

Approved: *AM*

ANDREW MARK THOMAS/MICHAEL McGINNIS
Assistant United States Attorneys

Before: HONORABLE BARBARA C. MOSES
United States Magistrate Judge
Southern District of New York

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SEALED

UNITED STATES OF AMERICA : COMPLAINT

- v. - : Violations of
18 U.S.C. §§ 545, 2318,
2320 & 2

PATRICK BADAL,
KAIUM SHAH,
KENNY NI,
ABUL KASHEM, and
PARVEZ SHAZZED,
: COUNTY OF OFFENSE:
NEW YORK

Defendants. :
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SOUTHERN DISTRICT OF NEW YORK, ss.:
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MICHAEL A. MANGANIELLO, a Special Agent with the
Department of Homeland Security ("DHS"), Immigration and Customs
Enforcement ("ICE"), and charges as follows:

COUNT ONE

(Conspiracy to Traffic in Counterfeit Goods)

1. From at least in or about December 2014 up to and including in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL, KAIUM SHAH, KENNY NI, ABUL KASHEM, and PARVEZ SHAZZED, the defendants, knowingly and intentionally did conspire together and with others, known and unknown, to traffic in goods and services and knowingly use a counterfeit mark on and in connection with such goods and services, to wit, BADAL, SHAH, NI, KASHEM, and SHAZZED, agreed to sell counterfeit fragrances and perfumes.

(Title 18, United States Code, Section 2320.)

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COUNT TWO

(Trafficking in Counterfeit Goods)

2. From at least in or about December 2014 up to and including in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL, KAIUM SHAH, KENNY NI, ABUL KASHEM, and PARVEZ SHAZZED, the defendants, did knowingly and intentionally traffic and attempt to traffic in goods and services, and did knowingly use a counterfeit mark on and in connection with such goods and services, to wit, BADAL, SHAH, NI, KASHEM, assembled and sold counterfeit fragrances and perfumes throughout the United States, and SHAZZED re-sold them in New York City.

(Title 18, United States Code, Sections 2320 and 2.)

COUNT THREE

(Trafficking in Counterfeit Packaging)

3. From at least in or about December 2014 up to and including in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL, KAIUM SHAH, KENNY NI, and ABUL KASHEM, the defendants, using and intending to use the mails and facilities of interstate and foreign commerce, did knowingly traffic in counterfeit documentation and packaging, to wit, BADAL, SHAH, NI, and KASHEM imported counterfeit perfume packaging from China.

(Title 18, United States Code, Sections 2318 and 2.)

COUNT FOUR

(Smuggling Goods into the United States)

3. From at least in or about December 2014 up to and including at least in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL and KAIUM SHAH, the defendants, fraudulently and knowingly, did import and bring into the United States merchandise contrary to law, and received, concealed, bought, and facilitated the transportation, concealment, and sale of such merchandise after importation, knowing the same to have been imported and brought into the United States contrary to law, to wit BADAL and SHAH imported counterfeit packaging falsely described to customs as legitimate

products.

(Title 18, United States Code, Sections 545 and 2.)

The bases for my knowledge and the foregoing charge are, in part, as follows:

4. I have been a Special Agent with the Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE") since 2009. I am currently assigned to the Homeland Security Investigations ("HSI") Department's New York City Office, where I am assigned to the Intellectual Property Rights and Commercial Fraud Group, responsible for investigating crimes such as commercial fraud, smuggling, and trafficking in counterfeit goods. During the course of my career in law enforcement, I have received training in and gained expertise relating to the means and mechanisms by which individuals smuggle and traffic contraband and counterfeit goods into the United States, and how those goods enter the United States market.

5. This affidavit is based upon my own observations, conversations with other law enforcement agents and others, and my examination of reports and records prepared by others. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Background

6. Since December 2014, HSI and the New York City Police Department ("NYPD") have been investigating a group of individuals who import, package, and distribute counterfeit fragrances (the "Counterfeit Perfume Ring"). The Counterfeit Perfume Ring (a) imports generic liquid fragrances from China, (b) separately imports boxes and packaging bearing counterfeit trademarks from China, (c) packages the generic liquid fragrances into the branded and trademarked packaging, and (d)

then sells counterfeit perfumes to wholesalers in New York and at least six other states.

7. As described below, PATRICK BADAL and KAIUM SHAH, the defendants, lead the Counterfeit Perfume Ring. KENNY NI, ABUL KASHEM, and PARVEZ SHAZZED, the defendants, and others known and unknown, aid the scheme.

8. Based on physical surveillance, the investigation has uncovered seven primary locations used by the Counterfeit Perfume Ring to receive, prepare, and distribute its products:

a. *The Port.* Inbound shipping containers arrive at the Port of Newark and are transported to a bonded warehouse in Elizabeth, New Jersey (the "Port") regulated by U.S. Customs and Border Protection ("CBP").

b. *The Temporary Warehouse.* Once shipping containers have been released by CBP, members of the Counterfeit Perfume Ring arrange for the containers to be moved from the Port to a temporary warehouse located at 629 Henry Street Elizabeth, New Jersey (the "Temporary Warehouse"). The Temporary Warehouse is operated by a trucking company (the "Trucking Company").

c. *Packaging Facility-1 and Packaging Facility-2.* From the Temporary Warehouse, the Trucking Company typically delivers the containers to the premises at 74-16 Grand Avenue, Queens, New York ("Packaging Facility-1"). The Counterfeit Perfume Ring also takes goods and air freight shipments to the premises at 14-27 Broadway, Astoria, New York ("Packaging Facility-2").

d. *The Storage Facility.* The Counterfeit Perfume Ring transfers goods from Packaging Facility-1 and Packaging Facility-2 to a U-Haul self-storage facility located at 2645 Brooklyn Queens Expressway, Woodside, NY 11377 (the "Storage Facility").

e. *The Freight Forwarder.* The Counterfeit Perfume Ring distributes certain of its goods to wholesalers located outside of the New York City area. To accomplish this, the Counterfeit Perfume Ring uses a freight forwarding service (the

"Freight Forwarder") to pick-up pallets of goods from the Storage Facility. The Freight Forwarder, in turn, delivers parcels to out-of-state addresses.

9. In addition to distributing its products out-of-state, the Counterfeit Perfume Ring distributes its products throughout New York City. PARVEZ SHAZZED, the defendant, operates one of these locations, with a store located in or around 128 Lafayette Street in New York, New York.

The Counterfeit Perfume Ring Assembles Counterfeit Perfumes

10. On or about July 22, 2013, CBP, pursuant to its administrative authority, inspected an inbound shipping container. Based on a review of a report of that inspection, I have learned, in part, that the container (a) was addressed to TK Imports Inc. and (b) contained approximately 45 cartons of counterfeit brand name perfume. Based on a query of a law enforcement database, I have learned that KENNY NI, the defendant, is the point of contact for TK Imports Inc.

11. On or about May 8, 2015, CBP Officers at JFK International Airport stopped PATRICK BADAL, the defendant, for an outbound currency inspection. In connection with BADAL's transit through customs at JFK, I inspected BADAL's luggage and observed, among other things, a ledger (the "Ledger") containing annotations of expenses and payments beside entries identifying an item number and brand name fragrance product, for example, "Item number:B19 - Daisy by Marc Jacobs." I also found in BADAL's luggage numerous fragrance samples.

12. Based on my training and experience investigating the manufacture and distribution of counterfeit goods, the fragrance samples in the luggage of PATRICK BADAL, the defendant, were likely for use as manufacturing exemplars for Chinese manufacturers. Based on my training and experience, I also believe that the annotations of expenses and payments in the Ledger corresponded to the importation, sale, purchase, or distribution of counterfeit fragrances and packaging.

13. On or about June 28, 2015, I, along with other law enforcement agents, inspected a 20-foot shipping container

bearing the number TCKU3174537¹ at the Port ("Container 537"). Based on an inspection of Container 537, and a review of CBP records regarding Container 537, I have learned, in part, the following:

a. The manifest described the contents as 708 boxes of "perfume." The identified shipper of Container 537 was purportedly located in China. The consignee² of Container 537 was TNTT Close Out Deals Inc., purportedly located at a residence on 34th Ave. in Jackson Heights, New York (the "Jackson Heights Residence"), with a contact number ending 7486 (the "7486 Number"). PATRICK BADAL, the defendant, was to be notified of the container's arrival.

b. Container 537 held numerous cardboard boxes. Each box had an item number written or posted on the exterior of the box, and contained what appeared to be bottled fragrances. The bottles were unlabeled, but, based on my training and experience, had the size, shape, color, and features of bottles used by trademarked, brand name perfumes.

14. Based on physical surveillance, telephone subscriber information, and searches of law enforcement databases, I have learned, in part, that (a) the Jackson Heights Residence is the residence of KAIUM SHAH, the defendant; and (b) the 7486 Number is subscribed to PATRICK BADAL, the defendant.

15. Based on a comparison of the entries contained in the Ledger to the item numbers on the boxes contained in the shipping container, and based on my training and experience, I believe that the item numbers in the Ledger correspond to the item numbers marked on the boxes found in Container 537. I further believe that the unlabeled bottles in the boxes are intended to be labeled and packaged to masquerade as the items described in Ledger: name brand perfumes.

¹ Shipping containers arriving from foreign ports are associated with unique alphanumeric sequences. Using the identifying number, customs officers of the United States may locate, seize, inspect, and release particular containers traveling in foreign commerce.

² A consignee is the entity or individual financially responsible for receipt of the shipping container.

16. While conducting physical surveillance on or about August 3, 2015, I observed a truck from the Trucking Company pick up Container 537 from the Port. The truck carried Container 537 to the Temporary Warehouse.

17. Based on an interview of an employee of the Trucking Company, I learned, in part, that the container was scheduled to be delivered the following day and that the point of contact was "Patrick" and the contact number was the 7486 Number.

18. On or about August 4, 2015, an NYPD detective acting undercover ("UC-1"), rode with the delivery truck driver from the Trucking Company (the "Delivery Driver"). Based on conversations with UC-1 and a review of video surveillance captured by UC-1, I have learned, in part, the following:

a. The Delivery Driver contacted PATRICK BADAL, the defendant, by telephone once the Delivery Driver arrived at the identified delivery address.

b. Approximately ten minutes later, KENNY NI, the defendant, appeared and spoke to the Delivery Driver. NI requested that the delivery driver instead transport the container to Packaging Facility-1. NI, driving his vehicle, led the Delivery Driver, driving the truck, to Packaging Facility-1. Upon arrival, NI, and approximately four other men, began to unload the boxes onto pallets and then, using a forklift, transferred the pallets inside.

c. Approximately thirty-five minutes after arriving at Packaging Facility-1, BADAL arrived. He began to assist in unloading the boxes. The men completed unloading the container approximately seventy minutes later.

19. Based on surveillance conducted by UC-1 on August 11, 2015, I have learned, in part, the following:

a. UC-1 entered the Storage Facility. While inside the Storage Facility, UC-1 observed KAIUM SHAH, the defendant, removing boxes from storage bins 1244, 1649, and 1234. UC-1 recognized the boxes in the storage bins, by their size, shape, and color, to be the same type of boxes as in Container 537.

b. Shortly thereafter a box truck arrived at the Storage Facility. SHAH and the driver of the box truck began to load the boxes from the storage bins onto the truck.

Approximately twenty minutes later, PATRICK BADAL, the defendant, arrived at the Storage Facility and met with SHAH. BADAL then departed. Approximately 45 minutes later, SHAH and the driver completed loading boxes onto the truck.

c. The box truck traveled from the Storage Facility to the Freight Forwarder.

20. On or about September 4, 2015, I inspected two shipping containers: KKTU7881606 ("Container 606") and TCNU7146760 ("Container 760"). Based on a review of CBP records related to Container 606 and Container 760, and based on an inspection of those containers, I have learned, in part, the following:

a. The consignee of Container 606 was TNTT Close Out Deals, Inc., purportedly located at the Jackson Heights Residence and purportedly with a contact number of the 7486 Number. The manifest described Container 606's inventory as 693 boxes containing "perfumes."

b. The consignee of Container 760 was the entity Shah Export & Imports Inc. Its manifest described Container 760's inventory as 1597 boxes containing "Perfumes and Toilet Waters, Non Floral/Flowers, Non Alcoholic."

c. Container 606 housed numerous boxes covered with flame symbols, item numbers, and quality numbers. Each box contained numerous bottles of fragrance products. The bottles were unlabeled, but, based on my training and experience, had the size, shape, color, and features of bottles used by trademarked perfumes.

d. Container 760 housed numerous boxes with Chinese-language and English-language writing and labels. Many boxes contained unmarked bottles of fragrances. Based on my training and experience, the unlabeled had the size, shape, color, and features of bottles used by trademarked perfumes.

e. In addition to unlabeled bottles, numerous boxes within Container 760 included perfumes labeled as Dolce & Gabbana Light Blue perfumes. Based on the manner of the packaging, the method of shipment, and my experience, the Dolce & Gabbana Light Blue perfumes in the second container were not authentic Dolce & Gabbana Light Blue perfumes.

21. I have compared the item numbers written on the boxes in Container 606 and Container 760 to the annotations contained in the Ledger. Based on my comparison, I have learned, in part, that item numbers on the boxes correspond to trademark perfumes recorded in the Ledger, including Lacoste, Polo, Gucci Guilty, Christian Dior, and Juicy Couture.

22. On or about December 7, 2015, pursuant to its administrative authority, CBP intercepted an international airfreight parcel imported by "Sars Inc." and shipped by FedEx (the "December 7 Shipment"). Based on records maintained by Federal Express ("FedEx"), I have learned, in part, that the December 7 Shipment (a) originated in China; (b) the recipient's contact number was the 7486 Number; and (c) was to be delivered to the Storage Facility.

23. Based on an inspection conducted by a CBP officer trained in identifying intellectual property violations, I have learned, in part, that the December 7 Shipment contained approximately 20,000 counterfeit Chanel No. 5 product boxes.

24. Based on CBP records, I have learned that on or about November 5, 2015, KENNY NI, the defendant, departed the United States bound for Shanghai, China. CBP officers performed a currency inspection in connection with NI's departure. Based on that inspection, I have learned that NI was traveling with trademarked perfume packaging bearing handwritten numbers.

25. On December 10, 2015, I conducted physical surveillance as FedEx delivered the December 7 Shipment. Based on that surveillance, I learned in part, the following:

a. FedEx delivered the December 7 Shipment to the Storage Facility at approximately 9:30 a.m.

b. At approximately 12:48 p.m., PATRICK BADAL, the defendant, retrieved what appeared to be the December 7 Shipment from the lobby of the Storage Facility, loaded the December 7 Shipment into a vehicle, and drove to Packaging Facility-1.

c. KENNY NI, the defendant, arrived at the Packaging Facility-1 after BADAL. NI and BADAL unloaded what appeared to be the December 7 Shipment, and carried the boxes into Packaging Facility-1.

26. On or about December 11, 2015, I inspected the shipping container KKTU8047012 ("Container 7012"). Based on a review of CBP records related to Container 7012, and based on an inspection of the container, I have learned, in part, the following:

a. The consignee of Container 7012 was TNTT Close Out Deals, Inc., purportedly located at the Jackson Heights Residence and purportedly with a contact number of the 7486 Number. The manifest described Container 7012's inventory as 655 boxes containing "perfumes."

b. Container 7012 housed numerous boxes with covered with flame symbols, item numbers, and quality numbers. Each box contained numerous bottles of fragrance products. The bottles were unlabeled, but, based on my training and experience, had the size, shape, color, and features of bottles used by trademarked perfumes.

27. HSI and NYPD conducted physical surveillance of the delivery of Container 7012. Based on that surveillance, I have learned, in part, that (a) a delivery company brought Container 7012 to the Temporary Warehouse; (b) Container 7012 arrived at the Temporary Warehouse, KENNY NI, the defendant, approached the driver of the delivery vehicle; (c) the delivery vehicle then proceeded to Packaging Facility-1; and (d) at Packaging Facility-1, NI, along with three unidentified males, unloaded brown boxes marked with flame symbols into Packaging Facility-1.

28. On or about December 23, 2015, pursuant to its administrative authority, CBP intercepted an international FedEx airfreight parcel (the "December 23 Shipment") addressed to "David J." at the Storage Facility and listing a number ending in 0267 (the "0267 Number") as the contact number. Based on a review of FedEx records regarding the December 23 Shipment, I know its contents were described as "Gift Box."

29. Based on an inspection conducted by a CBP officer trained in identifying intellectual property violations, I have learned, in part, that the December 23 Shipment contained approximately 1,000 counterfeit "Jadore Dior" brand perfume boxes and approximately 1,000 counterfeit "Coco Chanel" brand perfume boxes.

30. HSI conducted physical surveillance on December 30, 2015. Based on that surveillance, I have learned, in part, that (a) FedEx delivered the December 23 Shipment to the Storage Facility and (b) approximately 30 minutes later, KAIUM SHAH, the defendant, arrived at the Storage Facility.

31. On or about January 28, 2016, pursuant to its administrative authority, CBP intercepted two international DHL airfreight parcels ("January 28 Shipment-1" and "January 28 Shipment-2," and collectively, the "January 28 Shipment"). Based on a review of DHL records regarding the January 28 Shipment, I know that (a) January 28 Shipment-1 was addressed to "Exclusive Import and Export LLC" at the Storage Facility, and purportedly contained "Rigid Boxes and cartons"; and (b) January 28 Shipment-2 was addressed to "Jack Import and Export LLC" at the Storage Facility, and purportedly contained "Rigid Boxes and cartons."

32. Based on an inspection conducted by a CBP officer trained in identifying intellectual property violations, I have learned, in part, that (a) the January 28 Shipment-1 contained approximately 1,800 counterfeit Chanel brand perfume boxes, 1,800 counterfeit Calvin Klein brand perfume boxes, 1,800 counterfeit Dolce & Gabbana brand perfume boxes, 1,800 counterfeit Prada brand perfume boxes, and 1,800 counterfeit Versace brand perfume boxes; and (b) the January 28 Shipment-2 contained approximately 4,000 counterfeit Prada brand perfume boxes, 4,000 counterfeit Dolce & Gabbana brand perfume boxes, and 2,000 counterfeit Versace perfume boxes.

33. HSI conducted physical surveillance on February 1, 2016. Based on that surveillance, I have learned, in part, that (a) DHL delivered the January 28 Shipment to the Storage Facility; (b) PATRICK BADAL and KAIUM SHAH, the defendants, moved the January 28 Shipment from the Storage Facility into BADAL's car; and (c) BADAL drove to Packaging Facility-1 and unloaded the January 28 Shipment with the help of two unknown males.

34. Based on physical surveillance conducted on or about March 3, 2016, I have learned, in part, the following:

a. ABUL KASHEM and KENNY NI, the defendants, traveled together in a vehicle to a residential address on

Bayside Avenue, Flushing, New York. Once there, KASHEM and NI were met by a male ("UM-1"). The garage door opened, revealing numerous brown boxes. After opening the garage door, KASHEM, NI, and UM-1 loaded the boxes into the vehicle.

b. After loading the vehicle with boxes, KASHEM and NI traveled to Packaging Facility-1. NI entered Packaging Facility-1. NI then exited Packaging Facility-1 with two brown boxes. KASHEM loaded the boxes into the vehicle. NI and KASHEM then traveled to the Storage Facility.

c. KAIUM SHAH, the defendant, met NI and KASHEM at the Storage Facility. SHAH, KASHEM, and NI unloaded the boxes and, using a handcart, moved the boxes inside the Storage Facility.

35. On or about March 22, 2016, pursuant to its administrative authority, CBP intercepted an approximately 92.6 pound shipment sent via FedEx and addressed to the Storage Facility (the "March 22 Shipment"). Based on a review of shipment information maintained by FedEx, I have learned the shipment's contents were described as "Paper Packaging Card Samples."

36. A CBP Officer trained in identifying intellectual property rights violations inspected the March 22 Shipment. Based on that officer's inspection, I know the March 22 Shipment did not contain "Paper Packaging Card Samples" but instead contained approximately 2,400 counterfeit Michael Kors brand perfume boxes.

37. Based on physical surveillance conducted on or about March 23, 2016, I have learned, in part, the following:

a. FedEx delivered the March 22 Shipment to the front desk of the Storage Facility and that, approximately three and one-half hours later, ABUL KASHEM, the defendant, loaded the March Shipment into a vehicle driven by KASHEM.

b. At approximately 2:00 p.m., KASHEM drove to Packaging Facility-2. Once there, KASHEM unloaded the March Shipment and moved the March 22 Shipment inside Packaging Facility-2.

38. On or about March 29, 2016, pursuant to its administrative authority, CBP intercepted a shipment sent via

FedEx and addressed to the Storage Facility (the "March 29 Shipment").

39. A CBP Officer trained in identifying intellectual property rights violations inspected the March 29 Shipment. Based on that officer's inspection, I know the March 29 Shipment contained approximately 2,600 counterfeit Lacoste brand perfume and cologne packages.

40. Based on physical surveillance conducted on or about March 29, 2016, I have learned, in part, the following:

a. At approximately 9:30 a.m., ABUL KASHEM, the defendant, and a female ("UF-1") arrived at the Storage Facility in a vehicle driven by KASHEM.

b. FedEx delivered the March 29 Shipment to the lobby of the Storage Facility.

c. KASHEM retrieved the March 29 Shipment from the Storage Facility, placed the shipment on a push cart, and then loaded the shipment into his vehicle.

d. KASHEM and UF-1 drove to Packaging Facility-2. One there, KASHEM and UF-1 unloaded the March 29 Shipment and placed it inside Packaging Facility-2.

The Counterfeit Ring Distributes Perfumes in New York

41. On or about April 2, 2015, NYPD officers established surveillance in the vicinity of Packaging Facility-1. Based on that surveillance, I have learned, in part, the following:

a. At approximately 12:40 p.m., PATRICK BADAL, the defendant, loaded several brown boxes with flame markings into a vehicle parked outside of Packaging Facility-1.

b. BADAL then drove to the Storage Facility. After BADAL arrived at the Storage Facility, KAIUM SHAH, the defendant, arrived at the Storage Facility. BADAL and SHAH then moved boxes from BADAL's vehicle to SHAH's vehicle.

c. At approximately 1:32 p.m., BADAL and SHAH, together in BADAL's vehicle, drove to 128 Lafayette Street, New York, New York.

d. BADAL and SHAH were met by a male ("UM-2"). SHAH and UM-2 unloaded approximately nine boxes bearing flame

markings onto a hand truck. SHAH and UM-2 entered 128 Lafayette Street. An NYPD detective (the "Detective"), in plain clothes, followed SHAH and UM-2 into the building. SHAH and UM-2 exchanged money in the hallway.

e. SHAH left the building, entered BADAL's vehicle, and SHAH and BADAL drove away.

f. Shortly after SHAH and BADAL departed, the Detective entered the management office of 128 Lafayette and spoke to a person who identified himself as the manager of the building (the "Manager"). The Manager stated, in sum and in substance, that (a) UM-2 had storage space on the second floor of the building; (b) UM-2 operated a perfume business; (c) the storage space was an approximately 500 sq. foot room filled floor-to-ceiling with perfumes; (c) UM-2 was PARVEZ SHAZZED, the defendant; and (d) the Manager was willing to introduce the Detective to SHAZZED under the pretense that the Detective was an insurance adjuster.

g. The Manager and the Detective knocked on the door to a room on the second floor. The door opened. The Manager and SHAZZED conversed. The Detective stood by the entrance to the doorway. The Detective observed thousands of perfume bottles and boxes. The Manager and the Detective left after a few seconds.

42. On or about September 14, 2015, the Detective purchased perfumes from PARVEZ SHAZZED, the defendant, at the 128 Lafayette location. Based on conversations with the Detective and review of the Detective's reports, I have learned, in part that (a) the Detective, acting undercover, contacted SHAZZED by telephone to arrange a meeting; (b) SHAZZED met the Detective outside of 128 Lafayette and then led the Detective into a room on the second floor; and (c) SHAZZED sold the Detective eighteen bottles of fragrances (the "September Buy") in exchange for \$250.00.

43. On or about February 8, 2016, UC-1 entered the premises at 128 Lafayette Street, New York, New York. UC-1's visit was recorded on video. Based on conversations with UC-1 and a review of the video recording, I have learned, in part, the following:

a. PARVEZ SHAZZED, the defendant, met UC-1 on the second floor of the building and identified himself as "Parvez." SHAZZED opened a locked gate and a metal door using keys and then entered a room.

b. UC-1 entered the room and observed hundreds of boxes containing different brands of perfumes and colognes. SHAZZED told UC-1, in sum and in substance, that it would cost approximately \$15.00 for any item in the room.

c. UC-1 selected approximately 19 items, which purported to be name brand products from Calvin Klein, Gucci, Burberry, Chanel, and Bulgari.

d. UC-1 handed SHAZZED approximately \$290.00 for the products, which SHAZZED accepted. UC-1 asked SHAZZED if the products were real. SHAZZED responded, in sum and substance, that the products were not real but were of good quality.

44. On or about April 6, 2016, UC-1 entered the premises at 128 Lafayette Street, New York, New York. UC-1's visit was recorded on video. Based on conversations with UC-1, I have learned, in part, that (a) PARVEZ SHAZZED, the defendant, led UC-1 to a second floor room inside 128 Lafayette Street; (b) the room was filled with hundreds of boxes of assorted brand name perfumes; (c) SHAZZED sold UC-1 approximately thirteen purportedly brand-name perfumes for \$300.00.

The Counterfeit Perfume Ring Distributes Perfume to Other States

45. Based on an interview of an employee of the Freight Forwarder, and on a review of shipping records maintained by the Freight Forwarder relating to Shah Import & Export, Inc., I have learned, in part, the following:

a. The Freight Forwarder has been hired by a company known as Shah Import & Export, Inc.³ purportedly located at 2645

³ The Freight Forwarder's records identify Shah Import & Export, Inc. as "Shah Import/Export." Based on physical surveillance, queries of relevant law enforcement databases, and conversations with a representative of the Freight Forwarder, I believe that Shah Import & Export, Inc. and "Shah Import/Export" are one and the same.

Brooklyn Queens Expressway, Woodside, NY 11377 and reachable at the 0267 Number.

b. The Freight Forwarder has shipped at least 46 packages for Shah Import & Export, Inc. since on or about October 14, 2014.

c. Shah Import & Export, Inc. has shipped goods to at least six different addresses throughout the United States, including in Florida, Illinois, Texas, Tennessee, Georgia, and Washington, D.C.

d. On multiple occasions, the Freight Forwarder picked up parcels for Shah Import & Export, Inc. from the Storage Facility.

46. Based on physical surveillance, I know that 2645 Brooklyn Queens Expressway is the address of the Storage Facility, and is not a private business address.

47. Based upon a review of subscriber records, I also know that the 0267 Number is subscribed to KAIUM SHAH, the defendant.

48. Based on a conversation with a representative of the Freight Forwarder and a review of records maintained by the Freight Forwarder, I have learned, in part, the following:

a. On January 12, 2016, the Freight Forwarder received an order from Shah Import & Export, Inc. relating to a shipment to be picked up from the Storage Facility, which shipment the Freight Forwarder assigned the unique shipment identifying number "12710315."

b. On January 13, 2016, the Freight Forwarder picked up a two-pallet shipment composed of individual boxes (the "January Shipment"). Shah Import & Export, Inc. requested that the Freight Forwarder deliver the January Shipment to "Mr. Tommy" at an address in Cookeville, Tennessee.

49. On or about January 14, 2016, HSI and NYPD searched the January Shipment at the Freight Forwarder pursuant to a search warrant. Based on that search, I have learned, in part, the following:

d. The January Shipment comprised two pallets weighing approximately 2,400 pounds. The January Shipment contained 74 brown boxes, with each box containing 48 separately

packaged perfume bottles. In total, the January Shipment included approximately 3,552 bottles of perfumes or fragrances.

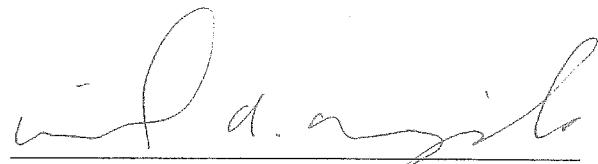
e. The perfumes and fragrances included bottles and boxes bearing trademarked labels of Versace, Chanel, Burberry, Givenchy, Gucci, Michael Kors, Lacoste, Marc Jacobs, and Dolce & Gabbana.

50. Coty Beauty Lancaster Group ("Coty") is an entity that represents the interests of numerous name brand perfume manufacturers, including Calvin Klein, Marc Jacobs, and Chanel. Based on conversations with a Coty representative, and correspondence from Coty, I have learned, in part, that neither PATRICK BADAL, KAIUM SHAH, KENNY NI, ABUL KASHEM, and PARVEZ SHAZZED, the defendants, nor TNTT Closeout Deals, Inc., nor Shah Export & Import, Inc. is a registered retailer of authentic branded and trademarked perfumes.

51. A representative of Coty trained in identifying counterfeit products inspected the September Buy and the Sample Shipment. Based on the Coty representative's inspection, I know that (a) the perfumes in the September Buy were counterfeit; and (b) the Sample Shipment contained counterfeit goods and labels.

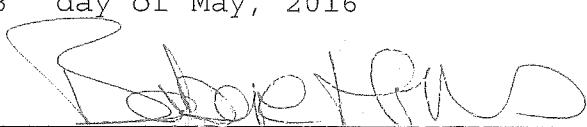
52. Based on physical surveillance of KAIUM SHAH and PATRICK BADAL, the defendants, and the Storage Facility, a review of bank records related to Shah Export & Import, Inc., and my training and experience investigating distributors of counterfeit, I believe that Shah Export & Import, Inc. operates as a distributor of counterfeit perfumes and fragrances and that Shah Export & Import, Inc. conducts no legitimate business.

WHEREFORE, I respectfully request that arrest warrants be issued for PATRICK BADAL, KAIUM SHAH, KENNY NI, ABUL KASHEM, and SHAZZED PARVEZ, the defendants, and that they be arrested and imprisoned or bailed, as the case may be.



Michael A. Manganiello
MICHAEL A. MANGANIELLO
Special Agent
Department of Homeland Security

Sworn to before me this
18th day of May, 2016



Barbara C. Moses
HONORABLE BARBARA C. MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK