

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

LEI TANG	)	
	)	
Plaintiff,	)	Case No. 1:23-cv-16489
	)	
v.	)	Judge Charles P. Kocoras
	)	
THE INDIVIDUALS, PARTNERSHIPS, AND UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE "A"	)	Magistrate Jeannice W. Appenteng
	)	
Defendants.	)	

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**PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION  
AND MEMORANDUM OF LAW**

Plaintiff Lei Tang (“Plaintiff” or “Tang”) seeks entry of a Preliminary Injunction pursuant to Fed.R.Civ.P. 65(a) against the Defendants identified on the Amended Schedule A [Doc. 5]. The scope of the Preliminary Injunction is identical to the Temporary Restraining Order entered on January 12, 2023. [Doc. 17] and the order extending the Temporary Restraining Order. [Doc. 22]. In support thereof, Plaintiff submits the following Memorandum of Law.

**MEMORANDUM OF LAW**

**I. BACKGROUND AND PROCEDURAL HISTORY**

Plaintiff filed the instant civil action on December 5, 2023, to combat the willful and intentional infringement of Copyright Registration Nos. VA0002250612 and VA0002250627, which have effective registration dates of May 10 and 11, 2011. [Declaration of Lei Tang at Doc. 6 at ¶¶ 5-8]. On December 14, 2023, in order to facilitate the investigation of its claims and the identity and location of Defendants, Plaintiff moved for a temporary restraining order and expedited discovery. [Doc. 8, 9]. The Court granted Plaintiff’s motion on January 12, 2024 by

sealed order. (D.E. 17). Plaintiff moved for the extension of the temporary restraining order on January 22, 2024. (D.E. 18). The Court granted Plaintiff's motion on January 29, 2024. (D.E. 22)

## **II. ARGUMENT**

### ***a. A Preliminary Injunction Extending Relief Already Granted in the TRO Is Appropriate***

Plaintiff respectfully requests that this Court convert the TRO to a preliminary injunction to prevent further unlawful conduct by Defendants. In cases addressing similar allegations of the Internet-based violation of intellectual property rights, including copyright infringement, this Court and others in the Northern District of Illinois regularly issue preliminary injunctions following a temporary restraining order, including in favor of Plaintiff. *See Deckers Outdoor Corporation v. Xie Ji Ping, et al.*, Case No.: 18-cv-07675 (N.D.Ill., J. Chang, Dec. 26, 2018); *Chrome Hearts LLC v. Xiaolong Lin, et al.*, Case No.: 18-cv-07670 (N.D.Ill, J. Chang, Sept. 4, 2002); *The Maya Group v. The Partnerships and Unincorporated Associations Identified on Schedule "A"*, Case No.: 19-cv-4432 (N.D.Ill., J. Chang, Aug. 6, 2019).

### ***b. This Court Has Already Found that the Requirements for a Preliminary Injunction Have Been Satisfied***

Since the standard for granting a TRO and the standard for granting a preliminary injunction are identical in this Circuit, the requirements for entry of a preliminary injunction extending the TRO have been satisfied. *See, e.g. Charter Nat'l Bank & Trust v. Charter One Fin., Inc.*, No. 1:01-cv-00905 at \*1 (N.D. Ill. May 15, 2001) (citations omitted). A temporary restraining order or preliminary injunction may be issued upon a showing that: "(1) there is a reasonable likelihood that Plaintiff will succeed on the merits; (2) Plaintiff will suffer irreparable injury if the order is not granted because there is no adequate remedy at law; (3) the balance of hardships tips in Plaintiff's favor; and (4) the public interest will not be disserved by the injunction." *Columbia Pictures Indus., Inc. v. Jasso*, 927 F. Supp. 1075, 1076 (N.D. Ill. 1996).

“The basis of injunctive relief in the federal courts has always been irreparable harm and inadequacy of legal remedies.” *Sampson v. Murray*, 415 U.S. 61, 88 (1974).

This Court has already found that Plaintiff has met the requirements for a Temporary Restraining Order by virtue of its prior orders implementing a TRO. Plaintiff respectfully relies upon its prior recitation of facts in his Complaint (D.E. 1) and Motion for Temporary Restraining Order (D.E. 9) to support the argument that immediate and irreparable injury, loss, or damage will result to the movant without the relief requested. By virtue of this Court’s prior orders granting the temporary restraining order (D.E. 17) and its extension (D.E. 22), this Court has already found that immediate and irreparable harm, as well as further infringement, will be mitigated or prevented by the injunction in place.

Plaintiff respectfully submits that there has been no change in circumstances which would affect this Court’s reconsideration of any immediate and irreparable injury, loss, or damage to movant without the relief requested herein. In the absence of a preliminary injunction, Defendant will likely attempt to move any assets from any accounts in U.S.-based financial institutions to an offshore account, thus denying Plaintiff the equitable remedy of accounting for profits. In addition, unless a preliminary injunction is entered, Defendants are likely to continue infringing on the Tang Works.

### **III. CONCLUSION**

In view of the foregoing, Plaintiff respectfully requests that this enter the preliminary injunction in the form submitted herewith.

Respectfully submitted this 7th day of February 2024.

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