

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Eli Zhadanov and Interlink Products International, Inc. v. Xiamen Huangyudu Cosmetics Co., Ltd. and Huian County Mubing E-Commerce Co., Ltd.

Zhadanov · No. 26-CV-1027(EK)(PCG) · Decided February 23, 2026

SUMMARY

The Eastern District of New York denied plaintiffs’ ex parte request for a temporary restraining order in a patent and related commercial dispute involving showerhead products sold on Amazon. The court held that plaintiffs had not certified efforts to provide notice or reasons why notice should be excused and had not separately moved for the requested relief. The court also ordered plaintiffs to show cause why the action should not be transferred to the Western District of Washington to avoid duplicative litigation.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Eric Komitee
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	February 23, 2026
DOCKET	26-CV-1027(EK)(PCG)
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiffs filed a patent-infringement action and included an ex parte request for a temporary restraining order in the complaint. The district court denied the TRO request and ordered plaintiffs to show cause why the action should not be transferred to the Western District of Washington because of related pending declaratory-judgment actions.
STANDARD OF REVIEW	The court applied the requirements of Federal Rule of Civil Procedure 65(b)(1)(B) governing ex parte temporary restraining orders and the procedural requirement that immediate injunctive relief be sought by motion.
PRECEDENTIAL VALUE	unpublished district court memorandum; precedential status not stated in the opinion

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QUESTIONS PRESENTED

1. Whether plaintiffs satisfied the notice and certification requirements for an ex parte temporary restraining order under Federal Rule of Civil Procedure 65(b)(1)(B).
2. Whether a request for a temporary restraining order included only in a complaint, without a separately filed motion, is properly before the court.
3. Whether the action should potentially be transferred to the Western District of Washington to avoid duplicative litigation.

HOLDINGS

1. An ex parte TRO is improper when the movant provides neither notice to the defendants nor the written certification of efforts to provide notice and reasons why notice should not be required. Plaintiffs' failure to satisfy that requirement alone required denial of the TRO request.
2. A request for immediate injunctive relief is not properly before the court when it appears only in the complaint and is not presented through a separately filed motion.

KEY QUOTATIONS

"This failure alone renders ex parte relief inappropriate."

"It is thus not properly before this Court."

"For the reasons set forth above, the request for a TRO is denied."

FACTUAL BACKGROUND

Interlink Products International, Inc. develops and sells shower and bath products, and Eli Zhadanov is its president. Plaintiffs alleged that defendants, two Chinese companies selling showerheads on Amazon, infringed plaintiffs' patents. After Interlink submitted an infringement complaint through Amazon's Patent Evaluation Express program, defendants rejected participation and filed declaratory-judgment actions against Interlink in the Western District of Washington. Plaintiffs sought an ex parte TRO concerning allegedly false or misleading statements and product sales.

PROCEDURAL HISTORY

Plaintiffs sued two Chinese companies alleging patent infringement and requested an ex parte TRO. Plaintiffs had not provided notice of the TRO request to defendants, had not certified efforts to provide notice or reasons notice should be excused, and had not separately filed a motion for preliminary relief. The court denied the TRO and ordered plaintiffs to show cause regarding transfer to the Western District of Washington.

DISPOSITION

denied

CASES CITED

- FEI Hong Kong Co. v. GlobalFoundries, Inc., No. 20-CV-2342, 2020 WL 1444956, at *2 (S.D.N.Y. Mar. 25, 2020)
- Gullas v. 37-31 73rd St. Owners Corp., No. 12-CV-2301, 2012 WL 1655520, at *1 (E.D.N.Y. May 10, 2012)
- Pro. Merch. Advance Cap., LLC v. C Care Servs., LLC, No. 13-CV-6562, 2013 WL 12109397, at *2 (S.D.N.Y. Oct. 2, 2013)
- Allens Creek / Corbetts Glen Pres. Grp., Inc. v. Caldera, 88 F. Supp. 2d 77, 83 (W.D.N.Y. 2000)
- Allens Creek / Corbetts Glen Pres. Grp., Inc. v. West, 2 F. App'x 162 (2d Cir. 2001)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----
-----x ELI ZHADANOV and INTERLINK PRODUCTS INTERNATIONAL, INC,
MEMORANDUM & ORDER Plaintiffs, 26-CV-1027(EK)(PCG) -against- XIAMEN
HUANGYUDU COSMETICS CO., LTD. and HUIAN COUNTY MUBING E-COMMERCE
CO., LTD., Defendants. -----x ERIC KOMITEE, United States District
Judge: Plaintiffs are a company that develops and sells shower and bath products and the
company’s president; they sue two Chinese companies that sell showerheads on Amazon that
allegedly infringe the plaintiffs’ patents.

Compl. ¶¶ 2-3, 9- 15, 22-30. Plaintiff Interlink complained to Amazon of the possible infringement
and submitted a complaint through the Amazon Patent Evaluation Express program in December
2025; defendants rejected the offer to participate and instead filed declaratory-judgment actions
against Interlink that remain pending in the Western District of Washington.

Id. ¶¶ 35-37. Plaintiffs have also requested a temporary restraining order (“TRO”), directing the
defendants to refrain from (1) making false or misleading statements regarding the specific
showerheads at issue; (2) selling any products under Amazon Standard Identification Numbers
where the defendants made allegedly false or misleading statements related to the specific
showerheads at issue; and (3) distributing in commerce any units of products containing any
misleading or inaccurate statements about the flow rate or legal compliance of the products.

Id. at 25. The TRO request is ex parte: plaintiffs have provided no written or oral notice to the
defendants or their attorneys. For the reasons set forth below, this request is denied. When a
movant seeks an ex parte TRO, it must, among other things, certify in writing “any efforts made to
give notice and the reasons why it should not be required.” Fed. R. Civ.

P. 65(b)(1)(B); *FEI Hong Kong Co. v. GlobalFoundries, Inc.*, No. 20-CV-2342, 2020 WL 1444956, at *2 (S.D.N.Y. Mar. 25, 2020) (denying TRO as plaintiff had “not provided any reasons why notice was unnecessary or impractical”); *Gullas v. 37-31 73rd St. Owners Corp.*, No. 12-CV-2301, 2012 WL 1655520, at *1 (E.D.N.Y. May 10, 2012) (denying TRO as plaintiffs had “neither shown that Defendant was given notice of this motion nor made any showing as to why notice should not be required”).

This failure alone renders *ex parte* relief inappropriate. E.g., *Pro. Merch. Advance Cap., LLC v. C Care Servs., LLC*, No. 13-CV-6562, 2013 WL 12109397, at *2 (S.D.N.Y. Oct. 2, 2013) (“Plaintiff’s attorney has not submitted anything about efforts to give notice or reasons why notice should not be required. That omission alone is fatal to the application....”).

Plaintiffs have also not separately moved for this preliminary relief; the request for a TRO appears only in the complaint. It is thus not properly before this Court. *Allens Creek / Corbetts Glen Pres. Grp., Inc. v. Caldera*, 88 F. Supp. 2d 77, 83 (W.D.N.Y. 2000), *aff’d sub nom. Allens Creek / Corbetts Glen Pres. Grp., Inc. v. West*, 2 F. App’x 162 (2d Cir. 2001) (collecting cases and explaining that “[i]f a party seeks immediate relief, Rule 65... requires the filing of a motion”).

For the reasons set forth above, the request for a TRO is denied. If plaintiffs wishes to pursue a preliminary injunction, they should file a motion in compliance with Rule 65 and serve that motion on the defendants.

In light of the plaintiffs’ representations regarding the pending action in the Western District of Washington, plaintiffs are further ordered to show cause no later than March 2, 2026, why this action should not be transferred to the Western District of Washington, to avoid duplicative litigation. SO ORDERED. /s/ Eric Komitee ERIC KOMITEE United States District Judge Dated: February 23, 2026 Brooklyn, New York