UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.

MICHAEL KORS, L.L.C.,

Plaintiff,

vs.

1MKBAG.COM; AACFUSA.ORG; ABYSS-WAVE.COM; ALJODY.COM; APALACEREFERRAL.COM; ARTELUCEOMC.COM; ARTE-MI-SIA.COM; ASSO-QUARTIERDUVAL.COM; BAG-CRAZY.COM; BAGKORSMICHAEL.COM a/k/a CHEAPMKBAG.COM a/k/a KORSMICHAEL.COM a/k/a KORSMICHAELBAG.COM a/k/a MKHANDBAGSALE.COM; COCONUTLOUNGE-DESIGN.COM; CONSEIL-ENMARKETING.COM; COPPERFIELDSUN.COM; CUSTOMSIGNSHOUSTON.COM; DARRICKANDKELSI.COM; DAUSTOURS.COM; DISCOUNTMICHAELKORSOUTLET.US; DOMINIQUECOTE.COM; DUNIAPRINTER.COM; EMICHAELKORSSALE.COM; EVASION74.COM; FEATLO.COM; FIGANDWILL.COM; FILIZZEYTINLERI.COM; FRANKLINFLOWERBASKET.COM; GRANTCAMPAINPHOTOGRAPHY.COM; TIQUICIARURAL.COM a/k/a HALABJAICS.COM; HANDBAGS-HUT.COM; HEALTHY-GINGER.COM; HERB-HABIT.COM; HOLLANDFROMHOLLAND.COM; IHFRFOUNDATION.ORG; INASIGNSHAWAII.COM; JPCURTAINS.COM; KINETICSFT.COM; KIRSTYSTUTTER.COM; KIZI29.COM; KNOWLEDGEMAVENMEDIA.COM; KORSBAGS.US; KORSHANDBAGS.STORE; KORSMICHAELBAGS.COM; MICHAELKORBLACKSALE.COM; MICHAELKORSBAGOUTLETBAG.COM; MICHAELKORSFR.COM a/k/a OFFICIALMICHAELKORSIRE.COM; MICHAELKORSKNOCKOFFS.COM; MICHAELKORSOUTLET2018.COM; MICHAELKORSOUTLET-CLEARANCE.ORG a/k/a MICHAELKORSOUTLET-CLEARANCE.US a/k/a MKUSA.ORG; MICHAEL--KORSOUTLETONLINE.COM; MICHAELKORSOUTLETVIP.COM; MICHAELKORSUK.COM; MICHAELKORSUKHANDBAGS.CO.UK; SANGINIINC.COM; MKASALE.COM a/k/a MKBAGEN2017.COM a/k/a MKENBAGS.COM a/k/a MKENUSBAG.COM; MKBAGOUTLET.COM; MKBAGOUTLETMALL.COM; MKBAGSCHEAPSALE.ORG; MKBAGSONLINE.CO.UK; MKBAGSONSALE.CO.UK; MKBAGSOUTLET.ORG; MKBAGSPURSES.COM; MKBAGSUK.CO.UK; MKBIGS.COM; MKBLACKFRIDAYOUTLETS.COM; MK-CH.STORE a/k/a MK-SEW.STORE; MK-FRENCH2018.INFO a/k/a MKHUT.US a/k/a MKIOK.COM a/k/a MKISTARS.COM a/k/a MKOEUS.COM; MKORCL.COM a/k/a MKORLC.COM; MKORCO.COM; MKORCX.COM; MKORLX.COM; MKORSBAGSCHEAP.COM a/k/a MKORSBAGSONSALE.COM;

MKORSEA.COM a/k/a MKORSLA.COM; MKORSIC.COM; MKORSIE.COM; MKORSIG.COM; MKORSIL.COM; MKORSIM.COM; MKORSIV.COM; MKORSIZ.COM; MKORSKC.COM; MKORSKO.COM; MKORSKV.COM a/k/a MKORSLI.COM; MKORSOI.COM; MKORXSTORES.COM; MKOUP.COM; MKOUTLET.SITE; MKOUTLET2018.COM; MKOUTLETONLINESTORE.COM; MKOVB.COM; MKOVC.COM; MKOWAY.COM; MKSDTY.COM; MK-SINGAPORE.INFO; MKSKU.COM; MKSVS.TOP; MKUPC.COM; MKURS.COM; MKVNEW.COM; MOLEROAVICOLA.COM; MONTSEANGLADA.COM; MOSTBEAUTIFULDAY.COM; MOTIONISTA.COM; NEWTSTAILORING.COM; NICEKICKCC.NET; NOIDASWIMMING.COM; NORMANS180.COM; NULINECONTRACTING.COM; NXBAGS.COM; OFFMAILAPP.COM; OMNIUM-SYSTEMS.COM; PSICO-INN.COM; RCROMORANTINSOLOGNE.COM; REALTYEXCELLENCEGROUP.COM; RIDGEWOODEQUESTRIAN.CO.UK; ROCK-N-CHEF.COM; RYOJIYAMAUCHI.COM; SCRAPMILLER.COM; SERRURIERS-VIROFLAY.COM; SHERINGHAMACCOM.CO.UK; STEVESSANDSPIKES.COM; STORESMK.COM; SUALAPTOPGOVAP.COM; TACTOPLUMA.COM; TERRATRILOBITES.COM; THELAFAYETTEBALLROOM.COM; THEOCCASIONALBREW.COM; THEWANDERINGSTAG.COM; TIMRYANSMITHBLOG.COM; VANESSAMEADEPHOTO.COM; WORKWITHFLORIANHETT.COM; WTF-CUSTOM.COM; and YOURTHAIPOD.COM, EACH A INDIVIDUAL, PARNTERSHIP, OR UNINCORPORATED ASSOCIATION,

Defendants.
_____/

COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

Plaintiff, Michael Kors, L.L.C. ("Michael Kors") hereby sues Defendants, the Individuals, Partnerships, and Unincorporated Associations identified in the caption, which are set forth on Schedule "A" hereto (collectively "Defendants"). Defendants are promoting, selling, offering for sale and distributing goods using counterfeits and confusingly similar imitations of Michael Kors' 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 its claims, Michael Kors alleges 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 Michael Kors' 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 conduct business by registering and maintaining commercial Subject Domain Names registered within the United States and/or direct business activities towards consumers throughout the United States, including within the State of Florida and this district through at least the fully interactive[1] 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.

[1] Several Defendants use their Subject Domain Names to act as supporting domain names to direct traffic to their fully-interactive, commercial websites operating under other Subject Domain Names, from which consumers can complete purchases. These supporting domain names either automatically redirect and forward to a fully-interactive, commercial Internet website operating under one of the Subject Domain Names or redirect a consumer to a fully-interactive, commercial Internet website operating under one of the Subject Domain Names upon clicking a product or link on the website.

THE PLAINTIFF

4. Michael Kors is a Delaware limited liability company with its principal place of business in the United States located at 11 West 42nd Street, New York, New York 10036. Michael Kors operates boutiques throughout the world, including within this district. Michael Kors is, in part, engaged in the business of manufacturing and distributing throughout the world, including within this district, a variety of high quality goods under multiple world famous common law and federally registered trademarks, as discussed in Paragraph 17 below, and identified in Schedule "B" hereto. Michael Kors offers for sale and sells its trademarked goods within the State of Florida, including this district. Defendants' offers to sell and sales of counterfeit and infringing Michael Kors branded products are directly and unfairly competing with Michael Kors' economic interests in the State of Florida and causing harm and damage within this jurisdiction. Michael Kors regularly enforces its intellectual property rights and authorized this action be brought in its name.

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

6. In order to combat the indivisible harm caused by the combined actions of Defendants and others engaging in similar conduct, each year Michael Kors expends significant resources in connection with trademark enforcement efforts, including legal fees and investigative fees. The exponential growth of counterfeiting over the Internet has created an environment that requires Michael Kors to file a number of lawsuits, often it later turns out, against the same

individuals and groups, in order to protect both consumers and itself from the ill effects of confusion and the erosion of the goodwill connected to the Michael Kors brand.

THE DEFENDANTS

7. Defendants operate through domain names registered with registrars in multiple countries, including the United States, and are comprised of Individuals, Partnerships, or Unincorporated Associations of unknown makeup, whom, 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 direct their business activities towards consumers throughout the world, including the United States and within this district through the simultaneous operation of at least the fully interactive commercial Internet websites existing under the Subject Domain Names.

8. 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.

9. 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.

10. 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 Michael Kors branded goods while shrinking the legitimate marketplace for genuine Michael Kors branded goods. The natural and intended byproduct of Defendants' actions is the erosion and destruction of the goodwill associated with the Michael Kors' famous name and associated

trademarks, as well as the destruction of the legitimate market sector in which Michael Kors operates.

11. Defendants are the past and present controlling forces behind the operation of the Internet websites operating under at least the Subject Domain Names.

12. Upon information and belief, Defendants directly engage in unfair competition with Michael Kors by (i) advertising, offering for sale and/or selling goods using counterfeits and infringements of one or more of Michael Kors' trademarks to consumers within the United States and this district through at least the commercial websites operating under the Subject Domain Names, and any additional domains and websites not yet known to Michael Kors and (ii) creating and maintaining an illegal marketplace enterprise for the purpose of diverting business from Michael Kors' legitimate marketplace for its 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/or shipment of counterfeit Michael Kors 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.

13. 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, Defendants have registered and/or maintained their Subject Domain Names for the sole purpose of engaging in illegal counterfeiting activities.

14. 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 one or more of Michael Kors' trademarks unless preliminarily and permanently enjoined. Moreover, upon information and belief, Defendants will continue to maintain and grow their illegal marketplace enterprise at Michael Kors' expense unless preliminarily and permanently enjoined.

15. 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 Michael Kors and others.

16. Defendants' business names, i.e., the Subject Domain Names, and any other domain names, and aliases used in connection with the sale of counterfeits bearing Michael Kors' trademarks, are essential components of Defendants' counterfeiting and infringement activities and are one of the means by which Defendants further their counterfeiting and infringing scheme and cause harm to Michael Kors. Moreover, Defendants are using Michael Kors' famous name 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 Michael Kors' legitimate consumer marketplace at Michael Kors' expense.

COMMON FACTUAL ALLEGATIONS

Plaintiff's Trademark Rights

17. Michael Kors is the registered owner of the trademarks identified on Schedule "B" hereto (the "Michael Kors Marks") which are valid and registered on the Principal Register of the United States Patent and Trademark Office. The Michael Kors Marks are used in conjunction with

the manufacture and distribution of quality goods in the categories identified on Schedule "B." True and correct copies of the Certificates of Registration for the Michael Kors Marks are attached hereto as Composite Exhibit "1."

18. The Michael Kors Marks have been used in interstate commerce to identify and distinguish Michael Kors' high quality goods for an extended period of time.

19. Long before the Defendants began their infringing activities complained of herein, the Michael Kors Marks have been used by Michael Kors in interstate commerce to identify and distinguish Michael Kors' high-quality goods for an extended period of time.

20. The Michael Kors Marks have never been assigned or licensed to any of the Defendants in this matter.

21. The Michael Kors Marks are symbols of Michael Kors' quality, reputation and goodwill and have never been abandoned.

22. Further, Michael Kors has expended substantial time, money and other resources developing, advertising and otherwise promoting the Michael Kors Marks. The Michael Kors Marks qualify as famous marks as that term is used in 15 U.S.C. §1125(c)(1).

23. Michael Kors has extensively used, advertised, and promoted the Michael Kors Marks in the United States in association with the sale of high quality luxury goods and has carefully monitored and policed the use of the Michael Kors Marks.

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

25. Accordingly, the Michael Kors Marks have achieved secondary meaning as identifiers of high quality luxury goods.

26. Genuine goods bearing the Michael Kors Marks are widely legitimately advertised and promoted by Michael Kors and its 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 have become increasingly important to Michael Kors' overall marketing and consumer education efforts. Thus, Michael Kors expends significant monetary resources on Internet marketing and consumer education, including search engine optimization ("SEO") strategies. Those strategies allow Michael Kors and its authorized retailers to fairly and legitimately educate consumers about the value associated with the Michael Kors brand and the goods sold thereunder.

Defendants' Infringing Activities

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

28. Upon information and belief, Defendants are promoting and advertising, distributing, selling and/or offering for sale goods in interstate commerce using counterfeits and confusingly similar imitations of the Michael Kors Marks (the "Counterfeit Goods") through the fully interactive commercial Internet websites operating under the Subject Domain Names identified on Schedule "A" hereto. True and correct copies of the web pages reflecting samples of the Internet websites operating under the Subject Domain Names displaying the Michael Kors branded items offered for sale are attached hereto as Composite Exhibit "2." Specifically, upon information and belief, Defendants are using identical copies of the Michael Kors Marks for different quality goods. Michael Kors has used the Michael Kors Marks extensively and

continuously before Defendants began offering counterfeit and confusingly similar imitations of Michael Kors' merchandise.

29. Upon information and belief, Defendants' Counterfeit Goods are of a quality substantially different than that of Michael Kors' 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 Michael Kors, despite Defendants' knowledge that they are without authority to use the Michael Kors 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 Michael Kors.

30. Defendants advertise their products 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 one or more of the Michael Kors Marks without Michael Kors' permission. Upon information and belief, the misappropriation of Michael Kors' advertising ideas in the form of the Michael Kors Marks is, in part, the proximate cause of harm to Michael Kors.

31. As part of their overall infringement and counterfeiting scheme, Defendants are, upon information and belief, concurrently employing and benefiting from substantially similar, and often times coordinated, advertising and SEO strategies based, in large measure, upon an illegal use of counterfeits and infringements of one or more of the Michael Kors Marks. Specifically, Defendants are, upon information and belief, using counterfeits of Michael Kors' famous name and the Michael Kors Marks in order to make their websites selling illegal goods

appear more relevant and attractive to consumers online. By their actions, Defendants have created an illegal marketplace operating in parallel to the legitimate marketplace for genuine Michael Kors goods. Defendants are causing concurrent and indivisible harm to Michael Kors and the consuming public by (i) depriving Michael Kors of its right to fairly compete for space within search engine results and reducing the visibility of Michael Kors' genuine goods on the World Wide Web, (ii) causing an overall degradation of the value of the goodwill associated with the Michael Kors Marks, (iii) increasing Michael Kors overall cost to market its goods and educate consumers about its brand via the Internet, and/or (iv) maintaining an illegal marketplace enterprise which perpetuates the ability of Defendants and future entrants to that marketplace to confuse consumers and harm Michael Kors with impunity.

32. Upon information and belief, Defendants are concurrently conducting and directing 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 Michael Kors and the consuming public for Defendants' own benefit.

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

34. Defendants are engaging in the above-described illegal counterfeiting and infringing activities knowingly and intentionally or with reckless disregard or willful blindness to Michael Kors' rights for the purpose of trading on Michael Kors' goodwill and reputation. If Defendants' intentional counterfeiting and infringing activities are not preliminarily and permanently enjoined by this Court, Michael Kors' and the consuming public will continue to be harmed.

35. 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 into believing there is a connection or association between Michael Kors' genuine goods and Defendants' Counterfeit Goods, which there is not.

36. Further, multiple Defendants have registered their respective Subject Domain Name(s), using marks that are nearly identical and/or confusingly similar to one or more of the Michael Kors Marks (collectively the "Cybersquatted Subject Domain Names").

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

38. 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.

39. 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.

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

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

42. Given the visibility of Defendants' various websites and the similarity of their actions, 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 Michael Kors and the overall consumer market in which it operates as a result of Defendants' concurrent actions.

43. Although some Defendants may be acting independently, they may properly be deemed to be acting in concert because the combined force of their actions serves to multiply the harm caused to Michael Kors.

44. Michael Kors has no adequate remedy at law.

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

46. The injury and damage sustained by Michael Kors 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)

47. Michael Kors hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

48. This is an action for trademark counterfeiting and infringement against Defendants based on their use of counterfeits, copies, and/or colorable imitations of the Michael Kors Marks

in commerce in connection with the promotion, advertisement, distribution, sale and/or offering for sale of the Counterfeit Goods.

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

50. 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.

51. Defendants' unlawful actions have caused and are continuing to cause unquantifiable, indivisible damage and irreparable harm to Michael Kors and are unjustly enriching Defendants at Michael Kors expense.

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

53. Michael Kors has suffered and will continue to suffer irreparable injury and damages 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))

54. Michael Kors hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

55. Defendants' Counterfeit Goods bearing and sold under copies of one or more of the Michael Kors Marks have been widely advertised and offered for sale throughout the United States.

56. Defendants' Counterfeit Goods bearing and sold under copies of one or more of the Michael Kors Marks are virtually identical in appearance to each of Michael Kors' 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.

57. Defendants, upon information and belief, have used in connection with their advertisement, offer 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 Michael Kors' detriment.

58. Defendants have authorized infringing uses of one or more of the Michael Kors 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.

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

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

61. Michael Kors has no adequate remedy at law and has sustained indivisible injury and damage caused by Defendants' concurrent conduct. Absent an entry of an injunction by this Court, Michael Kors will continue to suffer irreparable injury to its 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))

62. Michael Kors hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

63. At all times relevant hereto, Michael Kors has been and still is the owner of the rights, title and interest in and to the Michael Kors Marks

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

65. The Michael Kors Marks were distinctive and famous at the time Defendants registered the Cybersquatted Subject Domain Names.

66. Defendants have no intellectual property rights in or to the Michael Kors Marks.

67. The Cybersquatted Subject Domain Names are identical to, confusingly similar to, or dilutive of one or more of the Michael Kors Marks.

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

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

70. Michael Kors has no adequate remedy at law.

71. Michael Kors has suffered and will continue to suffer irreparable injury and damages due to the above described activities of Defendants if Defendants are not preliminarily and permanently enjoined.

COUNT IV - COMMON LAW UNFAIR COMPETITION

72. Michael Kors hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

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

74. Specifically, Defendants are promoting and otherwise advertising, selling, offering for sale and distributing infringing and counterfeit Michael Kors branded goods. Defendants are also using counterfeits and infringements of one or more of the Michael Kors Marks to unfairly compete with Michael Kors for (i) space in search engine results across an array of search terms and/or (ii) visibility on the World Wide Web.

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

76. Michael Kors has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

COUNT V - COMMON LAW TRADEMARK INFRINGEMENT

77. Michael Kors hereby adopts and re-alleges the allegations set forth in Paragraphs 1 through 46 above.

78. 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 using the Michael Kors Marks. Michael Kors is the owner of all common law rights in and to the Michael Kors Marks.

79. Specifically, Defendants, upon information and belief, are promoting and otherwise advertising, distributing, offering for sale, and selling goods bearing infringements of one or more of the Michael Kors Marks.

80. 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 the Michael Kors Marks.

81. Michael Kors has no adequate remedy at law and is suffering irreparable injury and damages as a result of Defendants' actions.

PRAYER FOR RELIEF

82. WHEREFORE, Michael Kors demands judgment on all Counts of this Complaint and an award of equitable relief and monetary relief against Defendants as follows:

a. Entry of temporary restraining order, as well as 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 the Michael Kors Marks; from using the Michael Kors 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 that 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 Michael Kors; from falsely representing themselves as being connected with Michael Kors, through sponsorship or association, or engaging in any act that 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 Michael Kors; from using any reproduction, counterfeit, infringement, copy, or colorable imitation of the Michael Kors 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 Michael Kors, or in any way endorsed by Michael Kors and from offering such goods in commerce; from engaging in search engine optimization strategies using colorable imitations of the Michael Kors name or the Michael Kors Marks; and from otherwise unfairly competing with Michael Kors.

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 the Michael Kors Marks.

c. Entry of an order requiring Defendants, their agent(s) or assign(s), to assign all rights, title, and interest, to their Subject Domain Name(s) to Michael Kors and, if within five (5) days of entry of such order Defendants fail to make such an assignment, the Court order the act to be done by another person appointed by the Court at Defendants' expense, such as the Clerk of Court, pursuant to Federal Rule of Civil Procedure 70(a).

d. Entry of an Order pursuant to 28 U.S.C. § 1651(a), The All Writs Act, that upon Michael Kors' request, the top level domain (TLD) Registry for each of the Subject Domain Names and any other domains used by Defendants 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.

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

f. Entry of an order requiring Defendants to account to and pay Michael Kors for all profits and damages resulting from Defendants' trademark counterfeiting and infringing activities and that the award to Michael Kors be trebled, as provided for under 15 U.S.C. §1117, or, at Michael Kors' election with respect to Count I, that Michael Kors 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.

g. Entry of an order requiring the relevant Defendants to account to and pay Michael Kors for all profits and damages resulting from those Defendants' cybersquatting activities and that the award to Michael Kors be trebled, as provided for under 15 U.S.C. §1117, or, at Michael Kors election with respect to Count III, that Michael Kors 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.

h. Entry of an award pursuant to 15 U.S.C. § 1117 (a) and (b) of Michael Kors' costs and reasonable attorneys' fees and investigative fees associated with bringing this action.

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

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

DATED: June 21, 2018.

Respectfully submitted,

STEPHEN M. GAFFIGAN, P.A.

By: **s/Stephen M. Gaffigan**

Stephen M. Gaffigan (Fla. Bar No. 025844)
Virgilio Gigante (Fla. Bar No. 082635)
Christine Ann Daley (Fla. Bar No. 98482)
T. Raquel Wiborg-Rodriguez (Fla. Bar. No. 103372)
401 East Las Olas Blvd., #130-453
Ft. Lauderdale, Florida 33301
Telephone: (954) 767-4819
Facsimile: (954) 767-4821
E-mail: stephen@smgpa.net
E-mail: leo@smgpa.net
E-mail: Christine@smgpa.net
E-mail: Raquel@smgpa.net

Attorneys for Plaintiff MICHAEL KORS, L.L.C.

SCHEDULE A
DEFENDANTS BY NUMBER AND SUBJECT DOMAIN NAME

Def No.	Subject Domain Name
1	1mkbag.com
2	aacfusa.org
3	abyss-wave.com
4	aljody.com
5	apalacereferral.com
6	arteluceomc.com
7	arte-mi-sia.com
8	asso-quartierduval.com
9	bag-crazy.com
10	bagkorsmichael.com
10	cheapmkbag.com
10	korsmichael.com
10	korsmichaelbag.com
10	mkhandbagsale.com
11	bag-nice.com
12	bermudabrassband.com
13	bikeonthetrain.com
14	bkhorrorclub.com
15	buymichaelkors.top
16	caminodearrayanes.com
17	cheapmkhandbagsale.com
18	chef-domicilio.com
19	clay-flower.com
20	coauchoutlet.com
20	michaelhandbagsforu.com
20	mybagsoutlet.com
20	newsunglassesstens.online
20	usmkoroutlets.com
21	coconutlounge-design.com
22	conseil-enmarketing.com
23	copperfieldsun.com
24	customsignshouston.com

Def No.	Subject Domain Name
25	darrickandkelsi.com
26	daustours.com
27	discountmichaelkorsoutlet.us
28	dominiquecote.com
29	duniaprinter.com
30	emichaelkorssale.com
31	evasion74.com
32	featlo.com
33	figandwill.com
34	filizzeytinleri.com
35	franklinflowerbasket.com
36	grantcampainphotography.com
37	tiquiciarural.com
37	halabjaics.com
38	handbags-hut.com
39	healthy-ginger.com
40	herb-habit.com
41	hollandfromholland.com
42	ihfrfoundation.org
43	inasignshawaii.com
44	jpcurtains.com
45	kineticsft.com
46	kirstystutter.com
47	kizi29.com
48	knowledgemavenmedia.com
49	korsbags.us
50	korshandbags.store
51	korsmichaelbags.com
52	michaelkorblacksale.com
53	michaelkorsbagoutletbag.com
54	michaelkorsfr.com
54	officialmichaelkorsire.com
55	michaelkorsknockoffs.com
56	michaelkorsoutlet2018.com
57	michaelkorsoutlet-clearance.org

Def No.	Subject Domain Name
57	michaelkorsoutlet-clearance.us
57	mkusa.org
58	michael--korsoutletonline.com
59	michaelkorsoutletvip.com
60	michaelkorsuk.com
61	michaelkorsukhandbags.co.uk
62	sanginiinc.com
63	mkasale.com
63	mkbagen2017.com
63	mkenbags.com
63	mkenusbag.com
64	mkbagoutlet.com
65	mkbagoutletmall.com
66	mkbagscheapsale.org
67	mkbagsonline.co.uk
68	mkbagsonsale.co.uk
69	mkbagsoutlet.org
70	mkbagspurses.com
71	mkbagsuk.co.uk
72	mkbigs.com
73	mkblackfridayoutlets.com
74	mk-ch.store
74	mk-sew.store
75	mk-french2018.info
76	mkhut.us
77	mkiok.com
78	mkistars.com
79	mkoeus.com
80	mkorcl.com
80	mkorlc.com
81	mkorco.com
82	mkorcx.com
83	mkorlx.com
84	mkorsbagscheap.com
84	mkorsbagsonsale.com

Def No.	Subject Domain Name
85	mkorsea.com
85	mkorsla.com
86	mkorsic.com
87	mkorsie.com
88	mkorsig.com
89	mkorsil.com
90	mkorsim.com
91	mkorsiv.com
92	mkorsiz.com
93	mkorskc.com
94	mkorsko.com
95	mkorskv.com
95	mkorsli.com
96	mkorsoi.com
97	mkorxstores.com
98	mkoup.com
99	mkoutlet.site
100	mkoutlet2018.com
101	mkoutletonlinestore.com
102	mkovb.com
103	mkovc.com
104	mkoway.com
105	mksdty.com
106	mk-singapore.info
107	mksku.com
108	mksvs.top
109	mkupc.com
110	mkurs.com
111	mkvnew.com
112	moleroavicola.com
113	montseanglada.com
114	mostbeautifulday.com
115	motionista.com
116	newtstailoring.com
117	nicekickcc.net

Def No.	Subject Domain Name
118	noidaswimming.com
119	normans180.com
120	nulinecontracting.com
121	nxbags.com
122	offmailapp.com
123	omnium-systems.com
124	psico-inn.com
125	rcromorantinsologne.com
126	realtyexcellencegroup.com
127	ridgewoodequestrian.co.uk
128	rock-n-chef.com
129	ryojiyamauchi.com
130	scrapmiller.com
131	serruriers-viroflay.com
132	sheringhamaccom.co.uk
133	stevessandspikes.com
134	storesmk.com
135	sualaptopgovap.com
136	tactopluma.com
137	terratrilobites.com
138	thelafayetteballroom.com
139	theoccasionalbrew.com
140	thewanderingstag.com
141	timryansmithblog.com
142	vanessameadephoto.com
143	workwithflorianhett.com
144	wtf-custom.com
145	yourthaipod.com

SCHEDULE "B"
MICHAEL KORS' FEDERALLY REGISTERED TRADEMARKS

Trademark	Registration Number	Registration Date	Class(es) / Relevant Goods
MICHAEL KORS	2,520,757	December 18, 2001	IC 018; handbags, billfolds, credit card cases, key cases, tote bags
MICHAEL MICHAEL KORS	3,080,631	April 11, 2006	IC 009; eyeglass frames, eyeglasses, sunglasses, eyeglass cases IC 018; bags, namely, tote bags, handbags, purses, wallets IC025; Men's and women's clothing, namely, dresses, skirts, blouses, pants, jackets, blazers, coats, raincoats, capes, ponchos, scarves, hats, gloves, sweaters, belts, bathing suits, halter tops, jeans, warm up suits, sweatshirts, sweatpants, leggings, shorts, slacks, sport coats, sport shirts, suits, t-shirts, vests, ties; undergarments for women, namely, camisoles; footwear and headwear; belts.
MICHAEL KORS	3,160,981	October 17, 2006	IC 014; watches
MK MICHAEL KORS	3,438,412	May 27, 2008	IC 009; eyeglass frames, eyeglasses, sunglasses, eye shades IC 018; handbags IC 025; Men's and women's clothing, namely, dresses, skirts, blouses, pants, jackets, blazers, coats, sweaters, belts, jeans, sweatshirts, shorts, slacks, sport coats, T-shirts; footwear and headwear; belts.
MK MICHAEL KORS	3,535,310	November 18, 2008	IC 014; watches
MICHAEL KORS	4,052,748	November 8, 2011	IC 014; jewelry

MICHAEL KORS	4,334,410	May 14, 2013	IC 009; protective cases, covers and carrying cases for mobile phones, portable media players, personal digital assistants, laptops and tablet computers