com
39	marcjacobsoutlets2u.com
40	marcjacobsoutletstores.com
41	marcjacobsreaonline.com
42	marcjacobsretailoutlet.com
43	marcjacobs-sale.org
44	marcjacobssale2014.com
45	marcjacobsstore.co.uk
46	marcjacobssveske.com
47	marcsbymarcjacobs.com
48	modeprix.com
49	montreguess-pascher.com
49	montreguesspascherfr.com
50	netgranny.ch
51	nfl-jerseys.co.uk
52	ohpla.it
53	olympiskerejser.dk
54	omergokyar.com
55	oniva.fr
56	paulzornig.nl

57	planete-france.fr
58	polepositionab.se
59	prairiepassions.us
60	proctodoc.com
61	relco.dk
62	sac007.fr
63	sammicarter.com
64	sammyonline.com.au
65	sebastam.fr
66	shopchicbag.com
67	shopmarcbymarcjacobsonline.com
68	shopping-handbags.biz
69	shxclipin.com
70	silverstadenskennel.se
71	sortielesfrs.com
72	stylesunion.es
73	sundudvikling.dk
74	sverigeoutlets.se
75	tamerserbay.de
76	topbagsales.com
76	topbagswall.net
77	vasmb.com
78	voguefront.me
79	vogueking.cc
80	vogueladies.org
81	watchescart.com
82	zagcase.com
83	zapatillasmarca.com