

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

<b>JOHN DOE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:25-cv-01376</b>
	)	
<b>THE ENTITIES, PARTNERSHIPS,</b>	)	
<b>AND UNINCORPORATED</b>	)	
<b>ASSOCIATIONS LISTED ON</b>	)	
<b>SCHEDULE A,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

Before the Court is Plaintiff’s *ex parte* Motion for an Order granting it “leave to temporarily proceed under a pseudonym, and (2) leave to file under seal certain documents that reveal Plaintiff’s true identity, along with the identifying information for Defendants.” (Doc. No. 9).

Plaintiff brought this lawsuit against 654 e-commerce vendors (“Defendants”), alleging that Defendants are liable for trademark infringement, design patent infringement, copyright infringement, and unfair competition by selling “illegal knockoffs” of Plaintiff’s “popular consumer product.” (Doc. No. 1). Plaintiff subsequently filed various supporting documentation under seal, including a sealed Complaint that identifies Plaintiff’s name, Defendants’ names, and the “popular consumer product” at issue in this case. (Doc. Nos. 11; 11-4). Plaintiff now asks the Court for permission to proceed pseudonymously as “John Doe” and maintain “certain documents under seal.” Plaintiff believes if its identity or the identity of the “popular consumer product” become public prematurely, “Defendants will likely discover the lawsuit, conceal or destroy evidence, and move funds out of reach before Plaintiff can obtain and execute a temporary restraining order freezing those assets.” (Doc. No. 9 at 3–4). Plaintiff advises that it “will promptly

move to unseal the materials and reveal its identity” as soon as “Defendants are notified of this lawsuit and Plaintiff’s requested *ex parte* relief has been carried out.” (Id.).


Although the general rule in federal court is that all parties to a lawsuit must use their real names, a district court may allow a plaintiff to proceed under a pseudonym under certain circumstances. See D.E. v. John Doe, 834 F.3d 723, 728 (6th Cir. 2016) (citations omitted); see also Fed. R. Civ. P. 10(a). “The key inquiry is whether the [plaintiff’s] interest in privacy outweighs the presumption in favor of open judicial proceedings.” Koe v. Univ. Hosps. Health Sys., Inc., 2024 WL 1048184, at \*2 (6th Cir. Mar. 8, 2024) (citations omitted). Courts commonly consider four factors (known as the Porter factors) to guide its analysis in determining whether a plaintiff may proceed anonymously. Doe v. Porter, 370 F.3d 558, 560 (6th Cir. 2004) (citation and internal quotation marks omitted) (emphases added). None of those factors fit neatly here, however, because Plaintiff is not a child and does not “challenge governmental activity,” argue that it must “disclose information of the utmost intimacy,” or suggest that it must disclose “an intention to violate the law.” Id. Nevertheless, the Porter factors are nonexhaustive, and “Courts may also consider other factors, *such as whether the plaintiff would risk harm if identified.*” Doe v. Lee, 2023 WL 2587790, at \*2 (M.D. Tenn. Mar. 21, 2023) (quoting Citizens for a Strong Ohio v. Marsh, 123 F. App’x 630, 636 (6th Cir. 2005)) (emphases added). Ultimately, the decision whether to allow a plaintiff to proceed pseudonymously is left to the “sound discretion of the district court.” Bd. of Educ. of the Highland Local Sch. Dist. v. U.S. Dep’t of Educ., 2016 WL 4269080, at \*5 (S.D. Ohio Aug. 15, 2016) (citing Porter, 370 F.3d at 560).

Here, the Court finds good cause to grant Plaintiff’s limited request to litigate this case using a pseudonym *temporarily*, and to place Plaintiff’s requested documents under seal *temporarily*. On balance, the likelihood that Plaintiff will face “irreparable monetary harm if

forced to reveal its identity before a TRO can be obtained and executed” outweighs the public’s interest in open judicial proceedings for a few days. (Doc. No. 9 at 5). The Court further agrees that this temporary relief imposes little to no unfair prejudice on Defendants. Accordingly, Plaintiff’s Motion (Doc. No. 9) is **GRANTED IN PART** as follows:

- Plaintiff shall remain designated as “John Doe” in all public docket filings until 9:00 a.m. on **December 30, 2025**, after which Plaintiff **SHALL** file a notice containing its true name. The Clerk **SHALL**, at that time, update the case caption accordingly.
- Doc. Nos. 11–17, including any attachments, **SHALL** remain under seal until noon on **December 30, 2025**, after which the Clerk **SHALL** unseal them on the docket.

IT IS SO ORDERED.

  
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WAVERLY D. CRENSHAW, JR.  
UNITED STATES DISTRICT JUDGE