

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Chancy v. Fossil Group, Inc.

No. 25-cv-1566-AJB-DEB (S.D. Cal. Nov. 21, 2025) · No. 25-cv-1566-AJB-DEB · Decided November 21, 2025

SUMMARY

The United States District Court for the Southern District of California considers Fossil Group, Inc.'s motion to dismiss a putative class action alleging that Fossil's "Like Style" pricing and discount representations violated California's Unfair Competition Law and False Advertising Law. The court grants in part and denies in part the motion, addressing judicial notice, incorporation by reference, pleading particularity, and the reasonable-consumer standard. The excerpt does not include the complete disposition of each claim.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Anthony J. Battaglia
JURISDICTION	United States District Court for the Southern District of California
DECIDED	November 21, 2025
DOCKET	25-cv-1566-AJB-DEB
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss a removed putative class action asserting violations of California's Unfair Competition Law and False Advertising Law and seeking restitution, injunctive relief, and attorney fees.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the nonmoving party's favor, and determines whether the complaint states a facially plausible claim. Fraud-based allegations must satisfy Rule 9(b)'s particularity requirement. Requests for judicial notice and incorporation by reference were evaluated under Federal Rule of Evidence 201 and Ninth Circuit doctrine.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court opinion

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QUESTIONS PRESENTED

1. Whether the complaint pleaded the UCL and FAL claims with sufficient factual particularity under Federal Rules of Civil Procedure 8 and 9(b).
2. Whether the alleged Like Style pricing representations could plausibly deceive a reasonable consumer under California's UCL and FAL.
3. Whether plaintiffs had standing to seek prospective injunctive or other equitable relief based on past allegedly misleading advertising.
4. Whether Fossil's exhibits were subject to judicial notice or incorporation by reference at the pleading stage.

HOLDINGS

1. The complaint sufficiently pleaded the UCL and FAL claims under Rules 8 and 9(b), so dismissal of those claims was denied.
2. The complaint plausibly alleged that Fossil's Like Style pricing and discount representations were likely to deceive reasonable consumers; whether the practice was deceptive was not suitable for resolution on a motion to dismiss.
3. Plaintiffs lacked standing to seek injunctive or other prospective equitable relief because they did not allege an actual and imminent threat that they would again be subjected to Fossil's allegedly false advertising.
4. The court denied judicial notice of the contents of Fossil's webpage disclosure, in-store signage, and labels from other cases; granted incorporation by reference of the online Like Style disclosure because the complaint reproduced and relied on it; and denied incorporation by reference of the in-store return policy.

KEY QUOTATIONS

"As such, Plaintiffs provided sufficient and particular information to satisfy Rules 8 and 9(b)." (at 12)

"Accordingly, the Court GRANTS the motion to dismiss Plaintiffs' claims for equitable relief WITH LEAVE TO AMEND." (at 15)

"For the reasons set forth above, the Court GRANTS IN PART AND DENIES IN PART Fossil's Motion to Dismiss Plaintiffs' Complaint" (at 16)

FACTUAL BACKGROUND

Fossil advertised products online and in outlet stores using a current price, a crossed-out Like Style price, and an apparent percentage discount. Plaintiffs alleged that Fossil's Like Style prices did not represent prices at which the same products had been offered and that the pricing model created artificial discounts. The online disclosure was available through a tooltip on individual product pages but not on the catalog page, while plaintiffs alleged that outlet stores lacked a disclosure defining Like Style pricing. Three named plaintiffs purchased watches after seeing alleged discounts and claimed they would not have made the purchases absent the representations.

PROCEDURAL HISTORY

Plaintiffs filed the putative class action in San Diego Superior Court on May 14, 2025. Fossil removed the action to the Southern District of California on June 18, 2025, and moved to dismiss the complaint in its entirety. The court denied dismissal of the UCL and FAL claims, dismissed the claims for equitable relief with leave to amend, denied some requests for judicial notice and incorporation by reference, granted incorporation by reference as to the online Like Style disclosure, and allowed plaintiffs to file a first amended complaint.

DISPOSITION

other

CASES CITED

- Navarro v. Block, 250 F.3d 729, 732 (9th Cir. 2001)
- SmileCare Dental Grp. v. Delta Dental Plan of Cal., 88 F.3d 780, 783 (9th Cir. 1996)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Associated Gen. Contractors of Cal., Inc. v. Cal. State Council of Carpenters, 459 U.S. 519, 526 (1983)
- Thompson v. Davis, 295 F.3d 890, 895 (9th Cir. 2002)
- Kearns v. Ford Motor Co., 567 F.3d 1120, 1124 (9th Cir. 2009)
- Bly-Magee v. California, 236 F.3d 1014, 1019 (9th Cir. 2001)
- Neubronner v. Milken, 6 F.3d 666, 671-72 (9th Cir. 1993)
- United States v. Corinthian Colleges, 655 F.3d 984, 995 (9th Cir. 2011)
- Lopez v. Smith, 203 F.3d 1122, 1127 (9th Cir. 2000)
- Brown v. Google, LLC, 525 F. Supp. 3d 1049, 1061 (N.D. Cal. 2021)
- Threshold Enters. Ltd. v. Pressed Juicery, Inc., 445 F. Supp. 3d 139, 146 (N.D. Cal. 2020)
- EVO Brands, LLC v. Al Khalifa Grp., LLC, 657 F. Supp. 3d 1312, 1323 (C.D. Cal. 2023)
- 2Die4Kourt v. Hillair Cap. Mgmt., LLC, No. 16-cv-1304-JVS-DFM, 2016 WL 4487895, at *1 n.1 (C.D. Cal. Aug. 23, 2016)
- Genasys Inc. v. Vector Acoustics, LLC, 638 F. Supp. 3d 1135, 1144, 1146-47 (S.D. Cal. 2022)
- Matthews v. Apple, Inc., 769 F. Supp. 3d 999, 1006-08 (N.D. Cal. 2024)
- Knievel v. ESPN, 393 F.3d 1068, 1076-77 (9th Cir. 2005)
- United States v. Ritchie, 342 F.3d 903, 908-09 (9th Cir. 2003)

- Allen v. City of Los Angeles, 92 F.3d 842, 850 (9th Cir. 1996)
- Holder v. Holder, 305 F.3d 854, 866 (9th Cir. 2002)
- Calderon v. Kate Spade & Co., LLC, 2020 WL 1062930, at *2-*3 (S.D. Cal. Mar. 5, 2020)
- Dawson v. Better Booch, LLC, 716 F. Supp. 3d 949, 956 (S.D. Cal. 2024)
- In re Sony Gaming Networks & Customer Data Sec. Breach Litig., 996 F. Supp. 2d 942, 985 (S.D. Cal. 2014)
- Paduano v. Am. Honda Motor Co., 169 Cal. App. 4th 1453, 1468-86 (2009)
- Arevalo v. Bank of Am. Corp., 850 F. Supp. 2d 1008, 1023-24 (N.D. Cal. 2011)
- Ariz. Cartridge Remanufacturers Ass'n, Inc. v. Lexmark Int'l, Inc., 421 F.3d 981, 985 (9th Cir. 2005)
- Ebner v. Fresh, Inc., 838 F.3d 958, 965 (9th Cir. 2016)
- Williams v. Gerber Prods. Co., 552 F.3d 934, 938-39 (9th Cir. 2008)
- Freeman v. Time, Inc., 68 F.3d 285, 289 (9th Cir. 1995)
- Lavie v. Procter & Gamble Co., 105 Cal. App. 4th 496, 508 (2003)
- Azimpour v. Sears, Roebuck & Co., No. 15-CV-2798 JLS (WVG), 2016 WL 7626188, at *7 (S.D. Cal. Oct. 17, 2016)
- Haley v. Macy's Inc., 263 F. Supp. 3d 819, 823-24 (N.D. Cal. 2017)
- Rael v. New York & Co., Inc., No. 16-CV-369-BAS(JMA), 2016 WL 7655247, at *3 (S.D. Cal. Dec. 28, 2016)
- Stathakos v. Columbia Sportswear Co., No. 15-cv-04543-YGR, 2016 WL 1730001, at *1, *3-*4 (N.D. Cal. May 2, 2016)
- Chester v. TJX Companies, Inc., No. 5-15-CV-01437-ODW-DTB, 2016 WL 4414768, at *1-*2, *8, *12-*13 (C.D. Cal. Aug. 18, 2016)
- Davidson v. Kimberly-Clark Corp., 889 F.3d 956, 967, 970, 972 (9th Cir. 2018)
- Summers v. Earth Island Inst., 555 U.S. 488
- City of Los Angeles v. Lyons, 461 U.S. 95, 102, 111 (1983)
- O'Shea v. Littleton, 414 U.S. 488, 502 (1974)