

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

CSP Logistics v. K18, Inc.

CSP Logistics · No. 24-cv-09143-HSG · Decided May 6, 2025

SUMMARY

The United States District Court for the Northern District of California grants K18, Inc.’s motion for an anti-suit injunction against CSP Logistics. The court concludes that the domestic and French actions involve functionally identical issues governed by the parties’ exclusive California forum-selection clause, that the foreign litigation would frustrate the forum’s policy favoring enforcement of such clauses, and that the injunction’s effect on international comity is tolerable. CSP is enjoined from pursuing the French litigation or similar litigation in another forum based on the same allegations during the pendency of the federal action.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Haywood S. Gilliam, Jr.
JURISDICTION	United States District Court for the Northern District of California
DECIDED	May 6, 2025
DOCKET	24-cv-09143-HSG
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for an anti-suit injunction to prevent Plaintiff from pursuing parallel litigation in France.
STANDARD OF REVIEW	The court applied the Ninth Circuit's three-part standard for foreign anti-suit injunctions: whether the parties and issues are the same and the first action is dispositive; whether at least one Unterweser factor supports an injunction; and whether the injunction's effect on international comity is tolerable.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.

TOPICS

- injunctions
- civil procedure
- contract interpretation
- contracts
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the California action and the French action involved sufficiently similar parties and issues, with the California action capable of disposing of the French action.
2. Whether enforcement of the parties' exclusive forum-selection clause satisfied at least one *Unterweser* factor supporting a foreign anti-suit injunction.
3. Whether the requested anti-suit injunction would have an intolerable effect on international comity.

HOLDINGS

1. The California and French actions were functionally the same because they arose from the same operative facts and claims, were governed by the same exclusive forum-selection clause, and sought sufficiently similar relief; the California action was therefore capable of disposing of the French action.
2. The foreign litigation would frustrate the federal court system's policy favoring enforcement of freely negotiated forum-selection clauses, satisfying an *Unterweser* factor and supporting an anti-suit injunction.
3. The anti-suit injunction's effect on international comity was tolerable.

KEY QUOTATIONS

"A federal district court with jurisdiction over the parties has the power to enjoin them from proceeding with an action in the courts of a foreign country, although the power should be used sparingly." (Section II)

"The Ninth Circuit utilizes a three-part test to assess anti-suit injunctions." (Section II)

"Absent an anti-suit injunction in this case, the parties' bargained-for forum selection clause would lose its meaning, and the enforceability of such clauses would be undermined." (Section III.B)

FACTUAL BACKGROUND

CSP Logistics distributes hair products in French beauty salons and retail stores, while K18, Inc. is a global hair-products company. CSP alleged that K18 breached their distribution agreement by failing to supply certain K18 products and by supplying products to prohibited retailers. The agreement contained an exclusive forum-selection clause designating San Francisco County, California, or the United States District Court for the Northern District of California. After filing this action in California, CSP filed a related *référé* proceeding in France.

PROCEDURAL HISTORY

CSP Logistics filed this federal contract action in December 2024 concerning the parties' distribution agreement. Approximately two weeks later, CSP filed a related *référé* proceeding against K18 in the French Commercial Court of Nîmes. K18 moved for an anti-suit injunction, and the district court granted the motion without oral argument.

DISPOSITION

other

CASES CITED

- Microsoft Corp. v. Motorola, Inc., 696 F.3d 872 (9th Cir. 2012)
- E. & J. Gallo Winery v. Andina Licores S.A., 446 F.3d 984 (9th Cir. 2006)
- Applied Medical Distribution Corp. v. Surgical Co. BV, 587 F.3d 909 (9th Cir. 2009)
- In re Unterweser Reederei GMBH, 428 F.2d 888 (5th Cir. 1970)

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