

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

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Union Imagination Tech. Co. Ltd.,	)	
Plaintiff,	)	
	)	Case No. 1:25-cv-14990
v.	)	
	)	Dist. Judge Sharon Johnson Coleman
TengXianTaiPingXingHeBaiHuoShang	)	
Hang d/b/a PASOLABE,	)	Mag. Judge Daniel P. McLaughlin
Defendant	)	

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**First Amended Complaint**

**NOW COMES** Union Imagination Tech. Co. Ltd. (“Plaintiff”), by and through its undersigned counsel and hereby brings this First Amended Complaint against TengXianTaiPingXingHeBaiHuoShangHang d/b/a PASOLABE (“Defendant”), and alleges as follows:

**Introduction**

1. This action has been filed by Plaintiff to combat an online copyright infringer who offers for sale products, including home goods, using unauthorized copies and/or derivative versions of Plaintiff’s copyrighted works.
2. Defendant has traded and continues to trade upon Plaintiff’s commercial reputation and goodwill by offering for sale and/or selling unlicensed products using pirated copies of Plaintiff’s registered copyrights to consumers within the United States, including the State of Illinois and this Judicial District.
3. Defendant has created a fully interactive, commercial internet stores operating under at least the online marketplace account identified in **Schedule A** attached hereto (the “Defendant Online Store”) and intentionally designed it to appear to be selling genuine Plaintiff products, while actually selling Defendant’s own products to unknowing consumers.

4. Defendant attempts to avoid liability by going to lengths to conceal both its identity and the full scope and interworking of its infringing operation. Plaintiff is forced to file this action to combat Defendant's unauthorized use of Plaintiff's copyrighted works, as well as to protect unknowing consumers from purchasing unauthorized products over the Internet.
5. Plaintiff has been and continues to be irreparably damaged through the piracy of the Plaintiff Works as a result of Defendant's actions and accordingly seeks injunctive and monetary relief.

### **Jurisdiction and Venue**

6. This Court has original subject matter jurisdiction over the claims in this action pursuant to 17 U.S.C. § 501, *et seq.*, and 28 U.S.C. §§ 1331, 1338(a)-(b).
7. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendant because Defendant directly targets its business activities toward consumers in the United States, including Illinois and this Judicial District, through at least the Defendant Online Store. Specifically, Defendant is reaching out to do business with residents of Illinois and this Judicial District by operating at least one commercial, fully-interactive Defendant Online Stores through which residents of Illinois and this Judicial District can purchase products being offered for sale and sold using unauthorized reproductions of the Plaintiff Works, and have purchased at least one product into this Judicial District. Defendant has targeted sales from residents of Illinois and this Judicial District by operating the Defendant Online Store that accepts payment in U.S. dollars and offers shipping to addresses within Illinois and this Judicial District for products offered using and with pirated copies of Plaintiff's copyrighted works. Defendant has committed and is committing tortious acts in Illinois and this Judicial District, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois.

### **Parties**

8. Plaintiff specializes in the creation, manufacture, marketing, and sale of home good products (collectively, the “Plaintiff Products”).
9. In the interest of promoting the Plaintiff Products, Plaintiff created and produced photos of the Plaintiff Products and their characteristics (the “Plaintiff Works”). A true and correct copy of the federal copyright registrations certificates of the Plaintiff Works are attached hereto as **Exhibit 1**.
10. Plaintiff’s federal registrations for the Plaintiff Works are valid, subsisting, and in full force and effect.
11. Plaintiff owns all rights, including without limitation, the rights to reproduce the Plaintiff Works in copies, to prepare derivative works based upon the Plaintiff Works, to distribute copies of the Plaintiff Works to the public, and to display the Plaintiff Works publicly.
12. Plaintiff has continuously used the Plaintiff Works in connection with the sale, distribution, promotion, and advertising of genuine Plaintiff Products and consumers associate the Plaintiff Works with Plaintiff and their authorized Plaintiff Products.
13. Genuine Plaintiff Products have become very popular, driven by Plaintiff’s elevated quality standards and innovative designs.
14. Genuine Plaintiff Products have been distributed, promoted and sold through distributors throughout the world, including the United States and on Amazon.com. Plaintiff’s sales of authorized Plaintiff Products have been substantial.
15. The success of Plaintiff’s business enterprise is dependent and a result of its effort to market and advertise online via e-commerce, including the use of the Plaintiff Works to offer to sell the Plaintiff Products.
16. Plaintiff has made efforts to protect its interests in and to the Plaintiff Works. Plaintiff’s is the only business authorized to reproduce or display the Plaintiff Works or prepare derivative works

thereof. Plaintiff has not licensed or authorized Defendant to exploit the Plaintiff Works in any way.

17. Defendant is an individual or business entity who, upon information and belief, resides in the People's Republic of China or another foreign jurisdiction. Defendant conducts business throughout the United States, including within the State of Illinois and this Judicial District, through the operation of the fully interactive Defendant Online Store which operates on the commercial online marketplace Amazon.com.
18. Defendant targets the United States, including Illinois and this Judicial District, and has offered to sell products through the unauthorized reproduction and display of the Plaintiff Works, has sold at least one product in such a way into this Judicial District, and continues to offer to sell such products to consumers within the United States, including the State of Illinois and this Judicial District, through the unauthorized reproduction and display of the Plaintiff Works. An example of products Defendant has sold into this Judicial District through the unauthorized reproduction and display of the Plaintiff Works is attached hereto as **Exhibit 2**.

### **Defendant's Unlawful Conduct**

19. Marketplaces like eBay and Amazon, among others, allow merchants to quickly "set up shop" and flood the market with unauthorized goods which displace actual sales manufacturers would otherwise enjoy.
20. It has been estimated that e-commerce intellectual property infringement costs merchants in the U.S. alone nearly \$41 billion<sup>1</sup> with Department of Homeland Security seizures of infringing

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<sup>1</sup> The National Bureau of Asian Research, The Report of the Commission on the Theft of American Intellectual Property, at 9, Pub. The Commission on the Theft of American Intellectual Property 2017, available at [http://www.ipcommission.org/report/IP\\_Commission\\_Report\\_Update\\_2017.pdf](http://www.ipcommission.org/report/IP_Commission_Report_Update_2017.pdf).

goods increasing more than 10-fold between 2000 and 2018<sup>2</sup> and a street value of seized goods increasing 246% from 2017 to 2022.<sup>3</sup>

21. U.S. Customs and Border Protection (“CBP”) reported that for Fiscal Year 2019, 90% of all CBP intellectual property seizures were smaller international mail and express shipments (as opposed to large cargo containers) and 85% of CBP seizures originated from mainland China, Singapore, and Hong Kong.<sup>4</sup>
22. Legislation was recently introduced in the U.S. Senate that would allow CBP to seize articles that infringe design patents, thus closing a loophole currently exploited by infringers.<sup>5</sup>
23. Infringing and pirated products account for billions in economic losses, resulting in thousands of lost jobs for legitimate businesses and broader economic losses, including lost tax revenue.<sup>6</sup>
24. Third party service providers like those used by Defendant do not robustly subject new sellers to verification and confirmation of their identities, allowing infringers to “routinely use false or inaccurate names and addresses when registering with these e-commerce platforms.”<sup>7</sup>
25. DHS has observed that “at least some e-commerce platforms, little identifying information is necessary for [an infringer] to begin selling” and recommending that “[s]ignificantly enhanced

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<sup>2</sup> U.S. Department of Homeland Security, *Combating Trafficking in Counterfeit and Pirated Goods Report to the President of the United States*, January 24, 2020.

<sup>3</sup> U.S. Customs and Border Protection Office of Trade, FY 2022 Fact Sheet Intellectual Property Rights, available at <https://www.cbp.gov/sites/default/files/assets/documents/2023-Mar/IPR%20Fact%20Sheet%20FY2022%20Final%20Draft%20%28508%29%20%28004%29%20%282%29.pdf>

<sup>4</sup> U.S. Customs and Border Protection Office of Trade, Intellectual Property Rights Fiscal Year 2019 Seizure Statistics, available at, <https://www.cbp.gov/sites/default/files/assets/documents/2020-Sep/FY%202019%20IPR%20Statistics%20Book%20%28Final%29.pdf>.

<sup>5</sup> Press Release, U.S. Senator Thom Tillis, Tillis, Coons, Cassidy & Hirono Introduce Bipartisan Legislation to Seize Counterfeit Products and Protect American Consumers and Businesses (Dec. 5, 2019).

<sup>6</sup> OECD, *The Economic Impact of Counterfeiting and Piracy* 2008, Available at [https://www.oecd.org/content/dam/oecd/en/publications/reports/2008/06/the-economic-impact-of-counterfeiting-and-piracy\\_g1gh906c/9789264045521-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2008/06/the-economic-impact-of-counterfeiting-and-piracy_g1gh906c/9789264045521-en.pdf)

<sup>7</sup> Daniel C.K. Chow, *Alibaba, Amazon, and Counterfeiting in the Age of the Internet*, 40 NW. J. INT’L L. & BUS. 157, 186 (2020).

vetting of third-party sellers” is necessary. Infringers hedge against the risk of being caught and having their websites taken down from an e-commerce platform by preemptively establishing multiple virtual storefronts.<sup>8</sup>

26. Since platforms generally do not require a seller on a third-party marketplace to identify the underlying business entity, infringers can have many different profiles that can appear unrelated even though they are commonly owned and operated.<sup>9</sup>
27. Further, “E-commerce platforms create bureaucratic or technical hurdles in helping brand owners to locate or identify sources of [infringement].”<sup>10</sup>
28. Defendant takes pains to conceal its identity from the public, using a meaningless store name and address which do not identify Defendant. Moreover, infringers like Defendant will often register new store accounts under new fictitious names when it receives notice that one or more stores have been the subject of a lawsuit. The use of these store registration schemes is one of several ways in which Defendant may avoid being shut down and conceal its true identity and the inner workings of its infringement operations.
29. Infringers like Defendant will typically ship products in small quantities via international mail to mitigate detection by U.S. Customs and Border Protection. Further, it will typically operate multiple credit card merchant accounts or use layers of payment gateways to forestall their cashflow being interrupted due to trademark enforcement efforts. On information and belief, Defendant utilizes offshore bank accounts and routinely move funds from U.S.-based merchant accounts (*e.g.*, within China) outside the jurisdiction of this Court.
30. Defendant, without any authorization or license from Plaintiff, has knowingly and willfully copied, reproduced, displayed, and otherwise exploited the Plaintiff Works in connection with

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<sup>8</sup> *Combating Trafficking in Counterfeit and Pirated Goods Report to the President of the United States*, at p. 22.

<sup>9</sup> *Id.*, at p. 39.

<sup>10</sup> *Alibaba, Amazon, and Counterfeiting in the Age of the Internet*, 40 NW. J. INT’L L. & BUS. at 186-187.

the advertisement, distribution, offering for sale, and sale of products into the United States and into Illinois over the Internet.

31. The Defendant Online Store offers shipping to the United States, including, specifically Illinois, and Defendant has offered to sell products through the unauthorized reproduction and display of the Plaintiff Works and has sold at least one product in this way into this Judicial District.
32. Plaintiff has been and continues to be irreparably harmed through loss of control over Plaintiff's reputation, goodwill, and exclusive rights in and to the Plaintiff Works.

**Count I - Copyright Infringement (17 U.S.C. § 501)**

33. Plaintiff repeats, re-alleges, and incorporates by reference the allegations set forth in Paragraphs 1 through 32.
34. Plaintiff is the owner of the original Plaintiff Works registered and contained in **Exhibit 1**.
35. The Plaintiff Works have significant value and have been produced and created at considerable expense.
36. Among the rights granted to Plaintiff is the exclusive right to reproduce and display the Plaintiff Works and make derivative works thereof.
37. Upon information and belief, Defendant had access to the work in **Exhibit 1** through viewing Plaintiff's sale of its genuine Plaintiff Products which were advertised and sold in association with the Plaintiff Works, including also on Amazon.com. After accessing the Plaintiff Works, Defendant wrongfully created copies of the copyrighted Plaintiff Works without Plaintiff's consent and engaged in acts of widespread infringement through the reproduction and display of images containing the Plaintiff Works, posting the images via online websites and digital markets, and the sale of home goods-type item product listings using the Plaintiff Works without authorization.

38. Defendant, without the permission or consent of the Plaintiff, has offered to sell, sold and continues to sell products advertised by and with the Plaintiff Works, as itemized in **Schedule A** hereto, and reproduces, displays, and/or distributes the Plaintiff Works or derivative versions thereof without authorization from Plaintiff and in violation of Plaintiff's exclusive rights under 17 U.S.C. § 106.
39. As a direct result of its acts of copyright infringement, Defendant has obtained direct and indirect profits it would not otherwise have realized but for their infringement of the copyrighted Plaintiff Works.
40. Defendant knew its acts constituted copyright infringement and Defendant's conduct was willful within the meaning of the Copyright Act.
41. As a result of its wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501.
42. Plaintiff has suffered, and will continue to suffer, substantial losses, including but not limited to damage to its business reputation and goodwill as a direct result of Defendant's infringements.
43. Plaintiff is entitled to recover damages, which include its losses and any and all profits Defendant has made as a result of its wrongful conduct.
44. As a result of Defendant's infringement of Plaintiff's exclusive rights under copyright, Plaintiff is entitled to relief pursuant to 17 U.S.C. § 504 and to Plaintiff's attorneys' fees and costs pursuant to 17 U.S.C. § 505.
45. The conduct of Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiff great and irreparable injury that cannot fully be compensated or measured in money. Plaintiff has no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502, 503, Plaintiff is entitled to injunctive relief prohibiting Defendant from further infringing Plaintiff's copyrights and ordering that Defendant destroy all unauthorized copies.



### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

- 1) That Defendant, their affiliates, officers, agents, servants, employees, attorneys, confederates, and all persons acting for, with, by, through, under, or in concert with them be temporarily, preliminarily, and permanently enjoined and restrained from:
  - a. reproducing, distributing copies of, making derivative works of, or publicly displaying the Plaintiff Works in any manner without the express authorization of Plaintiff; and
  - b. 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 or authorized by or for Plaintiff and which bear any of the Plaintiff Works.
- 2) Entry of an Order that, upon Plaintiff's request, those in privity with Defendant and those with notice of the injunction, including, without limitation, any online marketplace platforms such as Amazon, eBay and Walmart, sponsored search engine or ad-word providers, credit cards, banks, merchant account providers, third party processors and other payment processing service providers, and Internet search engines such as Google, Bing and Yahoo (collectively, the "Third Party Providers") shall:
  - a. disable and cease providing services being used by Defendant, currently or in the future, to engage in the sale of products not authorized by Plaintiff which reproduce the Plaintiff Works or are derived from the Plaintiff Works;
  - b. disable and cease displaying any advertisements used by or associated with Defendant in connection with the sale of products not authorized by Plaintiff which are using or derived from the Plaintiff Works; and

- c. take all steps necessary to prevent links to the products associated with Defendant Online Store identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Online Store from any search index.
- 3) For Judgment in favor of Plaintiff against Defendant that it has: (i) willfully infringed Plaintiff's rights in its federally registered copyright pursuant to 17 U.S.C. § 501; and (ii) otherwise injured the business reputation and business of Plaintiff by Defendant's acts and conduct set forth in this Complaint;
- 4) For Judgment in favor of Plaintiff against Defendant for actual damages or other available damages pursuant to 17 U.S.C. § 504, at the election of Plaintiff, in an amount to be determined at trial;
- 5) That Defendant accounts for and pays to Plaintiff all profits realized by Defendant by reason of Defendant's unlawful acts herein alleged;
- 6) That Plaintiff be awarded its reasonable attorneys' fees and costs under 17 U.S.C. § 505 as may be allowable; and
- 7) Award any and all other relief that this Court deems just and proper.

Dated: January 9, 2026

Respectfully submitted,

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