

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

VORTEX, INC.,

*Plaintiff,*

v.

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

*Defendants.*

Case No.: 1:22-cv-04189

The Honorable Gary Feinerman

Magistrate Judge David Weisman

**SEALED ORDER**

**SEALED ORDER ON PLAINTIFFS’ *EX PARTE* MOTION FOR ENTRY OF A  
TEMPORARY RESTRAINING ORDER, INCLUDING A TEMPORARY INJUNCTION,  
A TEMPORARY ASSET RESTRAINT, AND EXPEDITED DISCOVERY**

Plaintiff Vortex, Inc. seeks entry of an *ex parte* temporary restraining order, including a temporary injunction against Defendants partnerships and unincorporated associations identified in the accompanying Schedule A (the “Defendants”) enjoining the manufacture, importation, distribution, offering for sale, and sale of infringing and counterfeit Vortex-trademarked and copyrighted products related to *The Texas Chainsaw Massacre* films (the “TCM films”) or bearing THE TEXAS CHAINSAW MASSACRE or associated trademarks or copyrights (the “TCM Merchandise”) (the TCM Films and TCM Merchandise together are the “TCM Products”), a temporary asset restraint, and expedited discovery in an action arising out of the Lanham Act, 15 U.S.C. §§ 1114, 1125(a), (c), copyright infringement under the Copyright Act, 17 U.S.C. §§ 106, 501, and violation of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510.

Based on Plaintiff’s Complaint (ECF No. 6), and the *ex parte* motion for a temporary restraining order and supporting legal memorandum (ECF Nos. 9 and 10), this Court concludes

that it has jurisdiction over the Defendants and there are sufficient grounds that irreparable injury to Plaintiff will likely occur absent entry of an *ex parte* temporary restraining order. Therefore, it is hereby ORDERED as follows:

1. Defendants, their affiliates, officers, agents, employees, attorneys, and all persons acting for, with, by, under, or in active concert with them are temporarily enjoined and restrained from using, advertising, marketing, manufacturing, shipping, or selling any TCM Merchandise pending further order of this Court.

2. Defendants, within fourteen (14) days after receiving notice of this Order, shall serve upon Plaintiff a written report under oath providing: (a) the identity and location, including contact information, of their true name and physical address, and all associated e-mail addresses, of Defendants; (b) the nature of Defendants' operations and all associated sales, methods of payment for services and financial information, including, without limitation, identifying information associated with the Internet Stores of Defendants, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history; and (c) the steps taken by Defendants to comply with paragraphs 1 above.

3. Those in privity with Defendants and with actual notice of this Order, including any online marketplaces such as Wish, Alibaba, DH Gate, or AliExpress; social media platforms such as Facebook, YouTube, LinkedIn, Twitter, Instagram; and internet search engines such as Google, Bing and Yahoo, shall within five (5) business days of receipt of this Order:

- a) disable and cease providing services for any accounts through which Defendants engage in the sale of TCM Merchandise including any accounts associated with the Defendants listed on Schedule A;

- b) disable and cease displaying any advertisements used by or associated with Defendants in connection with the sale of TCM Merchandise; and
- c) take all steps necessary to prevent links to the Defendant Internet Stores identified on Schedule A from displaying in search results, including, but not limited to, removing links to the Defendant Internet Stores from any search index.

4. All third-party payment processors (UmPay, PayEco, AllPay, Payoneer, PayPal, LianLian Pay, PingPong, AliPay, JPMorgan Chase & Co., etc.), banks, savings and loan associations, or other financial institutions connected to Defendants' or Defendants' financial accounts shall within five (5) business days of receipt of this Order:

- a) identify all accounts and funds connected to Defendants or Defendants' Online Marketplace Accounts or Internet Stores that are not U.S. based and restrain those accounts and funds from transferring money until further ordered by the Court; and
- b) provide Plaintiff's counsel with all data which details (i) an accounting of the total funds restrained and identifies the financial account(s) which the restrained funds are related to, and (ii) the account transactions related to all funds transmitted into the financial account(s) which have been restrained. Such restraining of the funds and the disclosure of the related financial institution account information shall be made without notice to the account owners until after those accounts are restrained. No funds restrained by this Order shall be transferred or surrendered for any purpose (other than pursuant to a chargeback made pursuant to the payment processor's security interest in the funds) without the express authorization of this Court.

5. This temporary restraining order shall not expire until Plaintiff's motion for a preliminary injunction can be heard.

6. This temporary restraining order shall become effective immediately upon entry by this Court.

7. Plaintiff shall post a bond to secure this TRO, in the amount of \$10,000 (ten thousand U.S. dollars). Plaintiff shall deposit that amount with the Court by either cash, personal check, or surety bond.

IT IS SO ORDERED.

Dated: August 18, 2022



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Hon. Gary Feinerman  
United States District Judge