

**NONPRECEDENTIAL DISPOSITION**  
To be cited only in accordance with Fed. R. App. P. 32.1

**United States Court of Appeals**  
**For the Seventh Circuit**  
**Chicago, Illinois 60604**

Argued February 20, 2026  
Decided March 9, 2026

**Before**

ILANA DIAMOND ROVNER, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

NANCY L. MALDONADO, *Circuit Judge*

No. 25-2074

YINNV LIU,  
*Plaintiff-Appellee,*

Appeal from the United States District  
Court for the Northern District of Illinois,  
Eastern Division.

*v.*

No. 1:24-cv-02982

MONTHLY, *et al.,*  
*Defendants-Appellants.*

John Robert Blakey,  
*Judge.*

**ORDER**

Yinnv Liu sued the defendants—all vendors operating e-commerce stores through platforms such as Walmart.com and eBay.com—for trademark infringement, counterfeiting, and false designation of origin in violation of the Lanham Act, 15 U.S.C. §§ 1114, 1125(a)(1)(A). The defendants never appeared before the district court, so in August 2024, the district court entered default judgment for Liu. In its default judgment order, the court found that it had personal jurisdiction over the defendants because they “targeted sales to Illinois residents by setting up and operating e-commerce stores that

target United States consumers using one or more seller aliases, offer shipping to the United States, including Illinois, and have sold products ... to residents of Illinois.” The court’s conclusion that Illinois sales took place was based on evidence, provided by Liu, that the defendants “stand ready, willing and able to ship [their] counterfeit goods to customers in Illinois.”

In January 2025, the defendants appeared for the first time and moved to vacate the default judgment under Federal Rule of Civil Procedure 60(b). They argued that the district court lacked personal jurisdiction over them and that they had not been properly served with process. Liu never responded to the motion to vacate, and the district court indicated that if Liu failed to do so, it would grant the motion and vacate the judgment as to the moving defendants. However, after Liu did not respond, the district court denied the defendants’ motion. The court explained that it had previously found both personal jurisdiction and proper service, and that the defendants “offer[ed] no factual basis to revisit those prior findings.” The defendants appeal the district court’s denial of their motion to vacate. Liu has failed to appear on appeal.

We typically review the denial of a motion for relief under Rule 60(b) for an abuse of discretion. *Philos Techs., Inc. v. Philos & D, Inc.*, 645 F.3d 851, 854 (7th Cir. 2011). But when a defendant asserts that a judgment is void for lack of jurisdiction, the standard of review is “less deferential,” because “no court has the discretion to refuse to vacate [a] judgment once it recognizes its lack of jurisdiction.” *Id.* at 854–55. We review a district court’s resolution of the legal question about the existence of personal jurisdiction de novo and its related factual findings for clear error. *Philos Techs., Inc. v. Philos & D, Inc.*, 802 F.3d 905, 911 (7th Cir. 2015). The defendant bears the burden of proving the court’s lack of personal jurisdiction. *Id.*

“In a case involving federal question jurisdiction, a federal court has personal jurisdiction over the defendant if either federal law or the law of the state in which the court sits authorizes service of process to that defendant.” *NBA Props., Inc. v. HANWJH*, 46 F.4th 614, 620 (7th Cir. 2022) (citation modified). Since the Lanham Act doesn’t provide a federal rule for personal jurisdiction, we look to Illinois law for the governing rule. See *id.* Illinois’s long-arm statute provides that “[a] court may also exercise jurisdiction on any other basis now or hereafter permitted by the Illinois Constitution and the Constitution of the United States.” 735 Ill. Comp. Stat. 5/2-209(c).

There is no contention that the defendants are subject to general personal jurisdiction in Illinois. For a defendant to be subject to specific personal jurisdiction under the Due Process Clause, three requirements must be met: (i) the defendant’s contacts with the forum state must show that it purposefully availed itself of the privilege of conducting business in the forum state or purposefully directed its activities

at the state; (ii) the plaintiff's alleged injury must have arisen out of the defendant's forum-related activities; and (iii) the exercise of personal jurisdiction must comport with traditional notions of fair play and substantial justice. *NBA Props.*, 46 F.4th at 623.

In the context of Schedule A litigation, the defendant's operation of an online store accessible in the forum state, combined with sales in the forum state, has been found sufficient to subject that defendant to personal jurisdiction. See *id.* at 623–27. But merely “own[ing] or operat[ing] a website that is accessible in the forum state” is not enough. *Curry v. Revolution Lab'ys, LLC*, 949 F.3d 385, 400 (7th Cir. 2020).

In its docket entry denying the defendants' motion to vacate, the district court affirmed that it had personal jurisdiction because the defendants operate e-commerce stores which are accessible in and offer shipping to the United States, through which Illinois residents have purchased products. Yet there's no evidence in the record of Illinois purchases. The evidence upon which the district court relied shows only that it was possible to order the defendants' products and have them shipped to Illinois, not that such sales took place. Those records consist of screenshots of Walmart's website showing the checkout page with the infringing product, a Chicago shipping address, and the estimated total, but not a completed purchase. Even Liu's motion for a temporary restraining order, to which these screenshots were attached, asserted only that the screenshots demonstrate that infringing products “were offered for sale to residents of the United States, including Illinois residents,” not that they prove actual sales in Illinois.

Therefore, the district court clearly erred in finding that the defendants sold products to Illinois customers. Nor was that error harmless. Without those sales, the court's basis for personal jurisdiction is merely that the defendants operated a website accessible in the United States. And, as we explained in *Curry*, more is required to establish personal jurisdiction; a defendant may not be “haled into court simply because the defendant owns or operates a website that is accessible in the forum state.” 949 F.3d at 400 (citation modified).

Because the district court clearly erred in finding that sales took place in Illinois, and therefore legally erred in finding that it had personal jurisdiction over the defendants, we need not address the defendants' arguments regarding service of process. We vacate the default judgment and remand with instructions to dismiss the case against the defendants for want of jurisdiction.

VACATED AND REMANDED