

II. NATURE OF THE CASE

4. Plaintiff is the owner of valuable intellectual property associated with Creative Planner Vibes and its stencil products, including federally registered copyrights.

5. Plaintiff diligently developed, promoted, and sold its Creative Planner Vibes stencil products, expanding her market presence through online channels.

6. With increased visibility and commercial success, Plaintiff discovered that Defendants were advertising and selling counterfeit versions of the Creative Planner Vibes stencils, bearing unauthorized reproductions of Plaintiff's copyrighted promotional materials.

7. Defendants' conduct has eroded Plaintiff's goodwill, has deprived Plaintiff of the exclusive right to control her copyrighted works, and has inflicted upon Plaintiff significant financial harm.

8. Plaintiff seeks injunctive relief, damages, and other remedies to halt the ongoing infringement, recover lost revenues, and protect unsuspecting consumers from the purchase of counterfeit goods and accompanying listings that impermissibly use Plaintiff's copyrights.

III. THE PARTIES

9. Plaintiff Amanda Fitterer d/b/a Creative Planner Vibes is an individual engaged in the design, manufacture, and sale of consumer products, based in Hamilton, Ohio.

10. Defendants are the entities, partnerships, and unincorporated associations identified in Schedule A¹, which is being filed under seal. Defendants are engaged in manufacturing, advertising, distributing, and/or selling counterfeit products bearing copyrighted materials belonging to Plaintiff.

¹ Defendants are listed under the "Defendant Name" column on Schedule A. Other platforms identified on Schedule A are not named defendants in the suit at hand and are included for informational purposes only.

IV. JURISDICTION AND VENUE

11. This Court has subject matter jurisdiction over Plaintiff's federal claims pursuant to 28 U.S.C. §§ 1331 and 1338, and supplemental jurisdiction over Plaintiff's state-law claims under 28 U.S.C. § 1367.

12. This Court has personal jurisdiction over Defendants because they conduct business in this District and/or intentionally direct infringing conduct toward consumers in this District, including sales of counterfeit goods shipped into the District, and sales that are facilitated by the use of infringing works in the product listing, with the goods being shipped into the District.

13. Venue is proper in this District under 28 U.S.C. § 1391, because a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in, or were directed to, the Middle District of Tennessee.

14. In addition, Defendants specifically target consumers within this District by offering to sell and ship infringing products into this forum. Many Defendants have made at least one sale of a counterfeit good with a product listing with the infringing images into this forum.

V. FACTUAL BACKGROUND

15. Plaintiff created and developed unique stencil products under her Creative Planner Vibes branding for use in personal and professional organizational systems.

16. Creative Planner Vibes was founded, and Plaintiff introduced the product to markets as well as began tracking steady sales, in 2012.

17. Plaintiff owns U.S. copyright registrations for multiple copyrighted works that she has used in promoting the products, including photos used for marketing and promotion of the products. True and correct copies of the copyright registrations are attached as Exhibit 1.

18. Consumer interest continued to increase, in part due to positive reviews on the Creative Planner Vibes Etsy storefront and promotion on social media, including Instagram, TikTok, and YouTube.

19. As demand surged and sales continued to increase, Plaintiff learned of online sellers offering identical or near-identical counterfeits of its product and whose product listings used unauthorized and infringing copies of her promotional images.

20. Plaintiff discovered these unauthorized sellers on various e-commerce platforms and marketplaces.

21. Many unauthorized listings display images that closely mimic or directly copy Plaintiff's copyrighted promotional materials.

22. Following the emergence of these counterfeit and infringing listings, a marked decrease in sales of Plaintiff's own product occurred.

23. Plaintiff's investigation revealed that multiple entities, often based overseas, set up impromptu online storefronts to sell these infringing goods using Plaintiff's copyrighted works.

24. To date, investigators for Plaintiff have identified 446 unique stores selling counterfeit products or infringing her intellectual property rights in conjunction with the sale of products.

25. The influx of counterfeit goods, sold through infringing listings, has damaged Plaintiff's goodwill and undermined the genuine Creative Planner Vibes stencils' reputation for quality.

26. On information and belief, many Defendants are foreign entities with minimal United States assets that can be seized to satisfy a judgment, aside from money held in their marketplace accounts with various e-commerce platforms and other financial accounts with US-based payment processors.

27. Plaintiff has no adequate remedy at law.

COUNT I
(Copyright Infringement – 17 U.S.C. § 501)
Against All Defendants on Schedule A

28. Plaintiff repeats and re-alleges each and every allegation set forth in Paragraphs 1 through 27 of this Complaint as though fully set forth herein.

29. Plaintiff owns valid copyrights in the product's promotional images and other original content (the "Copyrighted Works"), which have been registered by the U.S. Copyright Office.

30. Defendants have reproduced, distributed, made derivative works of, and otherwise used Plaintiff's Copyrighted Works without authorization in online listings.

31. Defendants' unauthorized use of the Copyrighted Works has violated the exclusive rights granted to Plaintiff under 17 U.S.C. § 106 and constitutes infringement under 17 U.S.C. § 501.

32. Defendants' conduct has caused damages and other harm to Plaintiff, which entitles Plaintiff to injunctive relief, actual damages, statutory damages, and other remedies.

COUNT II
(Unfair Competition – Tennessee Common Law)
Against All Defendants on Schedule A

33. Plaintiff repeats and re-alleges each and every allegation set forth in the preceding paragraphs of this Complaint as though fully set forth herein.

34. By using infringing images, Defendants have engaged in unfair competition under Tennessee common law.

35. By marketing and selling counterfeit and/or knockoff versions of Plaintiff's product, Defendants have engaged in unfair competition under Tennessee common law.

36. Defendants' actions mislead consumers into believing the infringing images and counterfeit goods originate from, or are associated with, Plaintiff, causing confusion and harm to Plaintiff's business reputation.

37. Defendants' actions were and are willful, intentional, and/or undertaken with reckless disregard for Plaintiff's rights.

38. As a direct result of Defendants' unfair competition, Plaintiff has suffered and continues to suffer irreparable injury and monetary damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in her favor against all Defendants, and awarding relief including, but not limited to:

A. **Preliminary and Permanent Injunctions** enjoining Defendants from manufacturing, importing, advertising, or selling counterfeit or knock-off products using online listings bearing Plaintiff's copyrights;

B. **An *ex parte* Temporary Restraining Order** to freeze Defendants' financial accounts and restrain further transfer of assets;

C. **An Order** requiring Defendants to disable and/or remove the infringing, counterfeit, and knock-off product listings featuring Plaintiff's Copyrighted Works from the stores identified in Schedule A and any other listings that infringe Plaintiff's intellectual property;

D. **Statutory, Compensatory, and Treble Damages** arising out of Defendants' infringement and unfair competition, including, where applicable, costs, attorneys' fees, and interest where authorized by law;

E. **Equitable Monetary Relief** including an accounting of profits under the Copyright Act and disgorgement of Defendants' unlawful gains; and

F. **Any other and further relief** that the Court deems just, proper, and equitable.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Dated: February 13, 2026

Respectfully submitted,

/s/ G. Edward Powell III

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