

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

MAGBAG LLC,)	
)	
Plaintiff,)	Case No.: 3:25-CV-01376
)	
v.)	Judge: Waverly D. Crenshaw, Jr.
)	
THE ENTITIES, PARTNERSHIPS, AND)	Magistrate Judge: Barbara D. Holmes
UNINCORPORATED ASSOCIATIONS)	
LISTED ON SCHEDULE A,)	SEALED DOCUMENT
)	
Defendants.)	JURY DEMAND

DECLARATION OF G. EDWARD POWELL III

I, G. Edward Powell III, declare as follows:

1. I am an attorney at law and a senior associate with Wadley Acheson LLC, with responsibility for the analysis of the infringement evidence in this matter. I make this declaration in support of Plaintiff MagBag LLC’s Motion for a Temporary Restraining Order based on my personal knowledge and upon review of the evidence, the design patent asserted in this case, the copyrighted works infringed in this case, the registration documentation of the copyrighted works at issue, and the registered trademark asserted in this case.

2. Exhibit A is a consolidated record of infringing listings related to the Magnetic Bag Company products, including the Magnetic Bottle Bag. Exhibit A details each defendant’s infringing conduct by listing the defendant’s name, store information, along with the specific legal claim(s) indicated, with screenshots of the infringing conduct.

3. Exhibit B is a set of photographs of the authentic Magnetic Bottle Bag product designed and manufactured by Plaintiff.

4. Exhibit C is a consolidated record of images of purchases of infringing products from Defendants in this case, including proof of shipment into this District, and demonstrates that the recited online listings are selling and offering for sale counterfeit products into this District. Investigators purchased products from Defendants' listings on various platforms (Alibaba, Aliexpress, Amazon, eBay, Etsy, Shopify, Temu, Walmart, etc.) that used 1) a design identical to or substantially similar to Plaintiff's Magnetic Bottle Bag design patent, 2) Plaintiff's copyrighted works or derivative works thereof, and/or 3) Plaintiff's registered mark. Defendants shipped the infringing products to an address in this District. Upon receipt and inspection of the products, investigators for Plaintiff confirmed that each photographed product, sold through an infringing listing, was a knockoff version of the Magnetic Bottle Bag, materially different in quality and functionality. Each set of images, taken of a single counterfeit product received, is labeled with a unique code.

5. Exhibit D is a table created by investigators for Plaintiff that maps the images of counterfeit test purchases contained in Exhibit C, by unique code, to named defendants in the case. Each defendant listed on Exhibit D thus shipped at least one infringing product into this District for commercial gain.

6. Exhibit 1 to the Amended Complaint is a true and correct copy of the USPTO design patent registration for the Magnetic Bottle Bag design, U.S. Registration No. D1087,596. MagBag LLC is the record assignee of the Magnetic Bottle Bag design patent registration.

7. Exhibit 2 to the Amended Complaint is a true and correct copy of the copyrighted works and registration certificates for each copyrighted work owned by MagBag LLC and asserted in this action.

8. Exhibit 3 to the Amended Complaint is a true and correct copy of the USPTO trademark registration certificate for the Magnetic Bag Company mark, U.S. Registration No. 7,546,435, for use with bags for sports. The U.S. trademark was registered Oct 22, 2024. MagBag LLC is the record owner of the Magnetic Bag Company mark registration.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 22, 2025, at Nashville, Tennessee.

/s/ G. Edward Powell III