

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMAZON.COM, INC., a Delaware corporation; HANESBRANDS, INC., a Maryland corporation; and HBI BRANDED APPAREL ENTERPRISES, LLC, a Delaware limited liability company,

Plaintiffs,

v.

FUJIAN HUAYUN CULTURE INVESTMENT CO., LTD., a Chinese entity doing business as WOA; and DOES 1-10,

Defendants.

No.

**COMPLAINT FOR DAMAGES  
AND EQUITABLE RELIEF**

**I. INTRODUCTION**

1. This case involves Defendants' unlawful and expressly prohibited sale of silicone covers for earbud cases that illegally bear registered trademarks of HanesBrands, Inc. and HBI Branded Apparel Enterprises, LLC (collectively, "HanesBrands") on Amazon.com. Amazon, along with HanesBrands, jointly bring this lawsuit to permanently prevent and enjoin Defendants from causing future harm to Amazon's and HanesBrands' customers, reputations, and intellectual property ("IP"), and to hold Defendants accountable for their illegal actions.

2. The Amazon store offers products and services to customers in more than 100 countries around the globe. Some of the products are sold directly by Amazon, while others are

1 sold by Amazon's numerous third-party selling partners. The Amazon brand is one of the most  
 2 well-recognized, valuable, and trusted brands in the world. In order to protect customers and  
 3 safeguard its reputation for trustworthiness, Amazon invests heavily in both time and resources  
 4 to prevent infringing goods from being sold in its store. In 2020 alone, Amazon invested over  
 5 \$700 million and employed more than 10,000 people to protect its store from fraud and abuse.  
 6 Amazon stopped over six million suspected bad actor selling accounts before they published a  
 7 single listing for sale and blocked more than ten billion suspected bad listings before they were  
 8 published. As a result of these efforts and investment, 99.9% of all products viewed by  
 9 customers on Amazon did not have a valid counterfeit complaint.

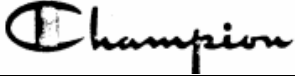




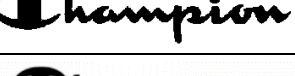




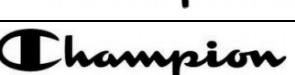



10 3. HanesBrands is a socially responsible leading manufacturer of everyday casual  
 11 wear in the Americas, Europe, Australia, and Asia-Pacific. HanesBrands is the owner of the  
 12 iconic Champion brand. For nearly 100 years, the Champion brand has been synonymous with  
 13 high-quality uniforms and apparel for amateur and professional athletes, as well as popular  
 14 styles of sportswear and leisurewear for kids and adults. Champion apparel has been worn by  
 15 millions of everyday people, celebrities, and athletes, and the Champion brand has become one  
 16 of the most recognized sportswear brands in history.



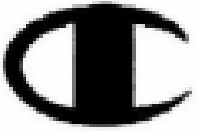
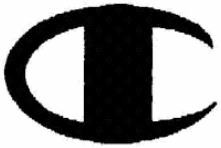




17 4. For example, in the late 1980s and early 1990s, the Champion brand exploded  
 18 into popular culture, as music artists, including EPMD, TLC, Public Enemy, and licensed  
 19 athletic apparel helped propel the Champion brand beyond athletic wear and into everyday life  
 20 for millions of people around the world. In 1992, the legendary USA "Dream Team" even wore  
 21 Champion-branded basketball uniforms at the Summer Olympics.

22 5. Through these and many other examples, the Champion brand, aided by the  
 23 distinctive Champion trademarks, shown below, has become one of the most iconic brands in  
 24 history:

Champion Script Logo	Champion C Logo
	

6. HanesBrands owns, manages, enforces, licenses, and maintains IP, including various trademarks. Relevant to this Complaint, HanesBrands owns the following registered trademarks used on its Champion products (“Champion Trademarks”).

<u>Mark</u>	<u>Registration No. (International Classes)</u>
	1,323,337 (IC 025)
	1,756,925 (IC 025)
	1,828,930 (IC 025)
	1,915,092 (IC 025)
	2,004,276 (IC 025)
	3,000,691 (IC 035)
	4,800,690 (IC 025)
	5,241,808 (IC 09)
	5,241,809 (IC 021)
	5,251,493 (IC 024)
	5,608,562 (IC 018)
	5,851,825 (IC 018)
	1,127,251 (IC 025, IC 026)
	1,463,681 (IC 025)

	1,566,064 (IC 025)
	1,827,538 (IC 025)
	2,923,145 (IC 025)
	3,668,955 (IC 018)
	4,550,216 (IC 025)
	4,791,661 (IC 025)
	5,228,463 (IC 024)
	5,241,807 (IC 09)

True and correct copies of the registration certificates for the Champion Trademarks are attached as **Exhibit A**. Defendants' infringing use of the Champion Trademarks on their inauthentic products are likely to cause confusion and a false association with HanesBrands'

1 products, as further described in this Complaint.<sup>1</sup>

2 7. Through at least January 2021, Defendants advertised, marketed, offered, and  
3 sold inauthentic products in the Amazon store, using the Champion Trademarks, without  
4 authorization, to deceive customers about the authenticity and origin of the products and the  
5 products' affiliation with HanesBrands, specifically its Champion brand.

6 8. As a result of their illegal actions, Defendants have infringed and misused  
7 HanesBrands' IP, willfully deceived and harmed Amazon, HanesBrands, and their customers,  
8 compromised the integrity of the Amazon store, and undermined the trust that customers place  
9 in Amazon and HanesBrands. Defendants' illegal actions have caused Amazon and  
10 HanesBrands to expend significant resources to investigate and combat Defendants'  
11 wrongdoing and to bring this lawsuit to prevent Defendants from inflicting future harm to  
12 Amazon, HanesBrands, and their customers.

## 13 II. PARTIES

14 9. Amazon.com, Inc. is a Delaware corporation with its principal place of business  
15 in Seattle, Washington. Through its subsidiaries, Amazon.com, Inc. owns and operates the  
16 Amazon.com website, counterpart international websites, and Amazon store (collectively,  
17 "Amazon").

18 10. HanesBrands, Inc. is a Maryland corporation with its principal place of business  
19 in Winston-Salem, North Carolina.

20 11. HBI Branded Apparel Enterprises, LLC is a Delaware limited liability company  
21 with its principal place of business in Winston-Salem, North Carolina.

22 12. Defendants are a collection of individuals, both known and unknown, who  
23 conspired and operated in concert with each other to engage in the illegal scheme alleged in this  
24

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25 <sup>1</sup> Although at the time of Defendants' infringing sales the Champion Trademarks did not cover silicone covers for  
26 earbud cases, HanesBrands has five trademark applications pending before the United States Patent and Trademark  
27 Office covering goods related to the infringing goods at issue in this Complaint. U.S. Trademark Application Serial  
No. 88851149 (filed March 27, 2020); U.S. Trademark Application Serial No. 88592850 (filed Aug. 26, 2019);  
U.S. Trademark Application Serial No. 88592930 (filed Aug. 26, 2019); U.S. Trademark Application Serial No.  
88208682 (filed Nov. 28, 2018); U.S. Trademark Application Serial No. 88208503 (filed Nov. 28, 2018).

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