

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

HASBRO CONSUMER PRODUCTS
LICENSING LIMITED,

Plaintiff,

v.

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

Defendants.

Case No. 24-cv-06706

COMPLAINT

Plaintiff Hasbro Consumer Products Licensing Limited (“Hasbro” 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 the claims in this action pursuant to the provisions of the Lanham Act, 15 U.S.C. § 1051, *et seq.*, the Copyright Act 17 U.S.C. § 501, *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 since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive e-commerce stores¹ operating under the seller aliases identified in 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

¹ The e-commerce store URLs are listed on Schedule A hereto under the Online Marketplaces.

consumers using one or more Seller Aliases, offer shipping to the United States, including Illinois, accept payment in U.S. dollars and/or funds from U.S. bank accounts, and, on information and belief, have sold products using infringing and counterfeit versions of Hasbro's federally registered trademarks and/or unauthorized copies of Hasbro's federally registered copyrighted works (collectively, the "Unauthorized Hasbro Products") to residents of Illinois. Each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Hasbro substantial injury in the State of Illinois.

II. INTRODUCTION

3. This action has been filed by Hasbro to combat e-commerce store operators who trade upon Hasbro's reputation and goodwill by selling and/or offering for sale Unauthorized Hasbro Products. Defendants create e-commerce stores operating under one or more Seller Aliases that are advertising, offering for sale, and selling Unauthorized Hasbro Products to unknowing consumers. E-commerce stores operating under the Seller Aliases share unique identifiers, establishing a logical relationship between them and that Defendants' counterfeiting operation arises out of the same transaction, occurrence, or series of transactions or occurrences. Defendants attempt to avoid and mitigate liability by operating under one or more Seller Aliases to conceal both their identities and the full scope and interworking of their counterfeiting operation. Hasbro is forced to file this action to combat Defendants' counterfeiting of its registered trademarks and infringement of its registered copyrighted works, as well as to protect unknowing consumers from purchasing Unauthorized Hasbro Products over the internet. Hasbro has been and continues to be irreparably damaged through consumer confusion, dilution, and tarnishment of its valuable trademarks and infringement of its copyrighted works as a result of Defendants' actions and seeks injunctive and monetary relief.

III. THE PARTIES


Plaintiff

4. Plaintiff Hasbro Consumer Products Limited is a private limited company having its principal place of business in the United Kingdom.

5. Hasbro is a production and distribution company that specializes in the development, acquisition, production, financing, distribution and sales of entertainment content, including the animated television series Peppa Pig and PJ Masks. Hasbro's diversified expertise spans across film, television and music production and sales, family programming, merchandising and licensing, and digital content. Through its global reach and expansive scale, powered by deep local market knowledge, Hasbro delivers the best content to the world.



6. Peppa Pig is a preschool animated television series directed and produced by Hasbro and Karrot Animation, which originally aired in May 2004 and re-premiered in February 2015. Since 2015, multiple seasons have been aired. With over 1000 licensees around the world, Peppa Pig is a top performing global preschool property that has been translated into over 40 languages and broadcast in over 180 territories. Peppa Pig has won three British Academy of Film and Television Arts or BAFTA Awards for pre-school animation. With a pipeline of new episodes delivering fresh content through the end of 2023, the global phenomenon continues to look bright for Hasbro's popular little piggy. Some of the characters and character names made famous by Peppa Pig are:

<p>Peppa Pig</p>	 A cartoon pig character with a pink body, wearing a red dress, standing on two legs.	<p>George Pig</p>	 A cartoon pig character with a pink body, wearing a blue shirt, standing on two legs.
<p>Daddy Pig</p>	 A cartoon pig character with a pink body, wearing glasses and a green shirt, standing on two legs.	<p>Mummy Pig</p>	 A cartoon pig character with a pink body, wearing an orange dress, standing on two legs.
<p>Grandpa Pig</p>	 A cartoon pig character with a pink body, wearing a blue cap and a dark blue shirt, standing on two legs.	<p>Granny Pig</p>	 A cartoon pig character with a pink body, wearing a pink dress and a purple hat with a feather, standing on two legs.
<p>Danny Dog</p>	 A cartoon dog character with a brown body, wearing a purple shirt, standing on two legs.	<p>Madame Gazelle</p>	 A cartoon gazelle character with a tan body, wearing a dark purple dress, standing on two legs.
<p>Pedro Pony</p>	 A cartoon pony character with a brown body, wearing glasses and a yellow shirt, standing on two legs.	<p>Rebecca Rabbit</p>	 A cartoon rabbit character with a light yellow body, wearing a teal dress, standing on two legs.

<p>Candy Cat</p>			
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7. PJ Masks is an animated television series. Since the show first premiered on Disney Junior in the United States in September 2015, PJ Masks is now broadcast in over 150 territories and has become a favorite with families all around the world. The action-packed adventures of Catboy, Owlette & Gekko are set to continue with a new season of episodes rolling out globally throughout 2023 and another season currently in production. With over 600 licensees globally, PJ Masks continues to soar onto shelves across the globe, with strong sales success across all categories. Some of the characters and character names made famous by PJ Masks are:

<p>Catboy</p>	<p>Gekko</p>	<p>Owlette</p>
		

Romeo	Luna Girl	
		

8. In addition to episode DVDs, a variety of licensed Peppa Pig and PJ Masks products are available, including video games and other toys such as playsets, playing cards, vehicles, and stuffed toys, household items such as bathroom products, stationery, and bed linens, food, drinks, clothing, and jewelry (collectively, the “Hasbro Products”).



9. Hasbro Products have become enormously popular and even iconic, driven by the brand’s arduous quality standards and innovative design. Among the purchasing public, genuine Peppa Pig Products are instantly recognizable as such. The Peppa Pig and PJ Masks brands have become global successes that resonate with children worldwide, and Hasbro Products are among the most recognizable in the world. Hasbro Products are distributed and sold to consumers through retailers throughout the United States, including through authorized retailers in Illinois such as Target, Kmart, and Walmart.

10. Long before Defendants’ acts described herein, Hasbro and its predecessors launched the Peppa Pig and PJ Masks television shows and related line of Hasbro Products bearing its now famous PEPPA PIG and PJ MASKS marks and various copyrighted works.

11. Hasbro and its predecessors have used the PEPPA PIG mark, PJ MASKS mark, and other trademarks for many years and has continuously sold products under the PEPPA PIG mark, PJ MASKS mark, and other trademarks (collectively, the “Hasbro Trademarks”). As a result of this long-standing use, strong common law trademark rights and goodwill have amassed

in the Hasbro Trademarks. The Hasbro Trademarks are famous marks and valuable assets of Hasbro. Hasbro Products typically include at least one of the registered Hasbro Trademarks and/or Hasbro’s copyrighted works.

12. Several of the Hasbro Trademarks are registered with the United States Patent and Trademark Office, a non-exclusive list of which is included below.

Registration Number	Trademark
3,663,706 4,872,348	PEPPA PIG
3,506,452	
4,783,931	
4,815,385 5,348,145 5,183,889 5,461,563	PJ MASKS
5,572,276	CATBOY
5,613,772	GEKKO
5,613,752	OWLETTE

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

and correct copies of the United States Registration Certificates for the above-listed Hasbro Trademarks are attached hereto as **Exhibit 1**.

14. The Hasbro Trademarks are distinctive when applied to the Hasbro Products, signifying to the purchaser that the products come from Hasbro and are manufactured to Hasbro's quality standards. Whether Hasbro manufactures the products itself or contracts with others to do so, Hasbro has ensured that products bearing the Hasbro Trademarks are manufactured to the highest quality standards.

15. The Hasbro 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 innovative marketing and product designs of the Hasbro Products have enabled the Peppa Pig and PJ Masks brands to achieve widespread recognition and fame and have made the Hasbro Trademarks some of the most well-known marks in the toy and children's entertainment industries. The widespread fame, outstanding reputation, and significant goodwill associated with the Peppa Pig and PJ Masks brands have made the Hasbro Trademarks valuable assets of Hasbro.

16. Since the initial launch of the Hasbro Products, the Hasbro Trademarks have been the subject of substantial and continuous marketing and promotion by Hasbro. Hasbro has and continues to market and promote the Hasbro Trademarks in the industry and to consumers through traditional print media, the PEPPA PIG website (peppapig.com) and the PJ MASKS website (pjmask.com), social media sites, and point of sale material.

17. Hasbro has expended substantial time, money, and other resources in advertising and promoting the Hasbro Trademarks. In fact, Hasbro has expended millions of dollars in advertising, promoting and marketing featuring the Hasbro Trademarks. Hasbro Products have also been the subject of extensive unsolicited publicity resulting from their high-quality,

innovative designs. As a result, products bearing the Hasbro Trademarks are widely recognized and exclusively associated by consumers, the public, and the trade as being high-quality products sourced from Hasbro. Hasbro Products have become among the most popular of their kind in the U.S. and the world. The Hasbro Trademarks have achieved tremendous fame and recognition which has only added to the inherent distinctiveness of the marks. As such, the goodwill associated with the Hasbro Trademarks is of incalculable and inestimable value to Hasbro.

18. Genuine Hasbro Products are sold only through authorized retail channels and are recognized by the public as being exclusively associated with the Peppa Pig and PJ Masks brands.

19. Copyrighted works associated with Peppa Pig and PJ Masks (the “Hasbro Copyrighted Works”) are registered with the United States Copyright Office. The registrations include, but are not limited to: “Peppa Pig” (U.S. Copyright Registration No. VA 1-329-059), issued by the Register of Copyrights on August 19, 2005; “George Pig” (U.S. Copyright Registration No. VA 1-329-056), issued by the Register of Copyrights on August 19, 2005; “Mummy Pig” (U.S. Copyright Registration No. VA 1-329-058), issued by the Register of Copyrights on August 19, 2005; and “Daddy Pig” (U.S. Copyright Registration No. 1-329-057), issued by the Register of Copyrights on August 19, 2005; “PJ Masks – ‘Catboy’” (U.S. Copyright Registration No. VA 2-012-133), issued by the Register of Copyrights on July 21, 2016; “PJ Masks – ‘Owlette’” (U.S. Copyright Registration No. VA 2-012-136), issued by the Register of Copyrights on July 21, 2016; “PJ Masks – ‘Gekko’” (U.S. Copyright Registration No. VA 2-012-134), issued by the Register of Copyrights on July 21, 2016; “PJ Masks – ‘Night Ninja’” (U.S. Copyright Registration No. VA 2-012-131), issued by the Register of Copyrights on July 21, 2016; “PJ Masks – ‘Luna Girl’” (U.S. Copyright Registration No. VA 2-012-135),

issued by the Register of Copyrights on July 21, 2016; “PJ Masks – ‘Romeo’” (U.S. Copyright Registration No. VA 2-012-137), issued by the Register of Copyrights on July 21, 2016; and “PJ Masks – ‘Ninjalinos’” (U.S. Copyright Registration No. VA 2-012-138), issued by the Register of Copyrights on July 21, 2016. True and correct copies of the U.S. federal copyright registration certificates for the above-referenced Hasbro Copyrighted Works are attached hereto as **Exhibit 2**.

20. Among the exclusive rights granted to Hasbro under the U.S. Copyright Act are the exclusive rights to reproduce, prepare derivative works of, distribute copies of, and display the Hasbro Copyrighted Works to the public.

21. Since first publication, the Hasbro Copyrighted Works have been used on the Hasbro Products and are featured on the PEPPA PIG and PJ MASKS websites at peppapig.com and pjmask.com. Hasbro Products featuring the Hasbro Copyrighted Works are advertised on the PEPPA PIG and PJ MASKS websites at peppapig.com and pjmask.com.

The Defendants

22. Defendants are individuals and business entities of unknown makeup who own and/or operate one or more of the e-commerce stores under at least the Seller Aliases identified on Schedule A and/or other seller aliases not yet known to Hasbro. On information and belief, Defendants reside and/or operate in the People’s Republic of China or other foreign jurisdictions with lax trademark enforcement systems or redistribute products from the same or similar sources in those locations. Defendants have the capacity to be sued pursuant to Federal Rule of Civil Procedure 17(b).

23. 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 Hasbro to learn Defendants' true identities and the exact interworking of their counterfeit network. If Defendants provide additional credible information regarding their identities, Hasbro will take appropriate steps to amend the Complaint.

IV. DEFENDANTS' UNLAWFUL CONDUCT

24. The success of the Peppa Pig and PJ Masks brands has resulted in significant counterfeiting of the Hasbro Trademarks. In recent years, Hasbro has identified many fully interactive, e-commerce stores offering Unauthorized Hasbro Products on online marketplace platforms such as Amazon, eBay, AliExpress, Alibaba, Wish.com, Walmart, Etsy, DHgate, and Temu, 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 U.S. Customs and Border Protection (CBP) Report, in 2021, CBP made over 27,000 seizures of goods with intellectual property rights (IPR) violations totaling over \$3.3 billion, an increase of \$2.0 billion from. *Intellectual Property Rights Seizure Statistics, Fiscal Year 2021*, U.S. Customs and Border Protection (**Exhibit 3**). Of the 27,000 in total IPR seizures, over 24,000 came through international mail and express courier services (as opposed to containers), most of which originated from China and Hong. *Id.*

25. Third party service providers 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 4**, 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 5**, and finding that on "at least some e-commerce platforms, little identifying information is necessary for a counterfeiter to begin selling" and recommending that "[s]ignificantly enhanced vetting of third-party sellers" is necessary. Counterfeiters hedge against the risk of being caught and having their websites taken down from an e-commerce platform by preemptively establishing multiple virtual store-fronts. **Exhibit 5** 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 5** 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 4** at 186–187.

26. 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/or funds from U.S. bank accounts, and, on information and belief, have sold Unauthorized Hasbro Products to residents of Illinois.

27. Defendants concurrently employ and benefit from substantially 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 and/or funds from U.S. bank accounts, 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 such stores from an authorized retailer. Hasbro has not licensed or authorized Defendants to use any of the Hasbro Trademarks or to copy or distribute the Hasbro Copyrighted Works, and none of the Defendants are authorized retailers of genuine Hasbro Products.

28. Many Defendants also deceive unknowing consumers by using the Hasbro Trademarks without authorization within the content, text, and/or meta tags of their e-commerce stores to attract various search engines crawling the internet looking for websites relevant to consumer searches for Hasbro Products. Other e-commerce stores operating under Seller Aliases omit using the Hasbro 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 Hasbro Products.

29. 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.

30. E-commerce store operators like Defendants regularly register or acquire new seller aliases for the purpose of offering for sale and selling Unauthorized Hasbro 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.

31. 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 any 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 notable common features such as use of the same 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 Hasbro Products for sale by the Seller Aliases bear similar irregularities and indicia of being counterfeit to one another, suggesting that the Unauthorized Hasbro Products were manufactured by and come from a common source and that Defendants are interrelated.

32. E-commerce store operators like Defendants are in constant communication with each other and regularly participate in QQ.com chat rooms and through websites such as sellerdefense.cn and kuajingvs.com regarding tactics for operating multiple accounts, evading detection, pending litigation, and potential new lawsuits.

33. Counterfeiters such as Defendants typically operate under multiple seller aliases and payment accounts so that they can continue operation in spite of Hasbro's enforcement. E-commerce store operators like Defendants maintain off-shore bank accounts and regularly move funds from their financial accounts to off-shore accounts outside the jurisdiction of this Court to avoid payment of any monetary judgment awarded to Hasbro. Indeed, analysis of financial transaction logs from previous similar cases indicates that off-shore counterfeiters regularly move funds from U.S.-based financial accounts to off-shore accounts outside the jurisdiction of this Court.

34. Defendants are working in active concert to knowingly and willfully manufacture, import, distribute, offer for sale, and sell Unauthorized Hasbro Products in the same transaction, occurrence, or series of transactions or occurrences. Defendants, without any authorization or

license from Hasbro, have jointly and severally, knowingly and willfully used and continue to use the Hasbro Trademarks and/or copies of the Hasbro Copyrighted Works in connection with the advertisement, distribution, offering for sale, and sale of Unauthorized Hasbro Products into the United States and Illinois over the internet.

35. Defendants' unauthorized use of the Hasbro Trademarks in connection with the advertising, distribution, offering for sale, and sale of Unauthorized Hasbro Products, including the sale of Unauthorized Hasbro 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 Hasbro.

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

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

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

38. 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 Hasbro Trademarks without Hasbro's permission.

39. Hasbro's United States Registrations for the Hasbro Trademarks (**Exhibit 1**) are in full force and effect. On information and belief, Defendants have knowledge of Hasbro's

rights in the Hasbro Trademarks, and are willfully infringing and intentionally using infringing and counterfeit versions of the Hasbro Trademarks. Defendants' willful, intentional, and unauthorized use of the Hasbro Trademarks is likely to cause and is causing confusion, mistake, and deception as to the origin and quality of the Unauthorized Hasbro Products among the general public.

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

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

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

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

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

44. Defendants' promotion, marketing, offering for sale, and sale of Unauthorized Hasbro 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 Hasbro or the origin, sponsorship, or approval of Defendants' Unauthorized Hasbro Products by Hasbro.

45. By using the Hasbro Trademarks in connection with the sale of Unauthorized Hasbro Products, Defendants create a false designation of origin and a misleading representation of fact as to the origin and sponsorship of the Unauthorized Hasbro Products.

46. Defendants' false designation of origin and misrepresentation of fact as to the origin and/or sponsorship of the Unauthorized Hasbro 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.

47. Hasbro has no adequate remedy at law and, if Defendants' actions are not enjoined, Hasbro will continue to suffer irreparable harm to its reputation and the associated goodwill of its PEPPA PIG and PJ MASKS brands.

**COUNT III
COPYRIGHT INFRINGEMENT OF UNITED STATES COPYRIGHT
REGISTRATIONS (17 U.S.C. §§ 106 AND 501)**

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

49. The Hasbro Copyrighted Works constitute original works and copyrightable subject matter pursuant to the Copyright Act, 17 U.S.C. §§ 101, *et seq.*

50. Hasbro has complied with the registration requirements of 17 U.S.C. § 411(a) for the Hasbro Copyrighted Works. The Hasbro Copyrighted Works are protected by Copyright Registration Nos. VA 1-329-059, VA 1-329-058, VA 1-329-057, VA 1-329-056, VA 2-012-131, VA 2-012-133, VA 2-012-134, VA 2-012-135, VA 2-012-136, VA 2-012-137, and VA 2-012-138, which full ownership and all rights have been assigned to Hasbro. At all relevant times, Hasbro has been and still is the owner of all rights, title, and interest in the Hasbro Copyrighted Works, which have never been assigned, licensed, or otherwise transferred to Defendants.

51. The Hasbro Copyrighted Works are published on the internet and available to Defendants online. As such, Defendants had access to the Hasbro Copyrighted Works via the internet.

52. Without authorization from Hasbro, or any right under the law, Defendants have deliberately copied, displayed, distributed, reproduced and/or made derivative works incorporating the Hasbro Copyrighted Works on e-commerce stores operating under the Seller Aliases and the corresponding Unauthorized Hasbro Products. Defendants' derivative works are virtually identical to and/or are substantially similar to the look and feel of the Hasbro Copyrighted Works. Such conduct infringes and continues to infringe the Hasbro Copyrighted Works in violation of 17 U.S.C. § 501(a) and 17 U.S.C. §§ 106(1)–(3), (5).

53. Defendants reap the benefits of the unauthorized copying and distribution of the Hasbro Copyrighted Works in the form of revenue and other profits that are driven by the sale of Unauthorized Hasbro Products.

54. Defendants have unlawfully appropriated Hasbro's protectable expression by taking material of substance and value and creating Unauthorized Hasbro Products that capture the total concept and feel of the Hasbro Copyrighted Works.

55. On information and belief, Defendants' infringement has been willful, intentional, and purposeful, and in disregard of and with indifference to Hasbro's rights.

56. The Defendants, by their actions, have damaged Hasbro in an amount to be determined at trial.

57. Defendants' conduct is causing, and unless enjoined and restrained by this Court will continue to cause, Hasbro great and irreparable injury that cannot fully be compensated or measured in money. Hasbro has no adequate remedy at law. Pursuant to 17 U.S.C. § 502, Hasbro is entitled to a preliminary and permanent injunction prohibiting further infringement of the Hasbro Copyrighted Works.

PRAYER FOR RELIEF

WHEREFORE, Hasbro 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 Hasbro 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 a genuine Hasbro Product or is not authorized by Hasbro to be sold in connection with the Hasbro Trademarks;
 - b. reproducing, distributing copies of, making derivative works of, or publicly displaying the Hasbro Copyrighted Works in any manner without the express authorization of Hasbro;
 - c. passing off, inducing, or enabling others to sell or pass off any product as a genuine Hasbro Product or any other product produced by Hasbro, that is not Hasbro's or not produced under the authorization, control, or supervision of Hasbro and approved by Hasbro for sale under the Hasbro Trademarks and/or the Hasbro Copyrighted Works;
 - d. committing any acts calculated to cause consumers to believe that Defendants' Unauthorized Hasbro Products are those sold under the authorization, control or supervision of Hasbro, or are sponsored by, approved by, or otherwise connected with Hasbro;
 - e. further infringing the Hasbro Trademarks and/or the Hasbro Copyrighted Works and damaging Hasbro's goodwill; and

- f. 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 Hasbro, nor authorized by Hasbro to be sold or offered for sale, and which bear any of Hasbro's trademarks, including the Hasbro Trademarks, or any reproductions, counterfeit copies or colorable imitations thereof and/or which bear the Hasbro Copyrighted Works;
- 2) Entry of an Order that, upon Hasbro's request, those with notice of the injunction, including, without limitation, any online marketplace platforms such as eBay, AliExpress, Alibaba, Amazon, Wish.com, Walmart, Etsy, DHgate, and Temu, (collectively, the "Third Party Providers") 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 Hasbro Trademarks and/or which bear the Hasbro Copyrighted Works;
- 3) That Defendants account for and pay to Hasbro all profits realized by Defendants by reason of Defendants' unlawful acts herein alleged, and that the amount of damages for infringement of the Hasbro 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 Hasbro 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 Hasbro Trademarks;
- 5) As a direct and proximate result of Defendants' infringement of the Hasbro Copyrighted Works, Hasbro is entitled to damages as well as Defendants' profits, pursuant to 17 U.S.C. § 504(b);

- 6) Alternatively, and at Hasbro's election prior to any final judgment being entered, Hasbro is entitled to the maximum amount of statutory damages provided by law, \$150,000 per work infringed pursuant to 17 U.S.C. § 504(c), or for any other such amount as may be proper pursuant to 17 U.S.C. § 504(c);
- 7) Hasbro is further entitled to recover its attorneys' fees and full costs for bringing this action pursuant to 17 U.S.C. § 505 and 17 U.S.C. § 1117(a); and
- 8) Award any and all other relief that this Court deems just and proper.

Dated this 31st day of June 2024.

Respectfully submitted,

/s/ Justin R. Gaudio

Amy C. Ziegler
Justin R. Gaudio
Trevor C. Talhami
Lucas A. Peterson
Greer, Burns & Crain, Ltd.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
312.360.0080
312.360.9315 (facsimile)
aziegler@gbc.law
jgaudio@gbc.law
ttalhami@gbc.law
lpeterson@gbc.law

*Counsel for Plaintiff Hasbro Consumer Products
Licensing Limited*