

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

WARGAMING.NET LLP,)	
)	
Plaintiff,)	No. 12 C 04312
)	
v.)	
)	Judge Edmond E. Chang
WORLDOFTANKSHOP.COM, XIAO CHEN,)	
LI CHAO, and LANHUI HE,)	
)	
Defendants.)	

PRELIMINARY INJUNCTION

In this copyright and trademark case, the Court already granted a temporary restraining order, which is now due to expire. Plaintiff Wargaming.net has moved for a preliminary injunction. Based on the prior restraining-order motion, the supporting exhibits, the current preliminary-injunction motion, and the record evidence, the Court grants Wargaming's motion.

In order to obtain a preliminary injunction, Wargaming must show that it will suffer irreparable harm, has no adequate remedy at law, and its claims have a likelihood of success. *Girl Scouts of Manitou Council v. Girl Scouts of USA*, 549 F.3d 1079, 1086-87 (7th Cir. 2008). If Wargaming can meet those requirements, then before issuing a preliminary injunction, the Court must balance, on a sliding scale, the nature and degree of Wargaming's injury, the likelihood of prevailing, the possible injury to Defendants if the preliminary injunction is granted, and finally the public interest. *Id.* Because the Court weighs the factors on a sliding scale, the stronger showing of one

factor can buttress a lesser showing of another factor. *Ty, Inc. v. Jones Group, Inc.*, 237 F.3d 891, 895 (7th Cir. 2001).

Just as the Court found in issuing the temporary restraining order, all the requirements are met. To summarize the undisputed facts again: Wargaming operates an online, multi-player game called World of Tanks. Not surprisingly, the game is accessed on the website WorldofTanks.com. Related to that site and game, Wargaming owns registered copyrights on World of Tanks Logo Artwork (Registration No. VA 1-815-288) and World of Tanks Wiki main page (Registration No. TX 7-524-993). Wargaming also owns registered trademarks on a Wargaming.net logo (Registration No. 3,960,707) and on the mark “World of Tanks” (Registration No. 4,008,136). The registered copyrighted material and the registered trademarks appear on WorldofTanks.com.

Based on a review of the exhibits in the record, which compare Defendants’ website to the registered trademarks and copyrighted material, Defendants’ website substantially copies (and in some instances, exactly copies) the trademarks described above and the copyrighted images. In addition to the likelihood of confusion that arises from the mere fact of exact copying, there is plentiful evidence of *actual* confusion—some of Wargaming’s World of Tanks customers are complaining to Wargaming about Defendants’ site as if Wargaming operated Defendants’ site. The likelihood of success is strong, especially on the registered copyrighted material and the registered trademarks. Moreover, the harm to Wargaming’s good will is irreparable and not adequately compensated by monetary damages. It is also in the public interest

to order the infringement to cease, in order to avoid more confusion between the parties.

Thus, Defendants, and their officers, agents, servants, employees, and attorneys, and all those in active concert or participation with them, are preliminarily enjoined, that is, barred from:

a. Using any reproduction, counterfeit, copy, or imitation of the registered copyrights on World of Tanks Logo Artwork (Registration No. VA 1-815-288) and World of Tanks Wiki main page (Registration No. TX 7-524-993), as well as the Wargaming.net logo (Registration No. 3,960,707) and the mark “World of Tanks” (Registration No. 4,008,136); and

b. Using any false description or representation, including words or other symbols, that falsely describe or represent Defendants’ unauthorized goods as being those of Wargaming.net, or sponsored by or affiliated with Wargaming.net.

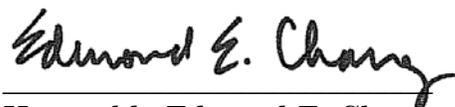
It is further ordered that Wargaming.net may provide notice of this order to the appropriate Internet registry, including GoDaddy.com, LLC, the Public Interest Registry, and the individual ICANN-accredited domain name registrar(s) of record for Defendants’ Infringing Domain Name.

It is further ordered that any domain name registry that receives actual notice of this Injunction must place the Infringing Domain Name within its registry on registry lock, making it non-transferable by the Defendants-Registrants, and on hold, with prevents websites associated with the Infringing Domain Name from resolving when queried by a browser pending further order of this Court. Defendants may move

to dissolve this part of the preliminary injunction if they remove all infringing material from the site.

Plaintiff's previously posted bond, in the nominal amount of \$1,000, shall serve as the bond for the preliminary injunction.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Edmond E. Chang". The signature is written in a cursive style with a long, sweeping tail on the letter "g".

Honorable Edmond E. Chang
United States District Court Judge

Date: August 8, 2012