

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE “A” HERETO,

Defendants.

Case No.: 1:24-cv-03210-MMP-SMF

**Honorable Martha M. Pacold
Magistrate Sheila M. Finnegan**

**MOTION FOR ENTRY OF DEFAULT JUDGMENT AGAINST THE IDENTIFIED
DEFAULTED SCHEDULE “A” DEFENDANTS PURSUANT TO FRCP 55(b)(2)**

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“Plaintiff”) hereby moves for entry of Default Judgment (the “Motion”) pursuant to Federal Rule of Civil Procedure 55(b)(2) (“Rule 55(b)(2)”) against the identified Schedule “A” Defendants (the “Defaulted Defendants”), which have been separately listed in Exhibit “1” to the accompanying Declaration of Shawn A. Mangano, Esq. (the “Mangano Decl.”). Plaintiff’s Motion is made and based upon the supporting Memorandum of Law, the Mangano Declaration, the Declaration of Liangjie Li (the “Li Decl.”), the papers and pleadings on file in this action, and any argument of counsel the Court may entertain.

DATED: November 13, 2024

Respectfully submitted,

By: /s/ Shawn A. Mangano

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. Notice of this filing is provided to unrepresented parties for whom contact information is listed below and has been provided via email and by posting the filing on a URL contained on our website <http://blointernetenforcement.com>, and a link to said website in the email provided by third-party, Amazon.

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32	NVP taianxianhongxiufuzhuangdian A2G8U488GPZJL9 a13604125188@163.com	Taianxianhongxiufuzhuangdian 繁荣街南段路冬纸箱回迁1号楼东 三单元101 台安县 鞍山市 辽宁省 CN 114100
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By: /s/ Shawn A. Mangano
Shawn A. Mangano (Bar No. 6299408)

**IN THE UNITED STATES DISTRICT COURT
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HONG KONG LEYUZHEN TECHNOLOGY
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THE INDIVIDUALS, CORPORATIONS,
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IDENTIFIED IN SCHEDULE “A” HERETO,

Defendants.

Case No.: 1:24-cv-03210-MMP-SMF

**Honorable Martha M. Pacold
Magistrate Sheila M. Finnegan**

**PLAINTIFF S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR ENTRY OF
DEFAULT JUDGMENT AGAINST THE IDENTIFIED DEFAULTED SCHEDULE “A”
DEFENDANTS PURSUANT TO FRCP 55(b)(2)**

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“Plaintiff”) hereby submits this Memorandum of Law in support of its Motion for Entry of Default Judgment (the “Motion”) pursuant to Federal Rule of Civil Procedure 55(b)(2) (“Rule 55(b)(2)”) against the identified Schedule “A” Defendants (the “Defaulted Defendants”), which have been separately listed in Exhibit “1” to the accompanying Declaration of Shawn A. Mangano, Esq. (the “Mangano Decl.”). Plaintiff’s Motion is made and based upon this Memorandum of Law, the Mangano Declaration, the Declaration of Liangjie Li (the “Li Decl.”), the papers and pleadings on file in this action, and any argument of counsel the Court may entertain.

I. INTRODUCTION

On September 19, 2024, the Court granted Plaintiff’s Motion for Entry of Clerk’s Default against the Defaulted Defendants. Dkt. No. 87. Pursuant to Rule 55(b)(2), Plaintiff now respectfully moves this Court for entry of a default judgment finding twenty-seven (27) of the

Defaulted Defendants liable on all counts asserted in Plaintiff's Complaint. Dkt. Nos. 1, 8. These asserted counts include claims for Copyright Infringement (Count I), False Designation of Origin under 35 U.S.C. 1125(a) (Count II), and violation of the Illinois Uniform Deceptive Trade Practices Act (the "Uniform Deceptive Trade Practices Act") (Count III). Dkt. Nos. 1, 8 at 8-13.

In connection with its asserted claims for relief, Plaintiff seeks an award of statutory damages pursuant to 17 U.S.C. 504(c) against all Defaulted Defendants, which should be enhanced, for their willful infringement of the following federally registered copyrights asserted in this action: (1) VA0002379881 (2) VA0002379894 (3) VA0002379895 and (4) VA0002379934 (the "Copyright Protected Images"). (Mangano Decl. 5.) Plaintiff additionally requests the Court issue a permanent injunction against the Defaulted Defendants. 17 U.S.C.

502(a). Furthermore, Plaintiff requests an award attorneys' fees and costs for the Defaulted Defendants' willful infringement of the company's Copyright Protected Images pursuant to 17 U.S.C. 505. Alternatively, Plaintiff requests issuance of a permanent injunction and an award of attorneys' fees and costs based on the Defaulted Defendants' willful violation of the Uniform Deceptive Trade Practices Act.

As alleged in the Complaint, the Defaulted Defendants have displayed, without authorization, the Copyright Protected Images on the Amazon.com online sales platform (the "Platform") to market and sell knockoff, counterfeit products resembling Plaintiff's authentic Rotita brand products, thereby deceiving public consumers as to the quality, nature, and source of goods being purchased. (Mangano Decl. 6.) Moreover, the Defaulted Defendants are alleged to be operating as part of a coordinated, sophisticated counterfeit product network that utilizes a common supply chain and manufacturing source to fulfill consumer orders for knockoff Rotita brand products by displaying, without authorization, Plaintiff's Copyright Protected Images on

their online storefronts. (Mangano Decl. 8, 11-12.) These circumstances clearly demonstrate the Defaulted Defendants have willfully and intentionally infringed Plaintiff's Copyright Protected images, thereby supporting the company's request for enhanced statutory damages and its entitlement to an award of attorneys' fees and costs under either the Copyright Act (17 U.S.C. 505) or the Uniform Deceptive Trade Practices Act (815 ILCS 510/3). (d.)

Procedurally, Rule 55(b)(2) provides for a court-ordered default judgment which establishes, as a matter of law, that defendants are liable to plaintiff on each cause of action alleged in the complaint. *d M*, 879 F.2d 1488, 1497 (7th Cir. 1989). When the Court determines that a defendant is in default, the factual allegations of the complaint are taken as true and may not be challenged, and the defendants are liable as a matter of law as to each cause of action alleged in the complaint. *, 22 F.3d 1395, 1399 (7th Cir. 1994)*. Plaintiff meets the requirements for entry of the requested default judgment under Rule 55(b)(2).

II. ARGUMENT

On September 19, 2024, the Court granted Plaintiff's Motion for Entry of Clerk's Default. Dkt. No. 87. Thus, the Defaulted Defendants' right to appear in this action and contest Plaintiff's asserted claims for relief have been precluded. *, 22 F.3d at 1399*. Given this procedural posture, the present Motion seeks to establish the Defaulted Defendants' liability for Plaintiff's asserted claims for relief against them. *Fed.R.Civ.P. 55(b)(2)*.

Specifically, Plaintiff's Motion seeks entry of a default judgment against the Defaulted Defendants determining them liable for Copyright Infringement (Count I), False Designation of Origin under 35 U.S.C. 1125(a) (Count II), and violation of the Uniform Deceptive Trade Practices Act (Count III) as asserted in the company's Complaint. Dkt. Nos. 1, 8 at 8-13. . As discussed below, Plaintiff is entitled to entry of a default judgment against the Defaulted

Defendants pursuant to Rule 55(b)(2) that awards the company enhanced statutory damages for willful copyright infringement, issuance of a permanent injunction for copyright infringement and/or violation of the Uniform Deceptive Trade Practices Act, and an award of attorneys' fees and costs for willful copyright infringement and/or their willful violation of the Uniform Deceptive Trade Practices Act.

A. Plaintiff is Entitled to Entry of the Requested Default Judgment.

Rule 55(b)(2) of the Federal Rules of Civil Procedure generally provides for entry of a court-ordered default judgment against one or more defending parties that failure to appear, answer, and/or defendant allegations asserted against them. Fed.R.Civ.P. 55(b)(2). A default judgment establishes, as a matter of law, that named, unresponsive, defendants are liable on each cause of action alleged against them in the complaint. *M*, 879 F.2d at 1497. When a court determines that a defendant is in default, the factual allegations of the complaint are taken as true and may not be challenged, and the defendants are liable as a matter of law as to each cause of action alleged in the complaint upon entry of default judgment. , 22 F.3d at 1399.

As noted above, on September 19, 2024, the Court granted Plaintiff's Motion for Entry of Clerk's Default against the Defaulted Defendants. Dkt. No. 87. Thus, default has already been entered against the Defaulted Defendants. Given the Court's entry of Default, Plaintiff is entitled to entry of a default judgment pursuant to Rule 55(b)(2) against the Defaulted Defendants for copyright infringement, false designation of origin, and violation of the Uniform Deceptive Trade Practice Act as asserted in the Complaint. Dkt. Nos. 1, 8 at 8-13.

As argued below, Plaintiff is entitled to the following remedies through the issuance of a default judgment against the Defaulted Defendants: (1) an award of statutory damages and profits for copyright infringement under 17 U.S.C. 504(c)(1) (2) an award of enhanced statutory

damages for willful infringement pursuant to 17 U.S.C. 504(c)(2) (3) entry of a permanent injunction pursuant to 17 U.S.C. 502(a) (4) alternatively, entry of a permanent injunction pursuant to 815 ILCS 510/3 and (5) an award of attorneys' fees and costs pursuant to 17 U.S.C.

505 for willful copyright infringement and/or for willful violation of the Uniform Deceptive Trade Practices Act pursuant to 815 ILCS 510/3. Plaintiff does not seek any relief related to its false designation of origin claim that such relief would be duplicative of the relief requested for willful copyright infringement and for violation of the Uniform Deceptive Trade Practices Act.

B. Plaintiff is Entitled to the Relief Requested.

Through entry of default Dkt. No. 87 , Plaintiff has established that all Defaulted Defendants: (1) are liable for intentionally and willfully infringing the Copyright Protected Images (2) are liable for false designation of origin and (3) have willfully violated the Uniform Deceptive Trade Practices Act. Dkt. Nos. 1, 8 at 8-13. As such, the only the following issues remain to be adjudicated through the Motion: (1) Plaintiff's entitlement to an award of statutory damages for infringement of the Copyright Protected Images (2) the company's request that any statutory damage award be enhanced based on the Defaulted Defendants' willful copyright infringement (3) the company's right to issuance of a permanent injunction against the Defaulted Defendants and (4) the propriety of an award of attorneys' fees and costs for the Defaulted Defendants' willful infringement of the Copyright Protected Images and/or their willful violation of the Uniform Deceptive Trade Practices Act. Plaintiff asserts that it is entitled to all relief requested through its Motion.

1. d r d r

Turning first to the request for an award of statutory damages under 17 U.S.C. 504(c)(1) against the Defaulted Defendants. Plaintiff is entitled to such relief for the Defaulted Defendants'

infringement of the company's Copyright Protected Images, which it maintains was done willfully and intentionally. (Mangano Decl. 8, 11-12.)

A copyright owner is entitled to recover the actual damages suffered for infringement, and any profits of the infringer that are attributable to the infringement and are not taken into account in computing the actual damages. 17 U.S.C. 504(b). In establishing the infringer's profits, the copyright owner is required to present proof only of the infringer's gross revenue, and the infringer is required to prove his or her deductible expenses and the elements of profit attributable to factors other than the copyrighted work. 17 U.S.C. 504(b). "Statutory damages have been held to be appropriate on a motion for default judgment because the defaulting party has the information needed to prove actual damages." *Mr. 771 F.Supp.2d 952, 956 (E.D. Wis. 2011)* and *Mr. 742 F.Supp.2d 118, 124-25 (D.D.C. 2010)* and *Mr. 591 F.Supp.2d 3, 8 (D.D.C. 2008)*.

First, Plaintiff has asserted a viable claim for infringement of the Copyright Protected Images. To prove copyright infringement, a plaintiff must show: "(1) ownership of a valid copyright and (2) copying of constituent elements of the work that are original."

482 F.3d 910, 914 (7th Cir. 2007). A certificate of copyright registration provides a strong presumption of validity. *Mr. 59 F.3d 719, 721 (7th Cir. 1995)*. Here, Plaintiff has alleged its ownership of the asserted. Copyright Protected Images in its Complaint Dkt. No. 1 at 9 and has supplied the Court with a summary of all registrations issued by the United States Copyright Office Dkt. No. 1, Ex. 1. Moreover, Plaintiff has set forth considerable factual allegations establishing the Defaulted Defendants have infringed the company's Copyright Protected Images. Dkt. Nos. 1, 8 at 15-34. Accordingly, Plaintiff has

established that the Defaulted Defendants have infringed the company's Copyright Protected Images.

Next, Plaintiff is entitled to an award of statutory damages given the circumstances in this action. An award of statutory damages is appropriate because actual damages "are often virtually impossible to prove" 771 F.Supp.2d at 956. In awarding statutory damages, the court is not required to follow any rigid formula. *Id.* (citing *Meridian*, 930 F.2d 1224, 1229 (7th Cir. 1991)). Instead, the court enjoys wide discretion in setting a statutory damage award within the prescribed range from 750 to 30,000 per infringement. *Id.* *Meridian*, 930 F.2d at 1229. The court may consider such factors as the difficulty or impossibility of proving actual damages, the circumstances of the infringement, and the efficacy of the damages as a deterrent to future copyright infringement.

Meridian, 930 F.2d at 1229.

Plaintiff has established unquestionably viable copyright infringement claims in this case. Most notably, Plaintiff secured entry of a preliminary injunction in this case. Dkt. No. 71. This ruling is consistent with Judge Kennelly's issuance of preliminary injunctive relief in Plaintiff's favor against defendants engaged in identical acts of intentional copyright infringement on the same Platform in what he considered to be one of the most contested Schedule "A" cases he had encountered in recent memory. (Mangano Decl. 9.) Following Judge Kennelly's decision, defendants in other pending actions brought by Plaintiff, including the Defaulted Defendants in this action, have simply failed to appear and defend. (*Id.*) The Defaulted Defendants' refusal to appear and defend against the asserted claims, however, has deprived Plaintiff of the ability to present evidence concerning verifiable infringing sales or costs associated with such sales. (*Id.* 7.)

Specifically, Plaintiff has neither obtained, nor are the Defaulted Defendants participating in these proceedings, so that the Court can be provided with the infringers' deductible expenses related to the sale of the counterfeit products associated with the unauthorized use and display of the company's Copyright Protected Images. 17 U.S.C. 504(b). As such, there is no verifiable information concerning the Defaulted Defendants' gross infringing sales of their knockoff products or the associated deductible expenses from same. (Mangano Decl. 7.) Moreover, while Plaintiff can estimate the range of the Defaulted Defendants' net profits from their infringing sales, this estimate is highly speculative and cannot affirmatively account for the advertising expenses saved through the unauthorized use and display of the company's Copyright Protected Images for which it has created at considerable expense. (Li Decl. 11.) Accordingly, an award of statutory damages is appropriate because actual damages are "virtually impossible to prove . . ." in this case. 771 F.Supp.2d at 956.

Given the foregoing circumstances, and the nature of the Defaulted Defendants' conduct, Plaintiff asserts that it is entitled to an award of statutory damages in the amount of 5,000.00 per Defaulted Defendant per infringed Copyright Protected Image in this action. (Mangano Decl. 12, Ex. 1.) First, the Defaulted Defendants were provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend, which resulted in the Court ordering Entry of Clerk's Default against them. Dkt. No. 87. As a result of the Defaulted Defendants' intentional decision not to appear and defend this action, Plaintiff has been deprived of a meaningful opportunity to assess the true nature of its actual damages. (Mangano Decl. 7.) Moreover, Plaintiff has expended considerable capital in securing registration of the Copyright Protected Images and advertising its brand in the United States and in the State of Illinois. (Li Decl. 10.) This includes spending over 80,000 to secure the company's copyright registrations

with the United States Copyright Office and spending approximately 8,000,000 to 12,000,000 annually to advertise and promote its Rotita brand in the United States. (Li Decl. 10.) These facts unquestionably support Plaintiff's request for an award of 5,000.00 in statutory damages per infringed Copyright Protected Image per Defaulted Defendant.

Next, the circumstances of the Defaulted Defendants' infringement clearly support awarding the requested statutory damage award against them. It is without question that the Defaulted Defendants have engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Images. In this regard, Plaintiff's Copyright Protected Images, often representing recent product releases, have almost instantaneously appeared on the Defaulted Defendants' online stores maintained with the Platform. (Li Decl. 7.) Moreover, the Defaulted Defendants have unquestionably been operating their online stores using the misappropriated Copyright Protected Images through a sophisticated counterfeit network utilizing a highly developed supply chain capable of supplying thousands of knockoff products featuring an array of Plaintiff's textile patterns and designs that could not otherwise be accomplished on an individual basis. (Mangano Decl. 8, 11.) Accordingly, the Defaulted Defendants unquestionably intentionally, and willfully, infringed Plaintiff's Copyright Protected Images in order to sell their knockoff products, thereby justifying an award of statutory damages.

Based on the foregoing, Plaintiff respectfully requests the Court award 5,000.00 in statutory damages against each of the Defaulted Defendants for each infringement of the Copyright Protected Images. As set forth in Plaintiff's supporting documentation, the Defaulted Defendants in this action should be found liable for 5,000.00 because of their infringements of the Copyright Protected Images. (Mangano Decl. 12, Ex. 1.) Accordingly, Plaintiff respectfully requests the Court an award of statutory damages for copyright infringement under 17 U.S.C. 504(c)(1) in an

amount not less than 5,000.00 per Defaulted Defendant per infringed Copyright Protected Image. (Mangano Decl. 12, Ex. 1)

d d r d

Next, the circumstances of the Defaulted Defendants' infringement clearly support awarding an enhanced statutory damage award of, at least, treble damages against them. Simply put, the Defaulted Defendants' infringing conduct in this action is unquestionably willful, thereby justifying enhanced damages under 17 U.S.C. 504(c)(2).

It is without question that the Defaulted Defendants have engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Images. (Mangano Decl. 8, 11-12.) In this regard, Plaintiff's Copyright Protected Images, often representing recent product releases, have almost instantaneously appeared on the Defaulted Defendants' online stores maintained with the Platform. (Li Decl. 7.) Moreover, the Defaulted Defendants have clearly been operating their online stores using the misappropriated Copyright Protected Images through a sophisticated counterfeit network utilizing a highly developed supply chain capable of supplying thousands of knockoff products featuring an array of Plaintiff's textile patterns and designs that could not otherwise be accomplished on an individual basis. (Mangano Decl. 8, 11-12)

In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulted Defendants, have been acting through their counterfeit network to actively monitor and post information on the Plaintiff's pending cases on the website www.SellerDefense.Cn. (Mangano Decl. 8.) This has apparently been done to advise defendants in all pending actions of Plaintiff's successful prosecution of its claims, and the viability of appearing and asserting potential defenses. (d) These circumstances reveal an overall strategy by all non-appearing defendants, including the Defaulted Defendants, to simply cut their losses where

Plaintiff has a high likelihood of success, abandon any online platform restrained funds, and bask in the security that any judgment issued against them will almost certainly not be collectable in the Republic of China. (Mangano Decl. 8.) Such circumstances support awarding Plaintiff enhanced statutory damages in this action. M 930 F.2d at 1229.

The facts presented further support awarding the enhanced statutory damages against the Defaulted Defendants on the grounds that they should serve as a deterrent to future conduct. d at 1229-30. Simply put, the Defaulted Defendants are watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district. (Mangano Decl. 8.) At first, all named defendants in Plaintiff's copyright enforcement actions would vigorously fight the allegations against them until Judge Kennelly issued a preliminary injunction in Plaintiff's favor after a highly contested in-person hearing, which has resulted the Defaulted Defendants, and defendants in other pending actions commenced by Plaintiff, electing not to appear and defend. (d 9.) Simply put, the Defaulted Defendants, as with other similarly situated defendants, have simply taken the apparent position that any recovery issued by a court is only executable against their restrained asserts on the named online platform. (d.) This conduct demonstrates an intentional wiliness to ignore the Court's authority to impose significant statutory damages in this action to send a message to the Defaulted Defendants, and all other similar infringers, that they will incur substantial liability for their actions. In doing so, hopefully the Defaulted Defendants, or other similar infringers monitoring this case, will post this anticipated reward on the www.SellersDefense.Cn website as notice of the consequences for their intentional, and orchestrated actions.

Based on the foregoing, Plaintiff respectfully requests the Court award enhanced statutory damages of not less than treble the requested statutory damages of 5,000.00 per Defaulted

Defendant per infringed Copyright Protected Work, which represents an award of 15,000.00 for each Defaulted Defendant per infringed work. As set forth in Plaintiff's supporting documentation, the twenty-seven (27) Defaulted Defendants in this action should be found liable for 15,000 each because of their willful infringement for each of the four (4) Registered Copyrights in this action independent infringements of the Copyright Protected Images. (Mangano Decl. 12, Ex. 1) Accordingly, Plaintiff respectfully requests the Court enter an award of 5,000.00 in statutory damages per Defaulted Defendant per infringed Copyright Protected Image, which should be enhanced for willful infringement to 15,000.00 per Defaulted Defendant per infringed Copyright Protected Work, pursuant to 17 U.S.C. 504(c)(2).

d r

Next, Plaintiff is entitled to entry of a permanent injunction against the Defaulted Defendants. This request is justified under either 17 U.S.C. 502(a) or, alternatively, under the Uniform Deceptive Practices Act pursuant to 815 ILCS 510/3.

First, the Court has already determined that Plaintiff is entitled to preliminary injunctive relief in this action, which includes issuance against the Defaulted Defendants. Dkt. No. 71. Nothing has occurred since entry of the preliminary injunction that would alter or prohibit entry of a permanent injunction against the non-appearing Defaulted Defendants. In short, the compelling fact presented to the Court that justified entry of preliminary injunctive relief stand unchallenged by the Defaulted Defendants and, subsequently, their right to appear and contest this decision has been cut-off by entry of default. Dkt. No. 87. As such, Plaintiff's right to permanent injunctive relief under 17 U.S.C. 502(a) or, alternatively, under the Uniform Deceptive Practices Act pursuant to 815 ILCS 510/3, is uncontested and supported by the substantial evidentiary record previously provided to the Court when preliminary injunctive relief was issued.

Accordingly, Plaintiff is entitled to issuance of permanent injunctive relief against the Defaulted Defendants.

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Plaintiff is also entitled to an award of attorneys' fees and costs against the Defaulted Defendants. Such relief should be granted pending Plaintiff moving the Court for a specific award pursuant to its submission of a "Fee Award" pursuant to LR 54.3.

Plaintiff's request for an award of attorneys' fees and costs is two-fold. First, such an award is warranted based on issuance of enhanced statutory damages based on the Defaulted Defendants' willful infringement of the company's Copyright Protected Images. 17 U.S.C. 505. Second, and alternatively, Plaintiff is entitled to an award of attorneys' fees and costs based on the Defaulted Defendants' willful violation of the Uniform Deceptive Trade Practices Act. 815 ILCS 510/3. Under either statutory provision, the facts presented clearly justify the willful infringement and violation of Plaintiff's federally secured rights in and to the Copyright Protected Images, which have been done to deceive the consuming public. (Mangano Decl. 8, 11-12.) Accordingly, Plaintiff is entitled to an award of attorneys' fees and costs, subject to the company filing a "Fee Award" pursuant to LR 54.3

III. CONCLUSION

Based on the foregoing, Plaintiff respectfully request entry of default judgment against the Defaulted Defendants pursuant to Rule 55(b)(2). In granting its request, Plaintiff asks the Court to award the following: (1) statutory damages in the amount of 5,000.00 per Defaulted Defendant per infringed Copyright Protected Image pursuant to 17 U.S.C. 504(c)(1) (2) enhanced statutory damages of 15,000.00 per Defaulted Defendant per infringed Copyright Protected Image based on their willful infringement pursuant to 17 U.S.C. 504(c)(2) (3) issuance of a permanent injunction against the Defaulted Defendants pursuant to 17 U.S.C. 502(a) or, alternatively, under

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. Notice of this filing is provided to unrepresented parties for whom contact information is listed below and has been provided via email and by posting the filing on a URL contained on our website <http://blointernetenforcement.com>, and a link to said website in the email provided by third-party, Amazon.

No.	Seller Contact	Seller Information
4	DIOB huanxingkuajing A3JQEG5JKQHGS2 guoshuiyan0309@outlook.com	Shanxihuanxingkuajingdianzishangwuyouxiangongsi 学府产业园亚日街中博信息产业园 A栋2 -4层东亿众创 空间第3217号工位 转型综合改革示范区 太原市 山西省 CN 030000
5	Dninmim Shuang.L AB8BULHV18WM2 lishuanghhw@outlook.com	Qichunxianshuangshuangfuzhuangdian 蕲春县大同镇南冲村 二组27号一楼 (自主申报) 黄冈 湖北 CN 435334
6	DONGCY ZhuangHuangWuZ A3JQEG5JKQHGS2 guoshuiyan0309@outlook.com	Shanxihuanxingkuajingdianzishangwuyouxiangongsi 学府产业园亚日街中博信息产业园 A栋2 -4层东亿众创 空间第3217号工位 转型综合改革示范区 太原市 山西省 CN 030000
8	FloHua 🇨🇳🇨🇳🇨🇳 Made in China and 7-14 Days Delivery. Women's Bikini Sets A398J9RWTCIC9P yevaodianz@yeah.net	Guangzhouyeyaodianziyouxiangongsi 下塘东约直街二巷8号 越秀区 广州市 广东省 CN 510030
22	GILIOS anyanghangzhenshangm A1QWOX0VG5HXKL ayhzzsm123@163.com	Anyanghangzhenshangmaoyouxiangongsi 汽车南站办公楼三层320 高新区长江大道与曙光路交叉口向东200米路南 安阳市 河南 CN 455000
25	HCJKDU ADTDVL2IXEFKH ojshsk@126.com	guang zhou li dong fu zhuang you xian gong si 5800 No. 3 Road Richmond, BC V6Y 2C1 天河区 RICHMOND BC, CA V6Y 2C1
26	HXSZWJJ A1503NY3CRTUR3 qfymxqq@163.com	Jingjiangshiqijidianzishangwuyouxiangongsi 六圩村2组3号 西来镇 靖江市 江苏省 CN 214500
28	Lewey LEWISH A2LF9L489Z7WH5 wish3121@outlook.com	Huizhou Xiaoluohao Trading Co., Ltd 陈江街道曙光路208号海伦香洲花园 9栋1704房 仲恺高新区 惠州市 广东省 CN 516029

No.	Seller Contact	Seller Information
29	LOMDEM fantasone A1NMJHZUHYG5PN jillcannonlove@gmail.com	Dongguanshisenpaixinxikejiyouxiangongsi 道滘镇闸口村振兴北六路 20号二楼 东莞市 广东 CN 523170
32	NVP taianxianhongxiufuzhuangdian A2G8U488GPZJL9 a13604125188@163.com	Taianxianhongxiufuzhuangdian 繁荣街南段路冬纸箱回迁1号楼东 三单元101 台安县 鞍山市 辽宁省 CN 114100
38	SCOMIN taiandejukejiyouxiang A1HEYD2UQ1IPTL 13942785110@163.com	Taiandejukejiyouxiangongsi 台安县 金帝家园东120米40号门市 鞍山市 辽宁 CN 114100
39	SIUBICH anruioo A3DBQZSFA9OUOV gressild13@163.com	Wuhanzengguangxushangmaoyouxiangongsi lianchiquchangchengnandajie2048hao BAODING HEBEI CN 071000
48	HUITKMM A1QMYUAB1IF35J cjwcjwdgs@aliyun.com	Guangzhoushiwentingdianzikejiyouxiangongsi 白云区棠景路88号8楼 A0712房 广州市 广东省 CN 510403
60	FABROX shileduoshengwuk A3SR2VO9HJGBR7 lhongyan0508@163.com	yongchengshishileduoshengwukejifuwuyouxiangongsi 永城市 民生路富景国际南门面79号 商丘市 河南省 476600
68	GREEVC SPLENDID SHINE A1OAR100VVDB7V 1143622194@qq.com	Taiyuanshihuahuidianzishangwuyouxiangongsi 尖草坪区南寨街办新兰路62号 5幢2单元19层1903号 太原市 山西 CN 030008
78	Oudemi Danswen A1SV2HCRGTNI7J 1412187969@qq.com	liangjiangxinquyierpinfuzhuangdian 东林街道 铁路一村煤苑小区92号附3号4-1 万盛经开区 重庆 重庆 CN 400800
81	Ruixinxue huixin Fashion A3H3NZLLQ70ODG huige369@outlook.com	shenzhenjinhuixinwangluokejiyouxiangongsi longhuaquxiayousongxincun 29dong201shi (hao) SHENZHENSHI GUANGDONGSHENG CN 518000
85	STKOOBQ Smilvy ABL2B3HZBDRGA qiongying@tom.com	SHENZHENSHI SHAGENKEJI YOUXIANGONGSI LONGHUAJIEDAO DONGHUANYILU FUKANGDASHASILOU4035B SHENZHENSHI LONGHUAQU GUANGDONG CN 518131
89	VSERETLOON lingliufushijingpindian A1LOKXJ7HRZE5D jdkfe52418@163.com	xiangchengshizhoujidianzikejiyouxiangongsi 丁营村4号院 孙店镇 项城市 河南省 CN 466200
94	Bebiullo bebiullo-Apparel A3IP4LBRA1QBL0 peoplespend@163.com	jinanfangtingdianzixinxikejiyouxiangongsi jinanpianquxinluodajie1299 haoxinshengdashayihailou6A1 ZIYOUMAOYISHIYANQU SHANDONG CN 250101
95	Beverly Store Etily A12HMN9RBHO7D5 1773801176@qq.com	ETILY room302,honglianli no 102,siming district,xiamen CHINA/FUJIAN/XIAMEN CN 361009
98	CDZL shihongrong shop shihongrong A1WT7FS77YP1MX xiaoxiaot32@163.com	shenzhenshikerongnagongyipinyouxiangongsi fukangshequyidehangongyechangqubangonglou 5dong802 SHENZHENSHI GUANGDONGSHENG CN 518109

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE "A" HERETO,

Defendants.

Case No.: 1:24-cv-03210-MMP-SMF

**Honorable Martha M. Pacold
Magistrate Sheila M. Finnegan**

**DECLARATION OF SHAWN A. MANGANO IN SUPPORT OF
MOTION FOR DEFAULT JUDGMENT**

I, Shawn A. Mangano, of the City of Las Vegas, in the State of Nevada, declare as follows:

1. Except as otherwise expressly stated to the contrary, this declaration is based upon my personal knowledge of the following facts and, if called as a witness, I could and would competently testify to the statements made herein.

2. I make this declaration in support of Plaintiff's Motion for Default Judgment against the non-appearing Defendants Identified in Schedule "A" (the "Motion") against which the Court has previously granted Entry of Clerk's Default on September 19, 2024 Dkt. No. 87 against said Defendants (the "Defaulted Defendants").

3. I am an attorney at law, duly admitted to practice before the Courts of the State of Illinois and the United States District Court for the Northern District of Illinois. I am lead counsel for Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. ("Plaintiff"). I make this declaration from my matters within my own knowledge unless stated otherwise.

4. I hereby certify that the Defaulted Defendants (as defined in the accompanying Memorandum) have failed to plead or otherwise defend this action within the allotted time in violation of Federal Rule of Civil Procedure 12(a)(1)(A). As a result, the Court ordered Entry of Clerk's Default on September 19, 2024 against the Defaulted Defendants. Dkt. No. 87. Accordingly, the Defaulted Defendants are deemed liable to Plaintiff for its asserted claims for relief for Copyright Infringement (Count I), False Designation of Origin under 35 U.S.C. 1125(a) (Count II), and violation of the Illinois Uniform Deceptive Trade Practices Act (the "Uniform Deceptive Trade Practices Act") (Count III). Dkt. No. 1 at 8-13.

5. Plaintiff's asserted claims for relief in this action involve the intentional, willful infringement of the following federally registered copyright protected images: (1) VA0002379881 (2) VA0002379894 (3) VA0002379895 and (4) VA0002379934 (the "Copyright Protected Images").

6. As alleged in the Complaint, the Defaulted Defendants have displayed, without authorization, the Copyright Protected Images on the Amazon.com online sales platform (the "Platform") to market and sell knockoff, counterfeit products resembling Plaintiff's authentic Rotita brand products through their online stores (the "Online Stores"), thereby deceiving public consumers as to the quality, nature, and source of goods being purchased.

7. Plaintiff is entitled to a statutory damage award of 5,000.00 per Defaulted Defendant per infringed Copyright Protected Image in this action. First, the Defaulted Defendants were provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend, which resulted in the Court ordering Entry of Clerk's Default against them. Dkt. No. 87. As a result of the Defaulted Defendants' intentional decision not to appear and defend this action, Plaintiff has been deprived of a meaningful opportunity to assess the true nature of its actual

damages. This uncertainty supports Plaintiff's requested statutory damages against the Defaulted Defendants.

8. In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulted Defendants, have been acting through their counterfeit network to actively monitor and post information on the Plaintiff's pending cases on the website www.SellerDefense.Cn. This has apparently been done to advise defendants in all pending actions of Plaintiff's successful prosecution of its claims, and the viability of appearing and asserting potential defenses. These circumstances reveal an overall strategy by all non-appearing defendants, including the Defaulted Defendants, to simply cut their losses where Plaintiff has a high likelihood of success, abandon any online platform restrained funds, and bask in the security that any judgment issued against them will almost certainly not be collectable in the Republic of China. Simply put, the Defaulted Defendants are watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district.

9. At first, all named defendants in Plaintiff's copyright enforcement actions would vigorously fight the allegations against them, which resulted in Judge Kennelly in a parallel copyright enforcement action brought by Plaintiff concerning the same Platform that he felt compelled to set an in person hearing on the company's request for a preliminary injunction because "this Court had never seen the number of filings by opposing counsel in any other Schedule A' case before him."

Case No. 1:24-cv-02939-MFK-BWJ Dkt. No. 80 . Oral argument in that case was handled exclusively by Joseph Droter, Esq. Since Plaintiff prevailed in obtaining preliminary injunctive relief in its case pending before Judge Kennelly, the named Schedule "A" defendants in other pending actions have either elected to settle, or as with the Defaulted Defendants, simply failed to

appear and have apparently taken the position that any recovery issued by a court is only executable against their restrained assets on the named online platform.

10. To maximize the deterrent effect of the Court's anticipated default judgment, Plaintiff is asking that statutory damages be imposed on each individual Defaulted Defendant for each alleged infringement of the Copyright Protected Images. Such an award precludes the Defaulted Defendants from shielding themselves from monetary responsibility for the collective infringement of common Copyright Protected Images. *r M* 986 F.3d 1253, 1264-1272 (9th Cir. 2021). Rather, Plaintiff expressly requests that each of the Defaulted Defendants, individually, be assessed a statutory damage award of 5,000 for their infringement of the Copyright Protected Images.

11. Plaintiff has alleged, and has offered proof, that the Defaulted Defendants have not only engaged in the infringement of the Copyright Protected Images, but they have done so through a highly sophisticated counterfeit network. Moreover, the basic nature of the copyright infringement scheme employed demonstrates that the Defaulted Defendants not only knew of the impropriety of their conduct but had to implement their counterfeit scheme through sophisticated sources and established supply chains. This is the only possible scenario under which the Defaulted Defendants could immediately procure, without authorization, Plaintiff's new copyright protected product images and offer them for sale through their online stores.

12. The presented facts not only establish the Defaulted Defendants' knowledge and intentional infringement of Plaintiff's Copyright Protected Images. Accordingly, Plaintiff should be awarded statutory damages in the amount of 5,000 with treble the enhancement to 15,000 per Defaulted Defendant per infringed work based their willful infringement of the Copyright Protected Images. Attached hereto as Exhibit "1" is a chart listing all Defaulted Defendants, the

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November 2024, I electronically filed the foregoing using the electronic case filing system. Notice of this filing is provided to unrepresented parties for whom contact information is listed below and provided via email and by posting the filing on a URL contained on our website <http://blointernetenforcement.com>, and a link to said website in the email provided by third-party, Amazon.

No.	Seller Contact	Seller Information
4	DIOB huanxingkuajing A3JQEG5JKQHGS2 guoshuiyan0309@outlook.com	Shanxihuanxingkuajingdianzishangwuyouxiangongsi A 2 -4 3217 CN 030000
5	Dninmim Shuang.L AB8BULHV18WM2 lishuangghw@outlook.com	Qichunxianshuangshuangfuzhuangdian 27 CN 435334
6	DONGCY ZhuangHuangWuZ A3JQEG5JKQHGS2 guoshuiyan0309@outlook.com	Shanxihuanxingkuajingdianzishangwuyouxiangongsi A 2 -4 3217 CN 030000
8	FloHua Made in China and 7-14 Days Delivery. Women's Bikini Sets A398J9RWTIC9P yeyaodians@yeah.net	Guangzhouyeyaodianziyouxiangongsi 8 510030 CN
22	GILIOS anyanghangzhenshangm A1QWOX0VG5HXKL ayhzsm123@163.com	Anyanghangzhenshangmaoyouxiangongsi 320 200 CN 455000
25	HCJKDU ADTDVL2IXEFKH ojshsk@126.com	guang zhou li dong fu zhuang you xian gong si 5800 No. 3 Road Richmond, BC V6Y 2C1 RICHMOND BC, CA V6Y 2C1
26	HXSZWJJ A1503NY3CRTUR3 qfymxqq@163.com	Jingjiangshiqjjdianzishangwuyouxiangongsi 2 3 CN 214500
28	Lewey LEWISH A2LF9L489Z7WH5 wish3121@outlook.com	Huizhou Xiaoluohao Trading Co., Ltd 208 9 1704 CN 516029

No.	Seller Contact	Seller Information
29	LOMDEM fantasone A1NMJHZUHYG5PN jillcannonlove@gmail.com	Dongguanshisenpaixinxikejiyouxiangongsi 20 CN 523170
32	NVP taianxianhongxiufuzhuangdian A2G8U488GPZJL9 a13604125188@163.com	Taianxianhongxiufuzhuangdian ⅤⅤ 1 101 CN 114100
38	SCOMIN taiandejukejiyouxiang A1HEYD2UQ1IPTL 13942785110@163.com	Taiandejukejiyouxiangongsi 120 40 CN 114100
39	SIUBICH anruioo A3DBQZSFA9OUOV gressild13@163.com	Wuhanzengguangxushangmaoyouxiangongsi lianchiquchangchengnandajie2048hao BAODING HEBEI CN 071000
48	HUITKMM A1QMYUAB1IF35J cjwcjwdgs@aliyun.com	Guangzhoushiwentingdianzikejiyouxiangongsi 88 8 A0712 CN 510403
60	FABROX shileduoshengwuk A3SR2VO9HJGBR7 lhongyan0508@163.com	yongchengshishileduoshengwukejifuwuyouxiangongsi 79 476600
68	GREEVC SPLENDID SHINE A1OAR100VVDB7V 1143622194@qq.com	Taiyuanshihuhuidianzishangwuyouxiangongsi 62 5 2 19 1903 CN 030008
78	Oudemi Danswen A1SV2HCRGTNI7J 1412187969@qq.com	liangjiangxinquyierpinfuzhuangdian 92 3 4-1 CN 400800
81	Ruixinxue huixin Fashion A3H3NZLLQ70ODG huige369@outlook.com	shenzhenjinhuixinwangluokejiyouxiangongsi longhuaquxiayousongxincun 29dong201shi hao SHENZHENSHI GUANGDONGSHENG CN 518000
85	STKOOBQ Smilvy ABL2B3HZBDRGA qiongying@tom.com	SHENZHENSHI SHAGENKEJI YOUXIANGONGSI LONGHUAJIEDAO DONGHUANYILU FUKANGDASHASILOU4035B SHENZHENSHI LONGHUAQU GUANGDONG CN 518131
89	VSERETLOON lingliufushijingpindian A1LOKXJ7HRZE5D jdkfe52418@163.com	xiangchengshizhoujidianzikejiyouxiangongsi 4 CN 466200
94	Bebiullo bebiullo-Apparel A3IP4LBRA1QBL0 peoplespend@163.com	jinanfangtingdianzixinxikejiyouxiangongsi jinanpianquxinluodajie1299 haoxinhengdashayihaolou6A1 ZIYOUMAOYISHIYANQU SHANDONG CN 250101

No.	Seller Contact	Seller Information
95	Beverly Store Etily A12HMN9RBHO7D5 1773801176@qq.com	ETILY room302,honglianli no 102,siming district,xiamen CHINA/FUJIAN/XIAMEN CN 361009
98	CDZL shihongrong shop shihongrong A1WT7FS77YP1MX xiaoxiaot32@163.com	shenzhenshikerongnagongyipinyouxiangongsi fukangshequyidehanggongyechangqubangonglou 5dong802 SHENZHENSHI GUANGDONGSHENG CN 518109
99	DUOBEY ZJDDDDJQZ-US A2A8VBINQ7ILFC zjdwjhb2023@outlook.com	Taiyuanshiyingzequdijiabaihuodian 69 CN 033200
116	Pretifulce Xiart-5-15 Days Standard Shipping A2HA4DSN3U3P0V xin_ruiyang@126.com	ShenZhenShiXinRuiYangJiaJuYongPinYouXianGongSi LongHuaQuGuanHuJieDaoSongYuanShaSheQu DaBuTouLu330HaoBaiBangGongYeYuanAdong102 SHENZHENSHI CN 518109
122	TIAFORD MyLifeGetingbest A3RLN2SCP6AJHW mylifegetingbest@163.com	chengdulixiangjudianwangluokejiyouxiangongsi jinjiangquxiangshulinxiaoqu1qinanyuan7-2314 CHENGDU SHI SICHUANSHENG CN 610000
123	TRENIS Wenmuriyongpinbaihuo A2G5FDR7ZDZ8PL liuh20230329@163.com	erdaoquwenmuriyongpinbaihuojingxiaochu 2 13 1 701 CN 130032
127	ViYW Kexdaaf A8QH02NJ5NLW9 kexinda@outlook.com	shenzhenshikexindazhaomingdianqiyouxiangongsi longgangqu bantianjiedao maantang shequ hebei bulonglu 554hao yilou102A SHENZHENSHI GUANGDONGSHENG CN 518129

By: _____ M _____
Shawn A. Mangano (Bar No. 6299408)

EXHIBIT 1

Hong Kong Leyuzhen Technology Co. Limited v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A
CASE NO. 1:24-cv-03210-MMP-SMF

DEFAULTED DEFENDANTS 2

No	Name	Infringement	Amount Re-estimated for Each Infringement	Enhanced 3 for Willful Infringement Total Re-estimated
4	DIOB huanxingkuajing A3JQEG5JKQHGS2	VA0002379881	5 000.00	Total: 15 000.00
5	Dninmim Shuang.L AB8BULHV18WM2	VA0002379881	5 000.00	Total: 15 000.00
6	DONGCY ZhuangHuangWuZ A3JQEG5JKQHGS2	VA0002379881	5 000.00	Total: 15 000.00
8	FloHua Made in China and 7-14 Days Delivery. Women's Bikini Sets A398J9RWTIC9P	VA0002379881	5 000.00	Total: 15 000.00
22	GILIOS anyanghangzhenshangm A1QWOX0VG5HXKL	VA0002379881	5 000.00	Total: 15 000.00
25	HCJKDU ADTDVL2IXEFKH	VA0002379881	5 000.00	Total: 15 000.00
26	HXSZWJJ A15O3NY3CRTUR3	VA0002379881	5 000.00	Total: 15 000.00
28	Lewey LEWISH A2LF9L489Z7WH5	VA0002379881	5 000.00	Total: 15 000.00
29	LOMDEM fantasone A1NMJHZUHYG5PN	VA0002379881	5 000.00	Total: 15 000.00
32	NP tai anxianhongxiufuzhuangdian A2G8U488GPZJL9	VA0002379881	5 000.00	Total: 15 000.00
38	SCOMIN tai andejukejiyouxiang A1HEYD2UQ1IPTL	VA0002379881	5 000.00	Total: 15 000.00
39	SIUBICH anruioo A3DBQZSFA9OUOV	VA0002379881	5 000.00	Total: 15 000.00
48	HUITKMM A1QMYUAB1IF35J	VA0002379881	5 000.00	Total: 15 000.00
60	FABROX shileduoshengwuk A3SR2VO9HJGBR7	VA0002379894	5 000.00	Total: 15 000.00

Hong Kong Leyuzhen Technology Co. Limited v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A
CASE NO. 1:24-cv-03210-MMP-SMF

DEFAULTED DEFENDANTS 2

No	Name	Infringement	Amount Re-estimated for Each Infringement	Enhanced 3 for Willful Infringement Total Re-estimated
68	GREEVC SPLENDID SHINE A1OAR100VVDB7V	VA0002379894	5 000.00	Total: 15 000.00
78	Oudemi Danswen A1SV2HCRGTNI7J	VA0002379894	5 000.00	Total: 15 000.00
81	Ruixinxue huixin Fashion A3H3NZLLQ70ODG	VA0002379894	5 000.00	Total: 15 000.00
85	STKOOBQ Smilvy ABL2B3HZBDRGA	VA0002379894	5 000.00	Total: 15 000.00
89	VSERETLOON lingliufushijingpindian A1LOKXJ7HRZE5D	VA0002379894	5 000.00	Total: 15 000.00
94	Bebiullo bebiullo-Apparel A3IP4LBRA1QBL0	VA0002379895	5 000.00	Total: 15 000.00
95	Beverly Store Etily A12HMN9RBHO7D5	VA0002379895	5 000.00	Total: 15 000.00
98	CDZL shihongrong shop shihongrong A1WT7FS77YP1MX	VA0002379895	5 000.00	Total: 15 000.00
99	DUOBAY ZJDDDDJQZ-US A2A8VBINQ7ILFC	VA0002379895	5 000.00	Total: 15 000.00
116	Pretifulce Xiart-5-15 Days Standard Shipping A2HA4DSN3U3P0V	VA0002379895	5 000.00	Total: 15 000.00
122	TIAFORD MyLifeGetingbest A3RLN2SCP6AJHW	VA0002379895	5 000.00	Total: 15 000.00
123	TRENIS Wenmuriyongpinbaihuo A2G5FDR7ZDZ8PL	VA0002379895	5 000.00	Total: 15 000.00
127	ViYW Kexdaaf A8QH02NJ5NLW9	VA0002379895	5 000.00	Total: 15 000.00
				405 000.00

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

THE INDIVIDUALS, CORPORATIONS,
LIMITED LIABILITY COMPANIES,
PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED IN SCHEDULE "A" HERETO,

Defendants.

Case No.: 1:24-cv-03210-MMP-SMF

Honorable Martha M. Pacold

Magistrate Sheila M. Finnegan

DECLARATION OF LIANGJIE LI
IN SUPPORT OF PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

I, Liangjie Li, of Hong Kong, a special administrative region of the People's Republic of China, declare as follows:

1. Except as otherwise expressly stated to the contrary, this declaration is based upon my personal knowledge of the following facts and, if called as a witness, I could and would competently testify to the statements made herein.

2. I make this declaration in support of Plaintiff's Motion for Default Judgment (the "Motion").

3. I am the Chief Operations Officer for Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. ("Plaintiff"). I make this declaration from my matters within my own personal knowledge unless stated otherwise.

4. Plaintiff markets and sells women's clothing and related items under the "Rotita" brand name ("Rotita").

5. Rotita is an extremely well-known source of women's clothing in the United States and has been the subject of rampant counterfeit sales through online platforms such as Amazon, Temu, Alibaba, eBay, Aliexpress, and Walmart (the "Platform"), which is the online sales platform at issue in this action. These are the six largest online retailers in the World – and Plaintiff does not sell its products through any one of them. Rather, Plaintiff only sells its genuine Rotita brand products through its website rotita.com.

6. Plaintiff seeks an award of actual damages and profits made by all defaulted Schedule "A" Defendants (the "Defaulted Defendants") in this action. The Defaulted Defendants are accused of intentionally and willfully infringing Plaintiff's following federally registered copyrights asserted in this action: (1) VA0002379881; (2) VA0002379894; (3) VA0002379895; and (4) VA0002379934 (the "Copyright Protected Images").

7. It is without question that the Defaulted Defendants have engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Images. In this regard, Plaintiff's Copyright Protected Images, often representing recent product releases, have almost instantaneously appeared on the Defaulted Defendants' online stores maintained with the Platform (the "Online Stores"). Moreover, the Defaulted Defendants have unquestionably been operating their Online Stores using the misappropriated Copyright Protected Images through a sophisticated counterfeit network utilizing a highly developed supply chain capable of supplying thousands of knockoff products featuring an array of Plaintiff's textile patterns and designs that could not otherwise be accomplished on an individual basis.

8. The basic nature of the copyright infringement scheme employed demonstrates that the Defaulted Defendants not only knew of the impropriety of their conduct but had to implement their counterfeit scheme through sophisticated sources and established supply chains. This is the

only possible scenario under which the Defaulted Defendants could immediately procure, without authorization, Plaintiff's new copyright protected product images and offer them for sale through their Online Stores. In addition, the Defaulted Defendants have intentionally used the Copyright Protected Images for soliciting counterfeit, knockoff Rotita product sales on a Platform that Plaintiff does not, and has not, utilized to sell its authentic products. Simply put, these facts not only establish the Defaulted Defendants' knowledge and intentional infringement of Plaintiff's Copyright Protected Images.

9. Plaintiff has paid the rate of \$500 per hour for Shawn A. Mangano, Esq.'s legal services in this action and in other pending actions. Plaintiff has also paid the rates of \$400 per hour for Joseph W. Droter, Esq.'s legal services in this action and in other pending actions. Plaintiff has also paid the rate of \$275 per hour for paralegal services provided by Heather Ikerd and Elizabeth Cummings in this action and in other pending actions.

10. Plaintiff's rough estimated gross revenue from United States sales likely exceeds \$20,000,000 USD per year. Of this amount, Plaintiff roughly estimates that over \$1,000,000 is derived from sales in the State of Illinois. Moreover, Plaintiff spends roughly anywhere from \$8,000,000 to \$12,000,000 USD each year to specifically advertise its Rotita brand in the United States through such online advertising sources as Google Ads, Facebook, and Bing. Furthermore, the company has spent more than \$80,000 in filing fees paid to the United States Copyright Office just to secure registration of copyright protected works being asserted in, currently, over fourteen (14) enforcement actions initiated in this judicial district. Simply put, Plaintiff is an extremely successful company that earns millions of dollars from product sales in the United States – including within the State of Illinois. To do so, Plaintiff annually spends tens of millions of dollars advertising in the United States to promote the sale of its brand.

11. Plaintiff expects to earn a net profit of approximately 30% on the sale of its Rotita brand products. This figure, however, includes substantial advertising expenses that the Defaulted Defendants would not have to pay since they are largely capitalizing on Plaintiff's advertising efforts by misappropriating its copyright protected images and imbedding the term "Rotita" in their Amazon.com search engine optimization. Doing so causes their online stores to be displayed whenever someone searches for "Rotita" on Amazon.com despite Plaintiff not selling authentic "Rotita" brand products on the platform. Based on the foregoing, I would estimate that the Defaulted Defendants' Online Stores operate at a net profit of between 40% to 50%. I believe that a disgorgement of the Defaulted Defendants' profits would fall within the net profit range. However, it is impossible to definitively calculate the Defaulted Defendants' total sales on the Platform through their Online Stores or to ascertain their expenses related to their infringing sales because they have failed to appear, defend, or otherwise participate in this action.

12. The Defaulted Defendants named in the company's copyright infringement enforcement actions are engaged in the practice of copying Plaintiff's copyright protected product images almost instantaneously after they are first displayed on the company's website and then associating these images with sale and promotion of unauthorized, counterfeit products of substandard quality, thereby deceiving consumers – including the citizens of the State of Illinois. Moreover, given the nature of Plaintiff's goods, such large-scale sales operations over multiple online retail platforms require considerable supply chain coordination that could not reasonably be accomplished independently by any of the named Defaulted Defendants. Simply put, Plaintiff maintains that the Defaulted Defendants are acting in concert, pursuant to a common scheme, whereby they independently copy the company's copyright protected images, without authorization, from its website or such unauthorized images are being provided by the same

common source associated with manufacturing the counterfeit products being sold on the the Defaulted Defendants' Platform storefronts.

13. Plaintiff has suffered, and continues to suffer, irreparable harm through the Defaulted Defendants' unauthorized use of its federally registered copyright protected images asserted in this action. This results in the direct harm to Plaintiff's brand reputation and loss of consumer goodwill, both of which are harms that are virtually impossible to ascertain the resulting economic loss.

I declare under penalty of perjury under the laws of the United States of America the foregoing is true and correct.

Executed on November 12, 2024, in Hong Kong.

By: Liangjie Li
LIANGJIE LI

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November 2024, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Illinois, Eastern Division, using the electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means. Notice of this filing is provided to unrepresented parties for whom contact information has been provided via email and by posting the filing on a URL contained on our website <https://blointernetenforcement.com/>, and distributed to ecommerce platform, Amazon.

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