

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Royal Enamel Ltd. v. JD E-Commerce America Ltd., et al.

Case No. 22-CV-23990-DPG · No. Case No. 22-CV-23990-DPG; 1:22-cv-23990 · Decided November 21, 2025

SUMMARY

The court denied the JD Defendants’ motion to dismiss Royal Enamel’s amended complaint. It held that the plaintiff sufficiently established specific personal jurisdiction under Florida’s long-arm statute based on the defendants’ role in maintaining virtual marketplaces on Walmart.com and facilitating sales to Florida consumers. The court also addressed the plaintiff’s alternative agency theory and Jingdong’s challenge to service of process.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Darrin P. Gayles
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	November 21, 2025
DOCKET	Case No. 22-CV-23990-DPG; 1:22-cv-23990
DISPOSITION	other
PROCEDURAL POSTURE	Defendants Jingdong E-Commerce (Trade) Hong Kong Corporation and JD E-Commerce America Limited moved to dismiss the amended complaint for lack of personal jurisdiction and improper service of process. The district court denied the motion.
STANDARD OF REVIEW	On a factual challenge to personal jurisdiction, the plaintiff initially bears the burden of alleging sufficient facts to establish a prima facie case; if the defendant submits competent evidence contradicting the allegations, the burden shifts to the plaintiff to produce supporting evidence. Conflicts between the complaint or plaintiff’s evidence and defendant’s affidavits are construed in the plaintiff’s favor, and uncontroverted allegations are accepted as true. Personal jurisdiction requires a two-step inquiry under Florida’s long-arm statute and the Due Process Clause. Service under Federal Rule of Civil Procedure 4(f)(3) must provide notice reasonably calculated to inform the defendant of the action and afford an opportunity to object.

PRECEDENTIAL VALUE

persuasive district-court authority; nonprecedential outside the case

TOPICS

personal jurisdiction

service of process

trademark infringement

copyright infringement

civil procedure

PRACTICE AREAS

civil procedure

personal jurisdiction

service of process

trademark infringement

copyright infringement

commercial litigation

QUESTIONS PRESENTED

1. Whether Florida's long-arm statute authorized specific personal jurisdiction over the JD Defendants based on their role in maintaining virtual storefronts and facilitating the sale and shipment of allegedly infringing goods to Florida consumers.
2. Whether the JD Defendants' control over third-party retailers supported imputing the retailers' Florida contacts to the JD Defendants under an agency theory.
3. Whether exercising specific personal jurisdiction over the JD Defendants complied with the Due Process Clause.
4. Whether service of process on Jingdong through its attorneys was valid alternative service under Federal Rule of Civil Procedure 4(f)(3).

HOLDINGS

1. The JD Defendants' maintenance and control of Walmart.com marketplaces and facilitation of substantial sales and shipments of allegedly infringing goods to Florida consumers were sufficient to establish specific personal jurisdiction under Florida Statutes section 48.193(1)(a)(2).
2. At this stage, the evidence was sufficient to establish that the third-party retailers acted as agents of the JD Defendants for purposes of personal jurisdiction.
3. Exercising specific personal jurisdiction over the JD Defendants comported with due process because the claims arose from their Florida-related contacts, they purposefully availed themselves of Florida's market, and jurisdiction was consistent with fair play and substantial justice.
4. Service of process on Jingdong through its attorneys was proper alternative service because Jingdong received timely notice reasonably calculated to inform it of the action and provide an opportunity to object.

KEY QUOTATIONS

"The JD Defendants' arguments against personal jurisdiction suggests that the Court weigh form over substance."

"In sum, the Court concludes that it has specific personal jurisdiction over the JD Defendants pursuant to Florida's long-arm statute and that the exercise of that jurisdiction comports with due process."

“Therefore, alternative service was proper here and the Motion is denied on this basis.”

FACTUAL BACKGROUND

Royal Enamel, a foreign company that designs and sells clocks, alleged that infringing goods were sold to Florida consumers through virtual storefronts maintained on Walmart.com by JD E-Commerce America Limited and Jingdong E-Commerce (Trade) Hong Kong Corporation. The JD Defendants operated as intermediaries between China-based third-party retailers and Walmart.com, but their agreements required them to regulate listings, provide or designate logistics services, maintain a U.S. returns office, and take action against retailers. The record showed that more than \$30 million in allegedly infringing product sales reached Florida consumers through accounts and marketplaces associated with the JD Defendants. Jingdong was served through its attorneys after the Court authorized alternative service.

PROCEDURAL HISTORY

Royal Enamel filed the action on December 8, 2022, and later filed an amended complaint asserting six claims, including false designation of origin, unfair competition, copyright infringement, trademark infringement, and contributory infringement. JD agreed to waive service as to itself, while the Court authorized alternative service on Jingdong by email and service on counsel. After briefing and a hearing, the Court denied the JD Defendants' motion to dismiss and held that both personal jurisdiction and alternative service were proper.

DISPOSITION

other

CASES CITED

- Hanson, Executrix, et al. v. Denckla et al., Hanson v. Denckla, 357 U.S. 235, 250-51 (1958)
- Louis Vuitton Malletier, S.A. v. Mosseri, 736 F.3d 1339, 1350, 1353-58 (11th Cir. 2013)
- United Technologies Corp. v. Mazer, 556 F.3d 1260, 1274 (11th Cir. 2009)
- Meier ex rel. Meier v. Sun International Hotels, Ltd., 288 F.3d 1264, 1269 (11th Cir. 2002)
- Diamond Crystal Brands, Inc. v. Food Movers International, Inc., 593 F.3d 1249, 1257 (11th Cir. 2010)
- Madara v. Hall, 916 F.2d 1510, 1514-15 (11th Cir. 1990)
- Borislow v. Canaccord Genuity Group Inc., No. 14-cv-80134, 2014 WL 12580259, at *4 (S.D. Fla. June 27, 2014)
- Elmex Corp. v. Atlantic Federal Savings & Loan Association of Fort Lauderdale, 325 So. 2d 58, 61 (Fla. 4th DCA 1976)
- 3Lions Publishing, Inc. v. Interactive Media Corp., 389 F. Supp. 3d 1031, 1038 (M.D. Fla. 2019)
- White v. Discovery Communications, LLC, 365 So. 3d 379, 382 (Fla. 1st DCA 2023)
- Oviedo v. Ramirez, No. 21-CV-23750, 2022 WL 1641865, at *5 (S.D. Fla. May 24, 2022)
- In re Takata Airbag Products Liability Litigation, 396 F. Supp. 3d 1101, 1142 (S.D. Fla. 2019)
- Posner v. Essex Insurance Co., 178 F.3d 1209, 1215 (11th Cir. 1999)

- IP Innovation, L.L.C. v. RealNetworks, Inc., 310 F. Supp. 2d 1209, 1214 (W.D. Wash. 2004)
- Diulus v. American Express Travel Related Services Co., Inc., 823 F. App'x 843, 848 (11th Cir. 2020)
- Estes v. Rodin, 259 So. 3d 183, 192 (Fla. 3d DCA 2018)
- Sarmiento Lopez v. CMI Leisure Management, Inc., 591 F. Supp. 3d 1232, 1238-39 (S.D. Fla. 2022)
- Commodity Futures Trading Commission v. Gibraltar Monetary Corp., 575 F.3d 1180, 1189 (11th Cir. 2009)
- Carr v. Stillwaters Development Co., L.P., 83 F. Supp. 2d 1269, 1279-80 (M.D. Ala. 1999)
- Sculptchair, Inc. v. Century Arts, Ltd., 94 F.3d 623, 628-31 (11th Cir. 1996)
- Hard Candy, LLC v. Hard Candy Fitness, LLC, 106 F. Supp. 3d 1231, 1241, 1246-49 (S.D. Fla. 2015)
- Williams v. Yamaha Motor Co. Ltd., 851 F.3d 1015, 1023 (9th Cir. 2017)
- General Cigar Holdings, Inc. v. Altadis, S.A., 205 F. Supp. 2d 1335, 1343-44 (S.D. Fla. 2002), *aff'd*, 54 F. App'x 492 (11th Cir. 2002)
- Todd Benjamin International, Ltd. v. Grant Thornton International, Ltd., 2023 WL 4457458, at *13 (S.D. Fla. July 11, 2023)
- Fuel Freedom International, LLC v. Maxma, L.C., No. 6:06-CV-488-ORL-31DAB, 2006 WL 2734313, at *3-4 (M.D. Fla. Sept. 25, 2006)
- Dohler S.A. v. Guru, No. 16-23137-CIV, 2017 WL 4621098, at *3, *5-6 (S.D. Fla. Oct. 16, 2017)
- Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414 (1984)
- Knepfle v. J-Tech Corp., 419 F. Supp. 3d 1281, 1288 (M.D. Fla. 2019)
- Standard Process, Inc. v. Antitrend LLC, No. 19-CV-99-JDP, 2020 WL 553871, at *3-4 (W.D. Wis. Feb. 4, 2020)
- Douglas Co., Inc. v. My Brittany's LLC, No. 19-CV-1234-SM, 2020 WL 2768973, at *4 (D.N.H. May 28, 2020)
- Marshall Packaging Co., LLC v. Nestle Waters North America, Inc., No. 6:05CV295, 2006 WL 871015, at *3 (E.D. Tex. Mar. 24, 2006)
- Monster Energy Co. v. Wensheng, 136 F. Supp. 3d 897, 904 (N.D. Ill. 2015)
- Factory Direct Wholesale, LLC v. Giantex, Inc., No. 1:17-CV-341-WSD, 2018 WL 732570, at *5 (N.D. Ga. Feb. 5, 2018)
- Dan Wang v. The Partnerships and Unincorporated Associations Identified on Schedule A, Case No. 22 C 3201 (N.D. Ill. Dec. 8, 2023)
- La Potencia, LLC v. Chandler, 2023 WL 1430480, at *5 (S.D. Fla. Feb. 1, 2023)
- Robinson v. Giarmarco & Bill, P.C., 74 F.3d 253, 259 (11th Cir. 1996)
- Omni Capital International, Ltd. v. Rudolf Wolff & Co., Ltd., 484 U.S. 97, 104 (1987)
- Fru Veg Marketing, Inc. v. Vegfruitworld Corp., 896 F. Supp. 2d 1175, 1182-83 (S.D. Fla. 2012)
- Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950)

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