

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Ford Motor Company,

Plaintiff,

v.

The Individuals, Business Entities, and  
Unincorporated Associations Identified in  
Exhibit “A,”

Defendants.

Civil Action No.

Judge

**DECLARATION OF LISA WOODS IN SUPPORT OF PLAINTIFF’S *EX PARTE*  
MOTION FOR A TEMPORARY RESTRAINING ORDER AND OTHER RELIEF**

I, Lisa Woods, hereby declare and state as follows:

1. I am employed by Ford Motor Company (“Ford”) in the State of Michigan as a Brand Protection Investigator with Ford’s Global Brand Protection team and have been employed in that role for the last fifteen (15) years.

2. This declaration is submitted in support of Ford’s *Ex Parte* Motion for Temporary Restraining Order and Other Relief. I have personal knowledge of the matters stated in this declaration or have derived such knowledge from publicly available information. If called upon to do so, I am competent to testify as to all matters set forth herein.

**Ford’s Genuine Automotive Parts**

3. Ford offers a wide range of automotive parts under its FORD,  (“FORD

Script Logo”),



(“FORD Oval Logo”), MOTORCRAFT,



(“Speeding Car Logo”), and FOMOCO marks

(collectively, “Ford Marks”). In the course of my duties as a Brand Protection Investigator with Ford’s Global Brand Protection team (“GBP”), I have become familiar with many of Ford’s automotive parts and their functions.

4. Among many other genuine automotive parts marketed and sold by Ford under Ford Marks, the mark MOTORCRAFT is Ford’s aftermarket automotive parts brand, and products sold under the MOTORCRAFT brand include:

- a. Ignition coils which are used by the engine to provide energy to spark plugs;
  - b. Spark plugs (and glow plugs for diesel engines) which create the spark for engine ignition;
  - c. O rings which provide a sealing mechanism to keep liquids in and out of the engine;
  - d. Valve and fuel injection sensors which help keep the engine operating within prescribed performance conditions;
  - e. Oil filters which clean the oil of impurities after it enters the engine; and
  - f. Fuel filters which clean the fuel of impurities before it enters the engine.
5. Ford’s genuine automotive parts and/or packaging generally bear one or more of the Ford Marks. An example of a genuine Ford automotive part is shown below.



6. Genuine Ford automotive parts are marketed and sold through various genuine channels of distribution, including on Ford's websites at <https://parts.ford.com/> and <https://www.motorcraft.com/>, by authorized Ford dealers at their various brick-and-mortar locations, and at big box retail stores such as Walmart and AutoZone. Authorized Ford dealers also sell genuine Ford automotive parts online, including on ecommerce marketplaces such as eBay.

7. Because faulty parts can damage vehicle engine and exhaust systems resulting in engine failure and impacting overall life and performance of the vehicles, genuine Ford parts sold under Ford Marks must meet Ford's rigorous testing and quality control standards. Ford also

regularly employs security features on packaging for its genuine products to help identify unauthorized and counterfeit products and remove such products from genuine channels of distribution to protect consumers safety.

**Ford's Global Brand Protection Team**

8. Ford's GBP team exists to protect Ford's trademarks and Ford's consumers by ensuring high quality genuine equipment parts are manufactured, marketed, sold, and used in Ford vehicles as recommended by Ford. Counterfeit products not only harm the goodwill associated with Ford's trademarks, they compromise consumer expectations because they do not meet Ford's high standards of quality and safety.

9. More specifically, GBP focuses on: (1) preventing the distribution of and removing counterfeit parts from the marketplace; (2) ensuring that the company's trademarks are used appropriately on genuine products and services; and (3) maintaining the integrity of the sale and distribution of genuine Ford parts. GBP operates the website [www.fordbrandprotection.com](http://www.fordbrandprotection.com), and regularly interacts with law enforcement and customs officials regarding counterfeit automotive parts and their sources and supply chains.

10. In the course of my duties as a Brand Protection Investigator with GBP, I regularly investigate the marketing, sale and distribution of counterfeit automotive parts and trademark infringement. Over the last fifteen (15) years, I have developed knowledge and expertise that allows me to accurately examine automotive parts and to identify them as either genuine Ford parts (sometimes referred to as "Original Equipment Manufacturer" or "OEM" parts), or as counterfeit parts. I am familiar with the genuine products manufactured or authorized by Ford and bearing Ford's registered trademarks and the ways in which products not manufactured or authorized by

Ford may differ from the genuine products. Many times, as in this case, parts not manufactured or authorized by Ford bear counterfeit versions of Ford's registered trademarks.

### **Ford's GBP Enforcement History**

11. One of my primary responsibilities on the Ford GBP team is to conduct and manage regular online monitoring of ecommerce platforms to identify potential counterfeit automotive parts. As part of this work, Ford engages a third-party monitoring service to identify potentially counterfeit and infringing listings on ecommerce platforms such as eBay.

12. When the GBP team identifies potentially counterfeit and infringing listings, it reviews the listings to determine whether the products are genuine Ford parts. When they are not, the Ford GBP team submits takedown requests with the relevant ecommerce platform(s) and/or attempts other non-litigation options, such as sending cease and desist letters directly to the sellers.

13. For example, in each of at least the last three years, Ford has submitted thousands of takedown requests to eBay through eBay's Verified Rights Owner ("VeRO") program for counterfeit and infringing parts, and tens of thousands of takedown requests across multiple platforms. Where appropriate, Ford engages outside counsel to send cease and desist letters to individuals or entities that are selling counterfeit and infringing parts. In addition, Ford has coordinated with federal law enforcement on raid actions associated with counterfeit parts.

14. While Ford's takedown requests and other non-litigation enforcement efforts have generally been successful in getting specific individual listings taken down, nothing has stopped the widespread, rampant sale of counterfeit parts on ecommerce platforms like eBay. In fact, during the last several years, Ford has seen an increase in the number of counterfeit automotive parts listed on eBay under Ford Marks, especially from sellers located in China, who often use

various tactics (described below) to make it more difficult for Ford to stop the sale of counterfeit parts in the United States and elsewhere.

**Defendants' eBay Stores and Counterfeit Products**

15. As part of Ford's online monitoring program, I identified individuals, business entities, and unincorporated associations (collectively, "Defendants") operating a number of eBay stores that are advertising and selling automotive parts under Ford Marks ("eBay Stores"), as listed in Exhibit A attached hereto. Specifically, each of Defendants' eBay Stores are advertising and selling ignition coils, spark plugs/glow plugs, O rings, valve and fuel injection sensors, fuel filters, and/or oil filters or other similar automotive parts bearing and/or using one or more of Ford's identical Ford Marks ("Counterfeit Parts"). Ford engaged the law firm of Kucala Burgett Law LLC to purchase parts from each of the eBay Stores. Based on my review of the eBay listings and photographs of the Counterfeit Parts, I confirmed that none of the parts purchased from Defendants' eBay Stores were manufactured or authorized by Ford and all of them are counterfeit, and I have no reason to believe any of the other parts on the eBay Stores are genuine Ford parts.

16. In particular, the eBay listings for the Counterfeit Parts include photographs of products and packaging that are nearly identical to Ford's genuine parts and that bear identical Ford Marks, including the marks FORD, the FORD Script Logo, the FORD Blue Oval Logo, MOTORCRAFT, the Speeding Car Logo, and/or FOMOCO. A side-by-side comparison of a genuine Ford part and a Counterfeit Part is shown below, and a summary of the Counterfeit Parts is attached hereto as Exhibit B.



17. In an effort to confuse customers as to source and give the false impression to customers that they are purchasing genuine Ford parts, the eBay listings use Ford Marks in the product descriptions, and some of them also include the following language:

- a. Watermarking of the word GENUINE across the photographs;
- b. Statement: “Authenticity Guarantee”;<sup>1</sup> or
- c. Statement: “GENUINE, OEM, Brand new and high quality.”

True and correct copies of these eBay listings are attached hereto as Exhibit C, and representative examples of several listings are below.

<sup>1</sup> According to eBay, the Authenticity Guarantee utilizes a team of authenticators to examine items and guarantee they are authentic.







ebay

Shop by category

Q Search for anything

All Categories


Back to previous page

Listed in category: eBay Motors

Car & Truck Parts & Accessories

Ignition Systems & Components

Ignition Coils



"On a scale of 1 to 10, Hagerty is an 11!"

HAGERTY Insurance

Learn more

Find parts that fit

We need more information about your vehicle to confirm fit.

Year


Make

Model

Trim

Engine

8PCS



Hover to zoom

8Pcs DG-508 Ignition Coil Motorcraft For Ford F-150 F-250 E-250 Mustang 5.0L

Condition: New

Compatibility: See compatible vehicles

Quantity: 1 10 available / 6 sold

Price: US \$109.99

No interest if paid in full in 6 mo on \$99+ with PayPal Credit\*

Buy It Now

Add to cart

Add to watchlist

Breathe easy. Returns accepted.


People are checking this out. 6 have added this to their watchlist.

Shipping: Free SpeedPAK Standard. See details

International shipment of items may be subject to customs processing and additional charges.

Located in Shenzhen, China

UPS SAME DAY FAST SHIPPING FROM US STOCK



Hover to zoom

Genuine 8PCS DG-511 Ignition Coil Motorcraft For Ford F-150 F-250 Mustang

Have one to sell? Sell now

8pcs NEW GENUINE Motorcraft Ignition Coil DG-511 Fit 04-08 Ford F150 Expedition

★★★★★ 1 product rating

Condition: New

Compatibility: See compatible vehicles

Quantity: 1 10 available / 12 sold

Price: US \$119.99

No interest if paid in full in 6 mo on \$99+ with PayPal Credit\*

Buy It Now

Add to cart

Best Offer: Make offer

Add to watchlist

Breathe easy. Returns accepted.

Fast and reliable. Ships from United States.

Shipping: Free Economy Shipping. See details

Located in Walnut, California, United States

Delivery: Estimated between Thu, Aug 10 and Tue, Aug 15 to 60614

Returns: 30 days returns. Buyer pays for return shipping. See details

Payments: PayPal, G Pay, VISA, Mastercard, AMEX, Discover

Shop with confidence

eBay Money Back Guarantee

Get the item you ordered or your money back.

Learn more

Seller Information

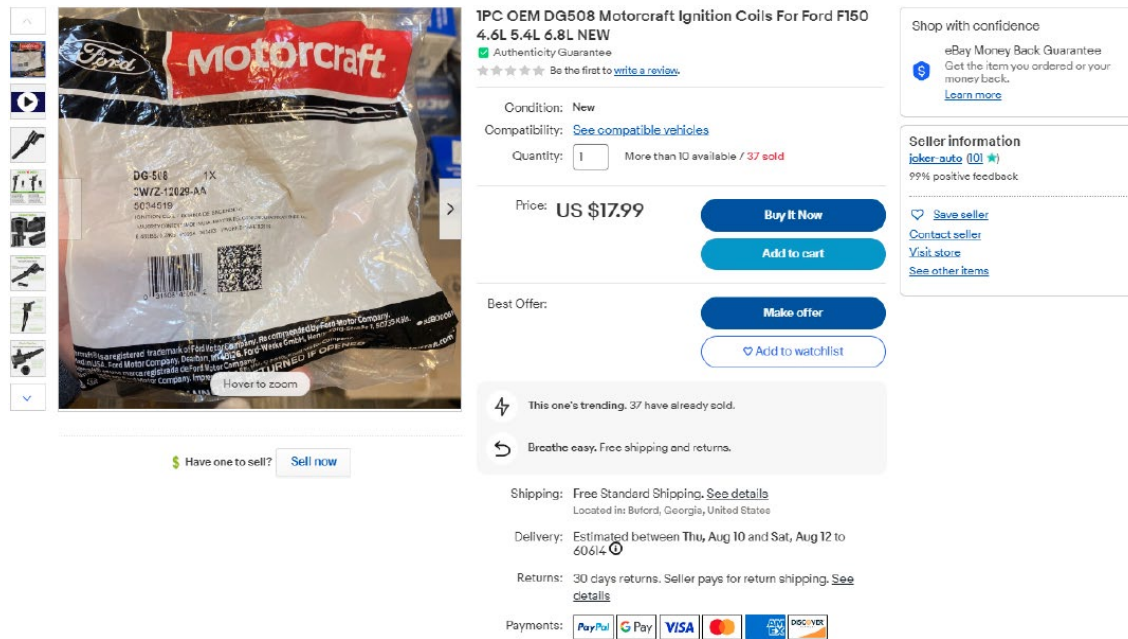
crankauto (135 ★)

97.2% positive feedback

Save seller

Contact seller

See other items



18. Although the Counterfeit Parts, packaging, and the eBay Stores are designed to give the appearance that they are offering genuine Ford parts, there are a number of inconsistencies with the Counterfeit Parts that would not appear on genuine Ford parts and packaging.

19. First, genuine Ford packaging contains several codes that correspond to part and packaging requirements, manufacture dates, etc. These codes not only enable Ford to track its genuine parts through the supply chain lifecycle, but when the codes on the packaging do not accurately correspond to the relevant part or manufacture date codes, as is the case here with the Counterfeit Parts, Ford can quickly and accurately identify the parts as being illegitimate and counterfeit. Moreover, the inaccurate codes used on the Counterfeit Products are the same as or similar to codes used on other batches of counterfeit Ford parts I reviewed previously, including parts that were seized as part of a separate, prior criminal raid action conducted by federal agents involving ignition coils bearing counterfeit Ford Marks.

20. Second, I identified the following additional indicia confirming the Counterfeit Parts were not manufactured or authorized by Ford and are counterfeit:

- a. The pricing of the individual Counterfeit Parts was considerably below not only the MSRP for genuine Ford parts, but also below the price at which Ford sells its genuine parts to authorized dealers or resellers.
- b. Ford regularly employs security features on its packaging and these security features were missing on some of the packaging.
- c. Some packaging had misspelled or misstated terms.
- d. Some parts and packaging were missing required trademarks.
- e. It is my understanding that Ford does not manufacture any of its genuine Ford parts at issue in China, and yet the Counterfeit Parts originate from, and all Defendants are located in, China.

21. Based on the foregoing, none of the parts purchased from Defendants' eBay Stores were manufactured or authorized by Ford, and I confirmed all of them to be counterfeit. Given that all of the purchases were confirmed to be Counterfeit Parts, and based on the additional indicia of counterfeit described above along with my experience dealing with these kinds of ecommerce sellers, I have no reason to believe any of the other parts advertised and sold under the Ford Marks by Defendants on the eBay Stores are genuine Ford parts. Instead, I believe all of them are counterfeit.

**Defendants' Coordinated Scheme to Defraud Consumers and Evade Enforcement**

22. Based on my review of the Counterfeit Parts, their listings pages, and the eBay Stores, I believe Defendants are related, acting in cooperation, and are advertising, manufacturing, selling, and/or distributing the Counterfeit Parts as part of the same, coordinated scheme to defraud unsuspecting customers.

23. First, as mentioned above, Ford does not manufacture any of the genuine Ford parts at issue in this litigation in China, and yet the Counterfeit Parts originate from, and all Defendants

are located in, China.<sup>2</sup> Moreover, Defendants are selling the same or similar automotive parts through the same ecommerce platform (eBay), and they are all directly targeting the sale of such products to U.S. consumers, including in Illinois, by listing the Counterfeit Parts in English and accepting payment in U.S. dollars.

24. Second, Defendants' eBay listings for the Counterfeit Parts are highly similar in appearance and structure, including the use of the same or similar product photographs, product descriptions and layouts, store names, and/or other similarities. For example, several of Defendants blur or otherwise obscure Ford's trademarks in the photographs of the Counterfeit Parts in their eBay listings, which is also a tactic to avoid detection by Ford, and some of them also use the same wording "Fast'n Free" in product photographs. Representative examples of such product photographs are shown below.



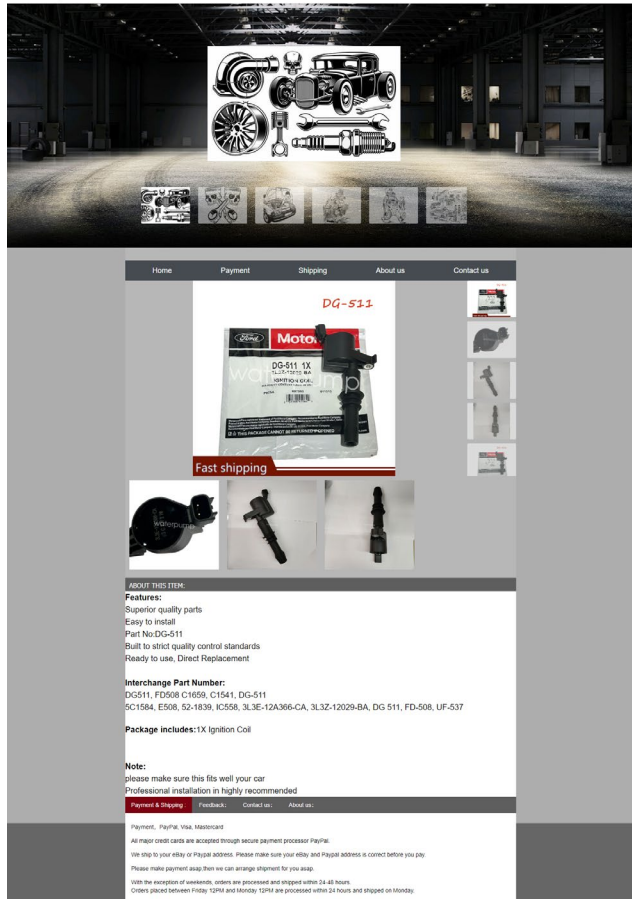
<sup>2</sup> The vast majority of Defendants self-identify their location as China on their eBay Store pages. One of the Defendants lists their location as Hong Kong, and a few other Defendants do not list any location, but there is other evidence suggesting that these other Defendants are also located in China (or Hong Kong), including product shipment tracking information and other evidence as described herein.



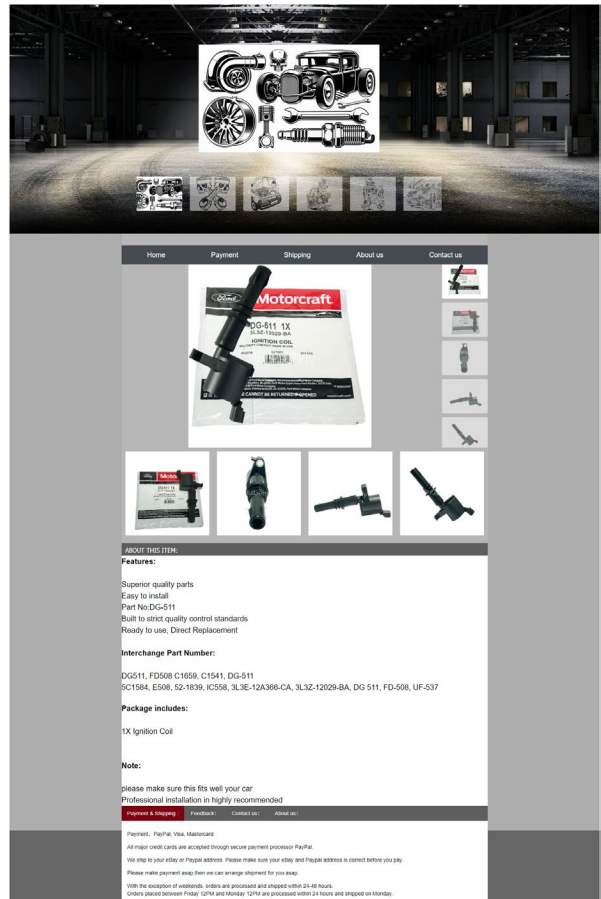


25. In addition, multiple different Defendants use the same product description pages, layout, images, and language as other Defendants. It's possible, if not likely, that some Defendants own and operate multiple stores under different store names. Examples are shown below.

Item description from the seller



Item description from the seller



26. Most of Defendants also actively discourage customers from reporting Defendants' Counterfeit Products and/or eBay Stores to eBay, or initiating any eBay disputes against them, which is another tactic employed by them to evade enforcement. Specifically, most product listing pages include one of the following statements, each of which is used by multiple Defendants verbatim (including with the same typos or other grammatical errors):

- "Communication is the best way to solve the problem. If you have any problems after purchasing, please contact us in time before opening return or case."
- "If you have any problem with your order, please contact us and we will do our best to make you satisfied, please do not leave a negative feedback before we resolve your problem."
- Similar statements such as: "Before leaving us neutral or negative feedback, please contact us first. We will do everything we can to give you a satisfying solution" or "Before leaving negative feedback call us so we can fix it."

27. Also, multiple different Defendants use similar structure and words in their eBay Store names, such as the names *Lihuake-6019*, *Lihua-genuine*, and *Lihua-autopart*; the names *Jcparts-us* and *Jctech-us*; the names *Coraltreeely*, *Mulberryly*, and *Buzzerly*; and several other store names that include the name followed by “-auto” or “-parts” in the end position.

28. Third, Defendants use the same or similar tactics as each other to evade detection and enforcement and make it more difficult for Ford to stop the sale of counterfeit parts in the United States and elsewhere. As mentioned above, multiple Defendants blur product photographs to partially obscure Ford Marks and/or encourage customers not to report the Counterfeit Products to eBay, including Defendants that use the same or highly similar statements in their product listings. In addition, most if not all Defendants use or have used one or more of the following additional tactics:

- a. In response to a specific listing being taken down, the store operator(s) simply sets up a new listing for the same product using the same photographs and product description;
- b. In response to a specific listing being taken down, the store operator(s) shuts down their ecommerce store and creates a new store with a different store or seller name and offers the same Counterfeit Parts. On multiple occasions, some Defendants have created new stores names by simply adding a number or an extra letter or word to the existing store name, including, for example, *Newte\_98'store* (previously *Newte\_98*), *Bigwheella2* and *Bigwheel-la2* (previously *Bigwheel-la*), and *Zacuttech* (previously *Zacuidianzi*; “idianzi” translates to “ielectronics” in Chinese);
- c. The store operator lists their Counterfeit Products for only 30 to 60 days, temporarily takes the Counterfeit Products down (either proactively or in response



to increased web traffic from the same IP addresses), and then relists the Counterfeit Products again 30 days later;

- d. On multiple occasions, store operators have geo-blocked IP addresses where Ford or its counsel are located or increased shipping fees to those locations to \$10,000 or more (possibly in response to increased web traffic related to Ford's investigations).

29. Fourth, Defendants all use the same 3-5 warehouses and shipping fulfillment centers in the U.S., as the majority of Counterfeit Parts are being stored at and shipped from the same warehouses in California, Kentucky, New York, and New Jersey.

30. Considering the similarities in the operation of these eBay Stores, all of the stores originate from China, some use the same warehouses, and the common features of the sellers and their businesses along with the common counterfeit indicia, as described above, it is reasonable to conclude that Defendants are related and working in active concert with each other.

#### **Defendants' Willful Conduct Harms Ford and the Public**

31. Defendants have concocted an intentional scheme designed to defraud and deceive unsuspecting consumers into believing that the products they are buying are genuine Ford automotive parts, when they are not. In that regard, Defendants' scheme has been successful, as Ford has identified or been made aware of multiple instances where consumers were actually confused as to the source of Defendants' Counterfeit Products and believed such products originated from Ford. For example, multiple consumer reviews on various product listings for the Counterfeit Parts are negative and either explicitly state or strongly suggest that the consumers believed they were buying genuine Ford parts when they were actually buying Defendants' Counterfeit Parts. Ford has also received inquiries/complaints from customers who bought or saw

Defendants' Counterfeit Parts online believing they were genuine Ford parts, when they were not. Such conduct deprives Ford of its right to fairly compete for space online by reducing the visibility of Ford's genuine goods online. As a result, Defendants' activities are causing actual confusion in the marketplace and actual harm to Ford.

32. Moreover, as mentioned above, Defendants are purposefully directing their scheme at consumers in the U.S., including consumers in Illinois.

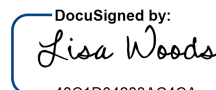
33. Defendants must be stopped to prevent more damage from being done to Ford, its business reputation, Ford Marks, the goodwill represented by Ford Marks, Ford's customers, and the public at large. Monetary recovery is incapable of addressing such irreparable harm. The use of non-genuine Ford parts can potentially compromise public safety and adversely impact the safe operation of Ford vehicles.

34. Similarly, Ford cannot be associated with any unauthorized or counterfeit goods that do not meet Ford's rigorous quality control standards for such products. Simply stated, the Counterfeit Parts are an attack on the integrity of Ford, the Ford Marks, and Ford's genuine goods and services and this conduct must be stopped immediately.

35. For these reasons, the Court should enter the temporary restraining order against Defendants, enjoining use of the Ford Marks and the other relief sought in the present motion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and this Declaration was executed at Dearborn, Michigan.

Dated: 5/16/2024

DocuSigned by:  
  
 48C1D94293AC4CA...  
 Lisa Woods

**EXHIBITS IN SUPPORT OF DECLARATION OF LISA WOODS IN SUPPORT OF  
PLAINTIFF'S *EX PARTE* MOTION FOR A TEMPORARY RESTRAINING ORDER  
AND OTHER RELIEF**

- A      List of Defendants' eBay Stores**
- B      Summary of the Counterfeit Parts**
- C      True and correct copies of these eBay listings**