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24 Attorneys for Plaintiff
25 Magdalena Mollmann p/k/a Maggie Stephenson

26 **UNITED STATES DISTRICT COURT**
27 **CENTRAL DISTRICT OF CALIFORNIA**

28 MAGDALENA MOLLMANN p/k/a
MAGGIE STEPHENSON,

Plaintiff,

vs.

ZOETOP BUSINESS CO., LTD. d/b/a
"SHEIN;" and SHEIN
DISTRIBUTION CORPORATION,

Defendant.

Case No.: 2:22-CV-4128

COMPLAINT FOR:

**(1) COPYRIGHT
INFRINGEMENT;**

**(2) VICARIOUS AND/OR
CONTRIBUTORY COPYRIGHT
INFRINGEMENT;**

**(3) REMOVAL OF COPYRIGHT
MANAGEMENT INFORMATION
[17 U.S.C. § 1202(A)]; AND**

**(4) FALSE COPYRIGHT
MANAGEMENT INFORMATION
[17 U.S.C. § 1202(B)]**

JURY TRIAL DEMANDED

1 Plaintiff Magdalena Mollmann p/k/a Maggie Stephenson (“Plaintiff”), by and
2 through her undersigned attorneys, alleges as follows:

3 **NATURE OF THE ACTION**

4 1. This is an action for copyright infringement and violations of the Digital
5 Millennium Copyright Act (“DMCA”) against Zoetop Business Co., Ltd. d/b/a
6 “SHEIN”, and SHEIN Distribution Corporation (each a “Defendant,” and collectively
7 “Defendants”), collectively a multi-billion dollar Chinese fast-fashion enterprise
8 operating in California. Defendants’ notorious and well-documented business
9 practices are predicated upon willfully violating the rights and interests of
10 independent artists and designers who create original works entitled to protection
11 under federal copyright law.

12 2. Defendants’ predatory business model consists of, in part, selling stolen
13 artwork and then, when confronted with the theft, either ignoring the victims or
14 paying them a fraction of what they are entitled to under the law. Fully aware of the
15 leverage Defendants have over their victims, due to the artists’ lack of resources to
16 obtain legal representation, Defendants continue to steal from artists without any
17 remorse for their unethical and illegal conduct.

18 3. Plaintiff seeks injunctive relief, monetary damages in excess of
19 \$100,000,000, costs and attorneys’ fees due to Defendants’ willful infringement of
20 Plaintiff’s copyrighted artworks and Defendants’ unlawful alteration/falsification of
21 related copyright management information in direct violation of sections 101 and
22 1202 of the Copyright Act.

23 **THE PARTIES**

24 4. Plaintiff is an individual residing in Jacksonville, Florida.

25 5. Defendant Zoetop Business Co. Limited d/b/a “SHEIN” (“ZOETOP”) is
26 a limited company of Hong Kong having places of business at least at 345 Baldwin
27 Park Blvd., City of Industry, CA 91746-1406, Room 11-12, 2/F, Hong Leong Plaza
28

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1 (Phase 1), No. 33 Lok Yip Road, Fanling Hong Kong, and Datang Town Sanshui
2 Industrial Park, Fo Shan, Guangdong 528100, China.

3 6. Defendant SHEIN Distribution Corporation (“SHEIN”) is a Delaware
4 Corporation having its principal place of business at 345 N. Baldwin Park Blvd., City
5 of Industry, CA 91746.

6 7. Plaintiff is informed and believes and thereon alleges that at all times
7 relevant hereto each of the Defendants was the agent, affiliate, officer, director,
8 manager, principal, alter-ego, and/or employee of the remaining Defendants and was
9 at all times acting within the scope of such agency, affiliation, alter-ego relationship
10 and/or employment; and actively participated in or subsequently ratified and/or
11 adopted each of the acts or conduct alleged, with full knowledge of all the facts and
12 circumstances, including, but not limited to, full knowledge of each violation of
13 Plaintiff’s rights and the damages to Plaintiff proximately caused thereby.

14 **JURISDICTION AND VENUE**

15 8. This action arises under the Copyright Act, 17 U.S.C. §§ 101, *et seq.* and
16 1201 *et seq.*

17 9. This Court has federal question subject matter jurisdiction pursuant to
18 28 U.S.C. §§ 1331 and 1338(a).

19 10. This Court has personal jurisdiction over ZOETOP and SHEIN because
20 each such Defendant (a) maintains, operates and/or transacts business through, a
21 principal place of business in City of Industry, California, and (b) conducts
22 continuous and systematic business in California, including in the Central District of
23 California. The effect of Defendants’ actions arises in multiple districts, and a
24 substantial portion of the events giving rise to the claims herein occurred within this
25 District.

26 11. Venue is proper in this District pursuant to 28 U.S.C. § 1391 and 1400(a)
27 because the acts of infringement complained of herein occurred in this District,
28 Defendants are domiciled in this District, Defendants’ office and agent can be found

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1 in this District, Defendants’ unlawful actions were directed from or through
2 computers in this District, and Plaintiff has been harmed in this District.

3 12. Defendants are estopped from contesting personal jurisdiction or venue
4 in this action because Defendants have consented to personal jurisdiction and venue
5 in similar copyright infringement actions filed by other aggrieved parties in this
6 District. *See e.g., Cat Coven LLC v. Shein Fashion Group*, 2020 U.S. Dist. LEXIS
7 123166, *15-16 (“Defendant argues that joinder [of Zoetop] would not destroy
8 subject matter jurisdiction . . .”).

9 **FACTUAL BACKGROUND**

10 **Plaintiff’s Commercial Art Business**

11 13. Plaintiff is a popular independent artist and illustrator who makes a
12 living selling her original designs in the form of art prints and other original products
13 under her eponymous brand name. Plaintiff is best known for her unique creative
14 shape play illustrations, which combine rich textures and vivid colors. Plaintiff has
15 cultivated a loyal, enthusiastic social media fan base principally comprised of more
16 than 112,000 Instagram followers.

17 14. Plaintiff’s artwork can be seen in Sephora stores, Net-a-Porter’s Porter
18 Magazine, Natural Products Insider magazine, and on various consumer products
19 from jigsaw puzzles to wine bottles.

20 15. Plaintiff displays, markets and promotes her original creative designs on
21 her commercial website (www.maggiestephenson.com) (“Plaintiff’s Website”) and
22 the following commercial social media pages:

- 23 [Instagram.com/_maggiestephenson](https://www.instagram.com/_maggiestephenson);
- 24 [Pinterest.com/maggiestephensonillustration](https://www.pinterest.com/maggiestephensonillustration);
- 25 [facebook.com/maggiestephensonart](https://www.facebook.com/maggiestephensonart);
- 26 [behance.net/maggiestephenson](https://www.behance.net/maggiestephenson); and
- 27 twitter.com/mstephensonillu

28 (“Plaintiff’s Social Media Accounts”).

1 16. Plaintiff authorizes a select number of reputable, established e-
2 commerce platforms, including Society6, Urban Outfitters and Jungalow
3 (collectively, the “Authorized Platforms”), to sell high-quality framed and unframed
4 prints of her original creations.

5 **The Subject Original Art Work**

6 17. The illustration depicted below, entitled “One is good, more is better,”
7 is an original work of art created exclusively by Plaintiff (the “Original Art Work”):



24 18. As the sole author and creator, Plaintiff is the exclusive owner of all
25 rights and interests in and to the Original Art Work, including all rights granted to
26 authors of original works of art under common law and the Copyright Act of 1976,
27 17 U.S.C. § 101 *et seq.*

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1 19. Plaintiff registered the Original Art Work with the United States
2 Copyright Office. A copy of the registration certificate issued by the Copyright Office
3 dated October 14, 2021, registration no. VA 2-272-522, is attached hereto as **Exhibit**
4 **A.**

5 20. Images of the Original Art Work and derivative works thereof have been
6 publicly displayed and widely disseminated since April 2019 on Plaintiff’s Website,
7 Plaintiff’s Social Media Accounts and the Authorized Platforms. As a consequence,
8 images of the Original Art Work have, at all such times, been readily accessible to
9 and capable of being viewed globally by any person or entity with access to the
10 Internet.

11 21. The Original Art Work is one of Plaintiff’s most popular, best-selling
12 original creative works. Plaintiff has sold high-quality framed and unframed prints of
13 the Original Art Work via the Authorized Platforms since April 2019 at various price
14 points ranging from \$19.00 for the unframed 8x10 version to \$300.00 for the framed
15 30x40 version.

16 22. Plaintiff affixes numerous forms of copyright management information
17 (“CMI”)—including Plaintiff’s name and signature, date of creation, brand name,
18 logo, and social media handle, as shown above —on all authorized prints and copies
19 of the Original Art Work, derivative works thereof and related packaging. Plaintiff
20 also affixes CMI on the images of the Original Art Work and derivative works thereof
21 displayed on Plaintiff’s Website, Plaintiff’s Social Media Accounts and the
22 Authorized Platforms. Such CMI serves to identify Plaintiff as the author and
23 copyright owner of the Original Art Work and is intended to prevent third parties from
24 creating unauthorized copies of the Original Art Work.

25 **Defendants’ “Fast-Fashion” Enterprise**

26 23. Defendants collectively own and operate a notorious “fast-fashion” e-
27 commerce enterprise that sells apparel, accessories, jewelry, tapestries and other
28 products under Defendants’ various proprietary brand names, including “SHEIN” and

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1 “ROMWE”, through Defendants’ websites, including www.shein.com (the “SHEIN
2 Website”), mobile applications and social media platforms.

3 24. Pursuant to their “fast-fashion” business model, Defendants (a) identify
4 catwalk/high-fashion design trends, (b) mass produce low-cost, inferior “replicas” of
5 high-end, higher-quality designer goods created by others, and (c) rush to flood the
6 market with cheap, ersatz “designer” goods as the wave of consumer demand begins
7 to crest.

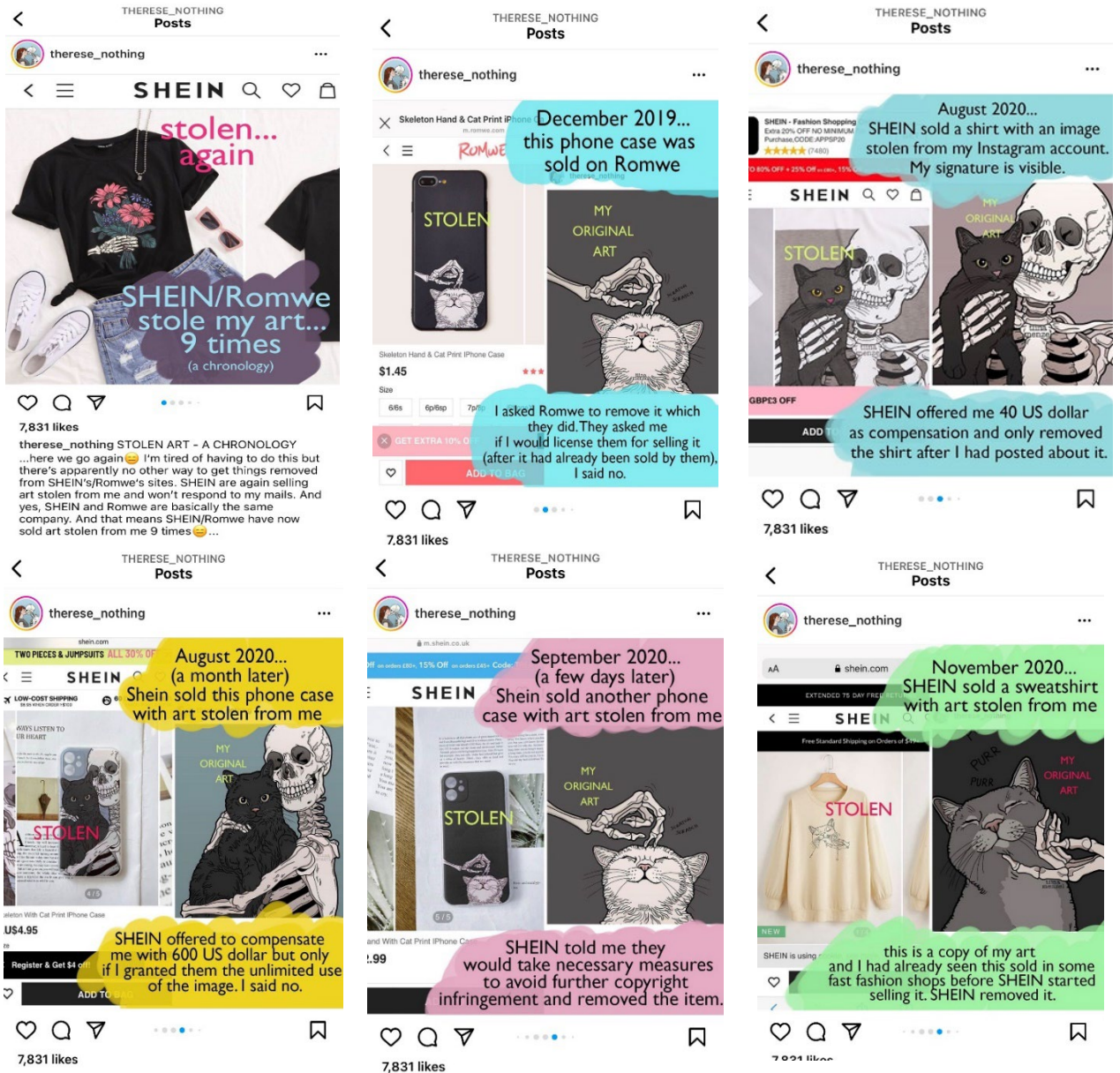
8 25. Defendants’ predatory, opportunistic “fast-fashion” business practices
9 are inherently antagonistic to the intellectual property rights of third parties and,
10 consequently, Defendants have been named in scores of infringement and/or unfair
11 competition actions filed by major brands, famous designers, artists, illustrators and
12 others whose original creations Defendants have stolen. In this District alone, at least
13 one of the Defendants named herein has been sued for infringement and/or unfair
14 competition in over thirty (30) separate actions. Defendants also have been hit with
15 similar claims numerous times in other jurisdictions, including by major brands like
16 Levi’s, Ralph Lauren, and Deckers Outdoor Corp., which owns the UGG footwear
17 brand.

18 **Defendants’ Modus Operandi**

19 26. Defendants’ *modus operandi* is on full display on Instagram. A search
20 of hashtags such as #sheintheft, #arttheft, and #boycottshein, brings up numerous
21 accounts of artists and other designers whose original artwork was stolen by
22 Defendants and sold for a fraction of the work’s true value. Their stories are the same:
23 they see their artwork being sold on the SHEIN or ROMWE websites without their
24 consent, they submit a copyright notification or contact the company, either the victim
25 doesn’t receive a response or Defendants blame the theft on a third-party vendor, and
26 some may receive a pittance in compensation.

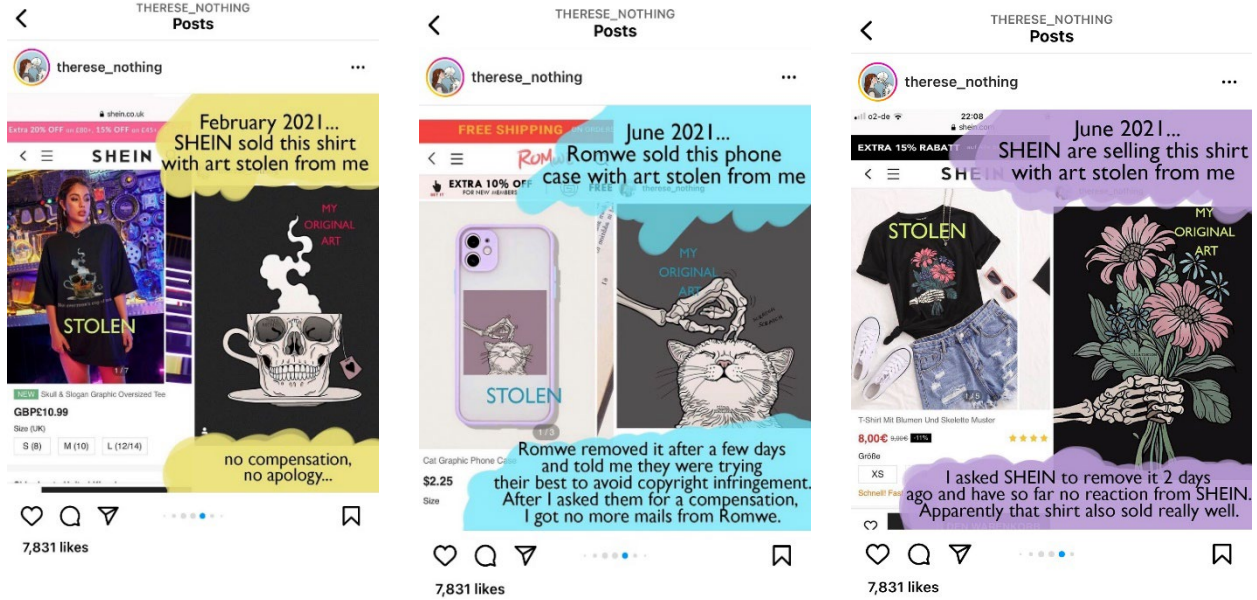
27 27. For example, Plaintiff is informed and believes and thereon alleges that
28 the Instagram account @terese_nothing describes in detail how SHEIN and ROMWE

1 stole her artwork nine times between 2019 and 2021. Shockingly, SHEIN and
 2 ROMWE sold the *exact same artwork* on two occasions *after* being notified that the
 3 products infringed the artist's copyright. On one occasion, Defendants didn't even
 4 bother to remove the artist's name from the artwork before selling it online.



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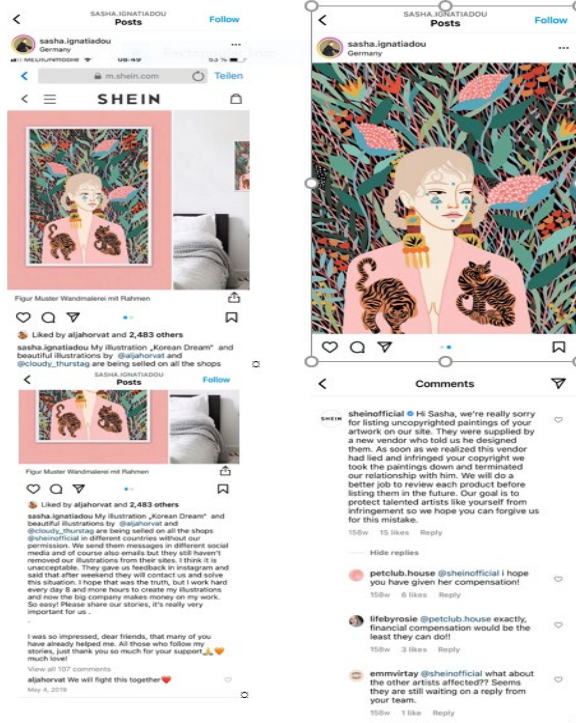


28. Similarly, Plaintiff is informed and believes and thereon alleges that the Instagram account @sasha.ignatiadou describes how in May 2019 SHEIN stole an illustration and sold it online without permission. After being notified of the infringement, SHEIN commented on the post, stating that the artwork was “supplied by a new vendor who told us he designed them.” SHEIN’s third-party “defense” strains credulity as the infringing artwork has the artist’s name printed directly on the piece.

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29. In November 2019, Plaintiff is informed and believes and thereon alleges that the Instagram account @madelinekate_illustrates posted about her artwork being stolen by SHEIN and ROMWE. Again, the company blamed “a vendor who assured [it] that there weren’t any copyright issues.”

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MADELINEKATE_ILLUSTRATES Posts
 madelinekate_illustrates Portland, Oregon
 5,118 likes
 madelinekate_illustrates @sheinofficial and @romwe_fashion, stealing is never cool. Please don't buy from Shein or Romwe! This artwork was stolen for pillowcases and I'm so disheartened. It's hard enough to make a living as an artist without large companies taking advantage of us for free. Please don't support @sheinofficial or @romwe_fashion and alert other artists whose work you recognize if you see something that might be stolen! (Huge thanks to @b.para13 for alerting me to this!)

MADELINEKATE_ILLUSTRATES Posts
 5,118 likes
 madelinekate_illustrates @sheinofficial and @romwe_fashion, stealing is never cool. Please don't buy from Shein or Romwe! This artwork was stolen for pillowcases and I'm so disheartened. It's hard enough to make a living as an artist without large companies taking advantage of us for free. Please don't support @sheinofficial or @romwe_fashion and alert other artists whose work you recognize if you see something that might be stolen! (Huge thanks to @b.para13 for alerting me to this!)

@shein_us #arttheft #stolenart #sheinsteals

#ladieswhodraw #womenwhodraw #illustratorsoninstagram #womenartists #womenofillustration #womenwithpencils #illustrationdaily #coolgirlscollective #localwolves #digitalillustrator #apartmenttherapy #minimal #minimalillustration

View all 100 comments
 madelinekate_illustrates @sheinofficial still waiting...

madelinekate_illustrates @chloe.unningham yep still haven't heard anything from @sheinofficial's legal team like they promised

November 3, 2019



MADELINEKATE_ILLUSTRATES Posts
 madelinekate_illustrates Portland, Oregon
 5,118 likes
 madelinekate_illustrates @sheinofficial and @romwe_fashion, stealing is never cool. Please don't buy from Shein or Romwe! This artwork was stolen for pillowcases and I'm so disheartened. It's hard enough to make a living as an artist without large companies taking advantage of us for free. Please don't support @sheinofficial or @romwe_fashion and alert other artists whose work you recognize if you see something that might be stolen! (Huge thanks to @b.para13 for alerting me to this!)



MADELINEKATE_ILLUSTRATES Posts
 madelinekate_illustrates Portland, Oregon
 5,118 likes
 madelinekate_illustrates @sheinofficial and @romwe_fashion, stealing is never cool. Please don't buy from Shein or Romwe! This artwork was stolen for pillowcases and I'm so disheartened. It's hard enough to make a living as an artist without large companies taking advantage of us for free. Please don't support @sheinofficial or @romwe_fashion and alert other artists whose work you recognize if you see something that might be stolen! (Huge thanks to @b.para13 for alerting me to this!)

Comments

romwe_fun Hi, we make an apology from the deep heart for listing the unlicensed items on our site. Upon becoming aware of this issue, we initiated the investigation immediately. Then we found that the item was supplied by a vendor who assured us there weren't any copyright issues. We now has terminated relations with this supplier and the item will be removed immediately. We've also reached out to @madelinekate_illustrates to take responsibility for our mistake. Romwe strives to respecting the copyright of each designer and artist. Thanks for your attention.

132w 4 likes Reply

Hide replies

noorwagtendonk @romwe_fashion Wellllll that's like the same message @sheinofficial sent. You haven't taken any responsibility so far so stop the bullshit and do something.

131w 1 like Reply

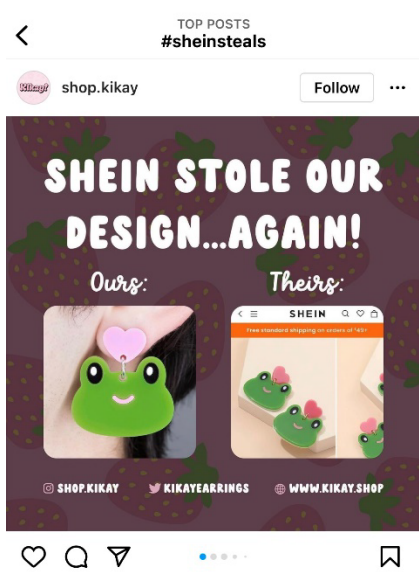
babyvampbeauty @noorwagtendonk they're the same company

123w 1 like Reply

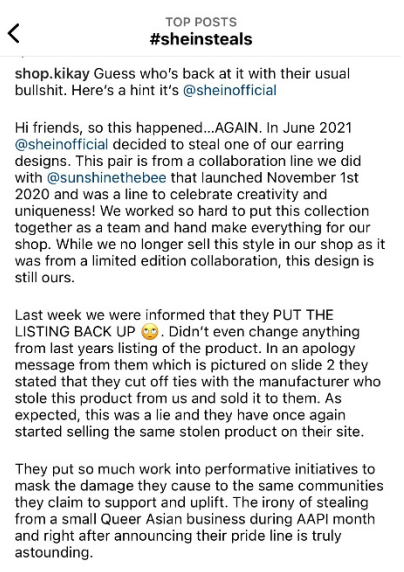
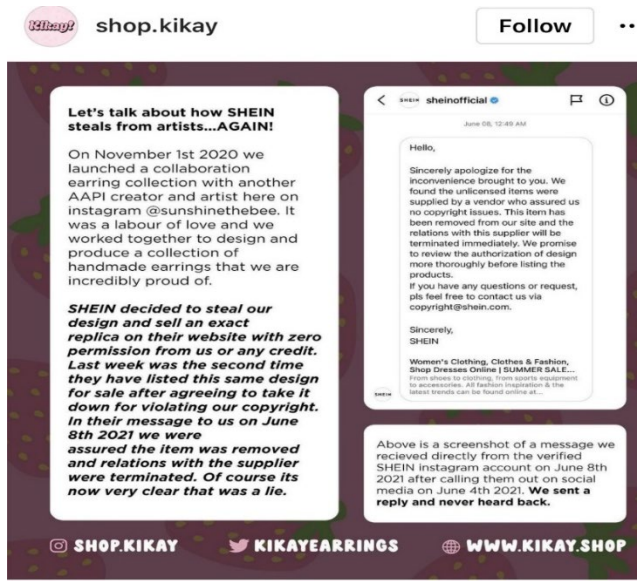
noorwagtendonk @babyvampbeauty I know but they both replied to this post with the same message, so they are

30. Recently, on or around May 17, 2022, Plaintiff is informed and believes and thereon alleges that the Instagram account @shop.kikay complained that SHEIN stole their earring design *for the second time*, after SHEIN, true to form, blamed a vendor and assured the creator that the relationship with the vendor was terminated and promised “to review the authorization of design more thoroughly before listing

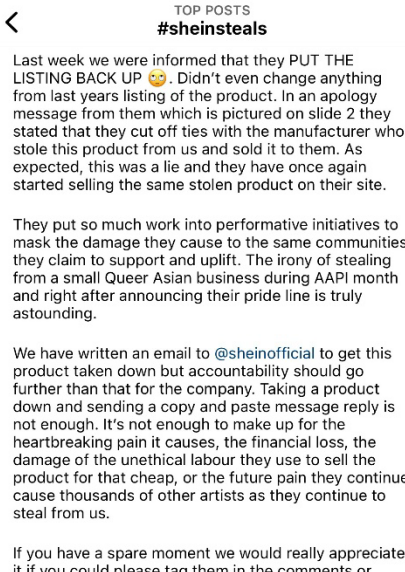
1 the products.” Less than a year after making this promise, SHEIN listed the same
 2 product for sale on its website.



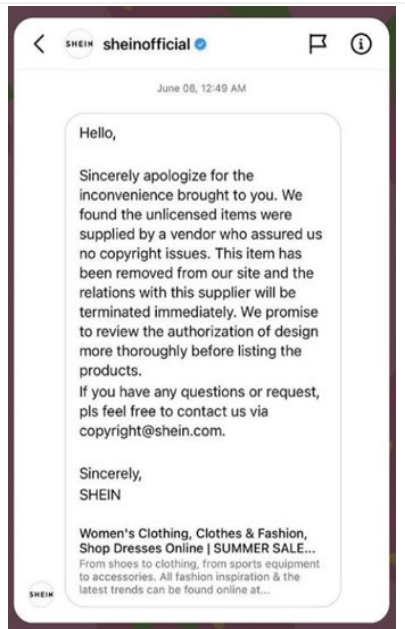
7,077 likes
 shop.kikay Guess who's back at it with their usual bullshit. Here's a hint it's @sheinofficial
 Hi friends, so this happened...AGAIN. In June 2021 @sheinofficial decided to steal one of our earring designs. This pair is from a collaboration line we did with @sunshinethebee that launched November 1st 2020 and was a line to celebrate creativity and uniqueness! We worked so hard to put this collection



We have written an email to @sheinofficial to get this product taken down but accountability should go further than that for the company. Taking a product down and sending a copy and paste message reply is not enough. It's not enough to make up for the heartbreaking pain it causes, the financial loss, the damage of the unethical labour they use to sell the product for that cheap, or the future pain they continue cause thousands of other artists as they continue to steal from us.



We have written an email to @sheinofficial to get this product taken down but accountability should go further than that for the company. Taking a product down and sending a copy and paste message reply is not enough. It's not enough to make up for the heartbreaking pain it causes, the financial loss, the damage of the unethical labour they use to sell the product for that cheap, or the future pain they continue cause thousands of other artists as they continue to steal from us.



Defendants' Infringement Of The Original Art Work

31. Similar, if not identical, to the above accounts of theft by Defendants, Plaintiff is informed and believes and based thereon alleges that within the past three

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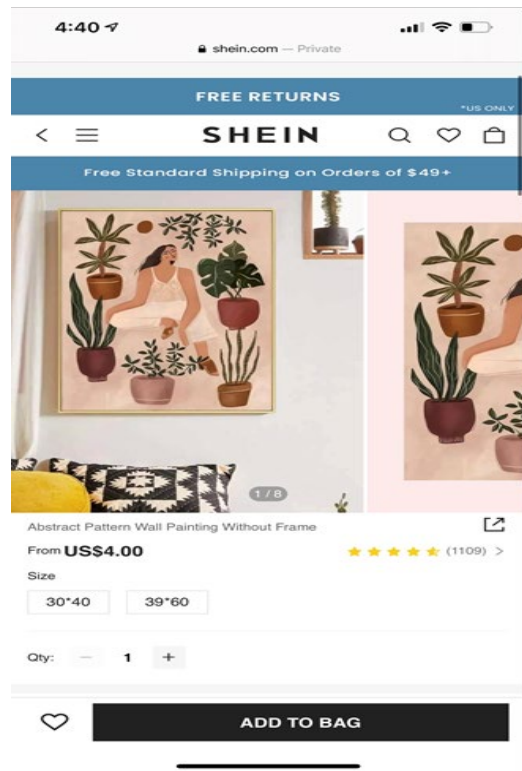
1 years, Defendants copied the original, copyright-protected elements of Plaintiff’s
2 Original Art Work without Plaintiff’s authorization and created therefrom one or
3 more art prints, copies of which Defendants then advertised, marketed and sold on the
4 SHEIN Website under the description “Abstract Pattern Wall Painting Without
5 Frame” (the “Infringing Work”).

6 As illustrated in the side-by-side comparison below, the artistic elements (i.e.,
7 the designs, renderings, illustrations, drawings, figures, objects, and the arrangements
8 and layouts thereof) and the color schemes, layouts and overall appearances of the
9 Infringing Work and the Original Art Work are virtually identical and strikingly
10 similar:

11 **Original Art Work**



12 **Infringing Work**



23
24
25 32. Based thereon and upon information and belief, Defendants have sold
26 low-quality copies of the Infringing work, the number of which currently is unknown
27 to Plaintiff, for as little as \$4.00 per print.
28

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1 33. Defendants never attempted to contact Plaintiff to inquire about properly
2 licensing her work. Plaintiff is informed and believes and based thereon alleges that
3 Defendants simply copied the Original Art Work, created the Infringing Work and
4 sold copies thereof for a fraction of their value without regard for Plaintiff’s creative
5 rights and financial interests.

6 34. Plaintiff is informed and believes and based thereon alleges that in the
7 process of unlawfully creating, copying, reproducing, distributing, adapting, and/or
8 publicly displaying the Infringing Work without the consent, permission or authority
9 of Plaintiff, Defendants intentionally removed Plaintiff’s CMI with the intent to
10 induce, enable, facilitate, or conceal their infringement of Plaintiff’s rights under the
11 Copyright Act.

12 35. Plaintiff is informed and believes and based thereon alleges that
13 Defendants unlawfully created and distributed copies of the Original Art Work with
14 the knowledge and intent that Plaintiff’s CMI had been removed therefrom.

15 36. Plaintiff is informed and believes and based thereon alleges that
16 Defendants also added false copyright management information to copies of its
17 Infringing Work and affixed the “SHEIN” name and logo to the packaging of the
18 Infringing Work. In doing so, Defendants not only falsely identify SHEIN as the
19 author and copyright owner of the original elements of the Infringing Work, but
20 Defendants also falsely imply that they are the author and copyright owner of the
21 Original Art Work.

22 37. Plaintiff is informed and believes and based thereon alleges that
23 Defendants were, at all times relevant, aware that Plaintiff was the true author and
24 copyright owner of the Original Art Work, and Defendants thus knew that the
25 copyright management information that they affixed to copies of the Infringing Work
26 was false and misleading.

27 38. Plaintiff is informed and believes and based thereon alleges that
28 Defendants affixed false copyright management information on or in connection with

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1 the Infringing Work to falsely convey the impression to consumers that SHEIN, rather
2 than Plaintiff, was the author and copyright owner of the artistic design elements
3 depicted in the Infringing Work. Defendants intended that by doing so, they would
4 facilitate the sale of the Infringing Product and conceal the fact that they were
5 infringing the Original Art Work.

6
7 **FIRST CLAIM FOR RELIEF**

8 **Copyright Infringement - 17 U.S.C. § 501, et seq.**

9 **Against All Defendants**

10 39. Plaintiff repeats, realleges and hereby incorporates by reference the
11 allegations set forth in paragraphs 1 through 38, above, as though fully set forth
12 herein.

13 40. Plaintiff has complied in all respects with the copyright laws of the
14 United States, 17 U.S.C. § 101 *et seq.*, and has secured the exclusive rights and
15 privileged in and to the copyrights in the Original Art Work.

16 41. As alleged herein above, the Original Art Work has been widely
17 disseminated and readily accessible since April 2019. Plaintiff is informed and
18 believes and based thereon alleges that between April 2019 and August 2021,
19 Defendants accessed the Original Art Work from Plaintiff’s Website, Plaintiff’s
20 Social Media Accounts and/or the Authorized Platforms and thereafter copied,
21 reproduced, distributed, adapted, and/or created derivative works of the Original Art
22 Work without the consent, permission or authority of Plaintiff.

23 42. Defendants’ conduct as alleged herein constitutes infringement of
24 Plaintiff’s copyright and exclusive rights in violation of 17 U.S.C. §§ 106 and 501.

25 43. Defendants’ acts of infringement as alleged herein have been willful,
26 intentional, purposeful, and/or in reckless disregard of and with indifference to
27 Plaintiff’s rights.

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1 44. As a consequence of Defendants’ acts of infringement as alleged herein,
2 Plaintiff has suffered and continues to suffer economic harm and thus is entitled to
3 recover the greater of Plaintiff’s actual damages or the amount of profits attributable
4 to Defendants’ infringing acts pursuant to 17 U.S.C. § 504.

5 45. Plaintiff is informed and believes and based thereon alleges that
6 Defendants’ acts of infringement as alleged herein are continuing and will continue
7 in the future. Plaintiff has no adequate remedy at law to prevent Defendants from
8 continuing their infringement of the Original Art Work during the pendency of this
9 action or thereafter. Plaintiff therefore seeks and is entitled to an order enjoining and
10 restraining Defendants, during the pendency of this action and permanently thereafter,
11 from manufacturing, distributing, importing, exporting, marketing, displaying,
12 offering for sale, or selling copies or prints of the Infringing Work or any other
13 products that are substantially similar to Original Art Work.

14 **SECOND CLAIM FOR RELIEF**

15 **Vicarious and/or Contributory Copyright Infringement**

16 **Against All Defendants**

17 46. Plaintiff repeats, realleges and hereby incorporates by reference the
18 allegations set forth in paragraphs 1-38 and 40-45, above, as though fully set forth
19 herein.

20 47. Plaintiff is informed and believes and thereon alleges that Defendants
21 knowingly induced, participated in, aided and abetted in and profited from the illegal
22 reproduction and/or subsequent sales of the Infringing Work as alleged herein.

23 48. Plaintiff is informed and believes and thereon alleges that Defendants,
24 and each of them, are vicariously liable for the infringement alleged herein because
25 they had the right and ability to supervise the infringing conduct and because they
26 had a direct financial interest in the infringing conduct.

27 49. By reason of the Defendants’ acts of contributory and vicarious
28 infringement as alleged herein, Plaintiff has suffered and will continue to suffer

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1 substantial damages to her business in an amount to be established at trial, as well as
2 additional general and special damages in an amount to be established at trial.

3 50. Due to Defendants’ acts of copyright infringement as alleged herein,
4 Defendants, and each of them, have obtained direct and indirect profits they would
5 not otherwise have realized but for their infringement of the Original Art Work. As
6 such, Plaintiff is entitled to disgorgement of Defendants’ profits directly and
7 indirectly attributable to Defendants’ infringement of Plaintiff’s rights in the Original
8 Art Work, in an amount to be established at trial.

9 **THIRD CLAIM FOR RELIEF**

10 **Removal of Copyright Management Information - 17 U.S.C. § 1202(b) Against**
11 **All Defendants**

12 51. Plaintiff repeats, realleges and hereby incorporates by reference the
13 allegations set forth in paragraphs 1-38, 40-45 and 47-50, above, as though fully set
14 forth herein.

15 52. The Original Art Work includes conspicuous copyright management
16 information including at least Plaintiff’s signature, which is conveyed in connection
17 with the Original Art Work and its packaging and is protected under 17 U.S.C. §
18 1202(b).

19 53. Plaintiff further conveys such copyright management information in
20 connection with the Original Art Work on her website, Society6 storefront, social
21 media accounts, and third-party e-commerce websites.

22 54. Upon information and belief, Defendant knowingly distributed the
23 Infringing Product, which features an identical copy of the Original Art Work from
24 which the copyright management information placed on authorized copies of the
25 Original Art Work and their packaging was intentionally removed.

26 55. Upon information and belief, Defendant knowingly sourced, sold, and
27 distributed infringing products featuring identical copies of the Original Art Work
28

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1 from which the copyright management information placed on authorized copies of
2 the Original Art Work and their packaging was intentionally removed.

3 56. Upon information and belief, Defendant knowingly sold infringing
4 products featuring identical copies of the Original Art Work from which the copyright
5 management information was intentionally removed.

6 57. Upon information and belief, Defendant knowingly distributed and
7 imported for distribution unauthorized copies of the Original Art Work from which
8 copyright management information had been intentionally removed.

9 58. Upon information and belief, Defendant distributed the Infringing
10 Product with the knowledge that doing so would induce, enable, facilitate, or conceal
11 an infringement of Plaintiff’s rights under the Copyright Act, 17 U.S.C. § 101 *et seq.*

12 59. Defendant engaged in these activities without the consent or
13 authorization of Plaintiff.

14 60. Plaintiff has been injured and will continue to suffer injury as a result of
15 Defendants’ violations of 17 U.S.C. § 1202(b) and is entitled to injunctive relief,
16 impoundment of the Infringing Work, monetary damages, costs and attorneys’ fees
17 according to proof. Pursuant to 17 U.S.C. § 1203(c)(3), Plaintiff may also elect to
18 recover statutory damages of up to \$25,000 for each violation of 17 U.S.C. § 1202(b).

19 **FOURTH CLAIM FOR RELIEF**

20 **False Copyright Management Information - 17 U.S.C. § 1202(a)**

21 **Against All Defendants**

22 61. Plaintiff repeats, realleges and hereby incorporates by reference the
23 allegations set forth in paragraphs 1-38, 40-45 and 47-50 and 52-60, above, as though
24 fully set forth herein.

25 62. Upon information and belief, each Defendant, either separately or in
26 concert with each other, intentionally and knowingly provided false copyright
27 management information in connection with the Infringing Product. Specifically,
28 Defendants affixed the “SHEIN” name and logo to the packaging of the Infringing

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1 Product and intentionally removed Plaintiff’s copyright management information,
2 including at least Plaintiff’s signature.

3 63. Upon information and belief, each Defendant, either separately or in
4 concert with each other, intentionally and knowingly imported for distribution and
5 distributed false copyright management information in connection with the Infringing
6 Product.

7 64. Upon information and belief, each Defendant, either separately or in
8 concert with each other, knew that the copyright management information it conveyed
9 in connection with the Infringing Product was false because Defendants knew that
10 Plaintiff, and not Defendants, were the true author and copyright owner of the
11 Original Art Work.

12 65. Upon information and belief, each Defendant, either separately or in
13 concert with each other, knowingly provided such false copyright management
14 information and distributed and imported such false copyright management
15 information in connection with the Infringing Product with the intent to induce,
16 enable, facilitate, or conceal an infringement of Plaintiff’s rights under the Copyright
17 Act.

18 66. Defendants engaged in these activities without the consent or
19 authorization of Plaintiff.

20 67. Plaintiff has been injured as a result of Defendants’ violation of 17
21 U.S.C. § 1202(a) and is entitled to injunctive relief, impounding of the Infringing
22 Product, damages, costs, and attorney’s fees. Plaintiff may also elect to recover
23 statutory damages pursuant to 17 U.S.C. § 1203(c)(3) of up to \$25,000 for each
24 violation of 17 U.S.C. § 1202(a).

25 **WHEREFORE**, Plaintiff demands judgment as follows:

26 1. For an order permanently restraining and enjoining Defendants from
27 copying, reproducing, distribution, adapting, and/or publicly displaying the Original
28 Art Work or any elements thereof;

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1 2. For an order requiring the destruction of all of Defendants’ infringing
2 products, including the Infringing Work and all marketing, advertising and/ or
3 promotional materials associated therewith;

4 3. For an award of the amount equal to the greater of Plaintiff’s actual
5 damages or disgorgement of Defendants’ worldwide profits according to proof;

6 4. For an award of \$25,000 per violation of 17 U.S.C. § 1202(a), an order
7 requiring the impoundment of all existing copies of the Infringing Work under 17
8 U.S.C. § 1203, and an award of Plaintiff’s costs and attorneys’ fees under 17 U.S.C.
9 § 1203;

10 5. For an award of \$25,000 per violation of 17 U.S.C. § 1202(b), an order
11 requiring the impoundment of all existing copies of the Infringing Product under 17
12 U.S.C. § 1203, and an award of Plaintiff’s costs and attorneys’ fees under 17 U.S.C.
13 § 1203;

14 6. For the costs of suit incurred herein;

15 7. For interest, including prejudgment interest, on the foregoing sums; and

16 8. For such other and further legal and equitable relief as the Court deems
17 just and proper.

18
19 Dated: June 15, 2022

20 **HOLLAND & KNIGHT LLP**

21 By: /s/ Danielle N. Garno
22 Stacey H. Wang
23 Danielle N. Garno
24 David R. Donoghue
25 Ji Mao
26 *Attorneys for Plaintiff*
27 *Magdalena Mollmann p/k/a Maggie*
28 *Stephenson*

EXHIBIT A

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



Shirley P. Weimer
United States Register of Copyrights and Director

Registration Number

VA 2-272-522

Effective Date of Registration:

October 14, 2021

Registration Decision Date:

October 21, 2021

Title

Title of Work: One Is Good More Is Better

Completion/Publication

Year of Completion: 2019
Date of 1st Publication: April 17, 2019
Nation of 1st Publication: United States

Author

- **Author:** Magdalena Mollmann
Author Created: 2-D artwork
Citizen of: United States

Copyright Claimant

Copyright Claimant: Magdalena Mollmann
11357 Skimmer Court, Jacksonville, FL, 32225

Certification

Name: Magdalena Mollmann
Date: October 14, 2021

Correspondence: Yes