

**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-01807-VMK-GAF

Honorable Virginia M. Kendall

Magistrate Gabriel A. Fuentes

**PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT
AND DEFAULT JUDGMENT AGAINST THE DEFENDANT**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff") hereby moves for Entry of Default and Default Judgment against the Defendant, Quanzhou Licheng District Huachuang Clothing Firm ("Defendant"). Plaintiff files herewith a Memorandum of Law in support, Declaration of Katherine M. Kuhn and Declaration of Liangjie Li. Plaintiff's Motion for Entry of Default and Default Judgment disposes of the case.

Dated: March 3, 2026

Respectfully submitted,

By: /s/ Katherine M. Kuhn

Katherine M. Kuhn (Bar No. 6331405)

Joseph W. Droter (Bar No. 6329630)

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March 2026, 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 <http://blointernetenforcement.com>, and distributed to e-commerce platform, Alibaba.

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)

| Seller’s Name | Seller’s Email Address |
|--|---|
| Quanzhou Licheng District Huachuang Clothing Firm 2211917838112 | ibmcbeauty@ibmcgroup.net bachedianzi@126.com |

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Defendants.

Case No. 1:24-cv-01807-VMK-GAF

Honorable Virginia M. Kendall

Magistrate Gabriel A. Fuentes

**PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR
ENTRY OF DEFAULT AND DEFAULT JUDGMENT AGAINST THE DEFENDANT**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff") hereby submits this Memorandum of Law in support of its Motion for Entry of Default and Default Judgment (the "Motion") pursuant to Federal Rule of Civil Procedure 55 ("Rule 55") against the Defendant, number 241 Quanzhou Licheng District Huachuang Clothing Firm (the "Defaulting Defendant" or "Defendant"). Plaintiff's Motion is made and based upon this Memorandum of Law, the Declaration of Katherine M. Kuhn ("Kuhn Decl."), 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. Plaintiff's Motion for Entry of Default and Default Judgment disposes of the case.

I. INTRODUCTION

Plaintiff's request for entry of default is straightforward. On March 25, 2024, this Court granted Plaintiff's Temporary Restraining Order ("TRO") request on an *ex parte* basis [Dkt. No. 15]. Substantively, the TRO Order authorized and directed Plaintiff to provide notice of these

proceedings and the Motion for Default Judgment to Defendant by electronically publishing a link to the Complaint, the TRO, and other relevant documents on a website, together with effectuating electronic service by email transmission with the same documents attached to any addresses provided for Defendant by third-party online platforms [*Id.*]. Plaintiff effectuated electronic service on April 28, 2024, after receiving the issued summons by the Court. (Kuhn Decl ¶ 4). Plaintiff filed proof of summons returned on May 1, 2024 [Dkt. No. 32]. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A) ("Rule 12(a)(1)(A)"), the Defaulting Defendant had twenty-one (21) days to answer or otherwise respond to Plaintiff's Complaint in this action. Defendant had until May 19, 2024, to answer or otherwise respond to Plaintiff's Complaint. On May 27, 2024, Defendant appeared in the case and filed a Motion for Extension of Time to Answer Plaintiff's Complaint. [Dkt. No. 44]. On July 19, 2024, Defendant filed an Answer to Plaintiff's Complaint [Dkt. No. 69]

The parties previously had a trial date set for February 23, 2026 [Dkt. No. 120]. In preparation for trial, Defendant's counsel was unable to contact Defendant, which necessitated counsel to file his Withdraw of Counsel on February 2, 2026, and included striking Defendant's previously filed Answer [Dkt. No. 127]. On February 6, 2026, the Court granted Defendant's Counsel's withdraw [Dkt. No. 129], and the previously set trial dates were stricken on February 9, 2026 [Dkt No. 130]. As of the filing of this Motion, Defendant has had twenty-five (25) days to obtain new counsel and file a Renewed Answer. To date, the Defaulting Defendant has not answered or otherwise responded to Plaintiff's Complaint in this action. (Kuhn Decl ¶ 4).

Pursuant to Rule 55(b)(2), Plaintiff now also respectfully moves this Court for entry of a default judgment finding the Defaulting Defendant liable on all counts asserted in Plaintiff's Complaint [Dkt. No. 1]. These asserted counts include claims for Copyright Infringement (Count I) [Dkt. No. 1 at ¶ 35-52]. In connection with its asserted claims for relief, Plaintiff seeks an award

of statutory damages pursuant to 17 U.S.C. § 504(c) against the Defaulting Defendant for the infringement of the Copyright Protected Image, which should be enhanced for their willful infringement to of the following federally registered copyright asserted in this action, VA0002369378 (the "Copyright Protected Image") (Kuhn Decl. ¶ 5). Plaintiff additionally requests the Court issue a permanent injunction against the Defaulting Defendant. *See* 17 U.S.C. § 502(a).

As alleged in the Complaint, the Defaulting Defendant has displayed, without authorization, the Copyright Protected Image on Alibaba's online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Rotita Copyrighted Image, thereby deceiving public consumers as to the quality, nature, and source of goods being purchased. (Kuhn Decl. ¶ 6). Moreover, the Defaulting Defendant is alleged to be operating as part of a coordinated, sophisticated product network that utilizes a common supply chain and manufacturing source to fulfill consumer orders for competing products by displaying, without authorization, Plaintiff's Copyright Protected Image on their online storefront. (Kuhn Decl. ¶¶ 8, 11-12). These circumstances clearly demonstrate the Defaulting Defendant has willfully and intentionally infringed Plaintiff's Copyright Protected Image, thereby supporting Plaintiff's request for enhanced statutory damages under the Copyright Act. (*Id.*).

Procedurally, Rule 55(b)(2) provides for a court-ordered default judgment which establishes, as a matter of law, that Defendant is liable to plaintiff on each cause of action alleged in the Complaint. *United States v. Di Mucci*, 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 Defendant is liable as a matter of law as to each cause of action

alleged in the Complaint. *Black v. Lane*, 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

A. Jurisdiction And Venue Are Proper in This Court

This Court has original subject matter jurisdiction over the claims in this action pursuant to the provisions of the Federal Copyright Act, 17 U.S.C. § 101, et seq., 28 U.S.C. § 1338(a)–(b) and 28 U.S.C. § 1331 [Dkt. No. 1]. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defendant since the Defendant directly targets business activities toward consumers in Illinois and causes harm to Plaintiff’s business within this judicial district [*Id.*]; *see also uBID, Inc. v. GoDaddy Grp., Inc.*, 623 F.3d 421, 423-24 (7th Cir. 2010) (without benefit of an evidentiary hearing, plaintiff bears only the burden of making a prima facie case for personal jurisdiction; all of plaintiff’s asserted facts should be accepted as true and any factual determinations should be resolved in its favor). Accordingly, it is unquestionable that the Defaulting Defendant is subject to personal jurisdiction in this action.

B. Plaintiff Has Met the Requirements for Entry of Default Under Rule 55(A)

Pursuant to Rule 55(a), “when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). Plaintiff clearly meets these requirements.

Plaintiff effectuated electronic service on April 28, 2024, after receiving the issued summons by the Court. (Kuhn Decl ¶ 4). Plaintiff filed proof of summons returned on May 1, 2024 [Dkt. No. 32]. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A) (“Rule 12(a)(1)(A)”), the Defaulting Defendant had twenty-one (21) days to answer or otherwise respond

to Plaintiff's Complaint in this action. Defendant had until May 19, 2024, to answer or otherwise respond to Plaintiff's Complaint. On May 27, 2024, Defendant appeared in the case and filed a Motion for Extension of Time to Answer Plaintiff's Complaint. [Dkt. No. 44]. On July 19, 2024, Defendant filed an Answer to Plaintiff's Complaint [Dkt. No. 69]

The parties previously had a trial date set for February 23, 2026 [Dkt. No. 120]. In preparation for trial, Defendant's counsel was unable to contact Defendant, which necessitated counsel to file his Withdraw of Counsel on February 2, 2026 and included striking Defendant's previously filed Answer [Dkt. No. 127]. On February 6, 2026, the Court granted Defendant's Counsel's withdraw [Dkt. No. 129], and the previously set trial dates were stricken on February 9, 2026 [Dkt No. 130]. As of the filing of this Motion, Defendant has had twenty-five (25) days to obtain new counsel and file a Renewed Answer. To date, the Defaulting Defendant has not answered or otherwise responded to Plaintiff's Complaint in this action. (Kuhn Decl ¶ 4).

C. 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 fail to appear, answer, and/or defend allegations asserted against them. Fed.R.Civ.P. 55(b)(2). A default judgment establishes, as a matter of law, that named, unresponsive; Defendant are liable on each cause of action alleged against them in the Complaint. *Di Mucci*, 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 Defendant is liable as a matter of law as to each cause of action alleged in the Complaint upon entry of default judgment. *Black*, 22 F.3d at 1399.

More than twenty-one (21) days have passed since Defendant was served, and as the previously filed Answer has been stricken, no answer or other responsive pleading has been filed

by the Defaulting Defendant. *See* Fed. R. Civ. P. 12(a)(1)(A). Thus, default judgment is appropriate, and Plaintiff is entitled to entry of a default judgment pursuant to Rule 55(b)(2) against the Defaulting Defendant for Copyright Infringement, as asserted in the Complaint [Dkt. No. 1 at ¶ 35-52].

As argued below, Plaintiff is entitled to the following remedies through the issuance of a default judgment against the Defaulting Defendant: (1) an award of statutory damages and profits of \$5,000.00 for copyright infringement under 17 U.S.C. § 504(c)(1); (2) an award of enhanced statutory damages of \$15,000.00 for willful infringement pursuant to 17 U.S.C. § 504(c)(2); and (3) entry of a permanent injunction pursuant to 17 U.S.C. § 502(a).

D. Plaintiff is Entitled to the Relief Requested.

Through entry of default, Plaintiff has established that Defaulting Defendant is liable for intentionally and willfully infringing the Copyright Protected Image. 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 Image; (2) Plaintiff's request that any statutory damage award be enhanced based on the Defaulting Defendant's willful copyright infringement; (3) and Plaintiff's right to issuance of a permanent injunction against the Defaulting Defendant. Plaintiff asserts that it is entitled to all relief requested through its Motion.

1. Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c)(1).

Turning first to the request for an award of statutory damages under 17 U.S.C. § 504(c)(1) against the Defaulting Defendant. Plaintiff is entitled to such relief for the Defaulting Defendant's infringement of Plaintiff's Copyright Protected Image, which it maintains was done willfully and intentionally. (Kuhn Decl. ¶¶ 7, 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). "[S]tatutory 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." *White v. Marshall*, 771 F.Supp.2d 952, 956 (E.D. Wis. 2011); *see also Wondie v. Mekuria*, 742 F.Supp.2d 118, 124-25 (D.D.C. 2010); *Lifted Research Grp., Inc. v. Behdad, Inc.*, 591 F.Supp.2d 3, 8 (D.D.C. 2008).

First, Plaintiff has asserted a viable claim for infringement of the Copyright Protected Image. 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." *JWC Invs., Inc. v. Novelty, Inc.*, 482 F.3d 910, 914 (7th Cir. 2007). A certificate of copyright registration provides a *prima facie* presumption of validity. *Mid. American Title Co. v. Kirk*, 59 F.3d 719, 721 (7th Cir. 1995). Here, Plaintiff has alleged its ownership of the asserted Copyright Protected Image in its Complaint [Dkt. No. 1] and has supplied the Court with a summary of all registrations issued by the United States Copyright Office [Dkt. No. 11-1]. Moreover, Plaintiff has set forth considerable factual allegations establishing the Defaulting Defendant has infringed Plaintiff's Copyright Protected Image. Accordingly, Plaintiff has established that the Defaulting Defendant has infringed Plaintiff's Copyright Protected Image.

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...” *White*, 771 F.Supp.2d at 956. In awarding statutory damages, the court is not required to follow any rigid formula. *Id.* (citing *Chi-Boy Music v. Charlie Club, Inc.*, 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. *Broadcast Music, Inc. v. Star Amusements, Inc.*, 44 F.3d 485, 489 (7th Cir. 1995). 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. *Chi-Boy Music*, 930 F.2d at 1229.

Plaintiff has established unquestionably viable copyright infringement claims in this case. The Defaulting Defendant's 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. (Kuhn Decl. ¶ 7).

Specifically, Plaintiff has neither obtained, nor is the Defaulting Defendant participating in these proceedings, so that the Court can be provided with the infringers' deductible expenses related to the sale of the competing products associated with the unauthorized use and display of the company's Copyright Protected Image. *See* 17 U.S.C. § 504(b). As such, there is no verifiable information concerning the Defaulting Defendant' gross infringing sales of their competing products or the associated deductible expenses from same. (Kuhn Decl. ¶ 7). Plaintiff has requested \$5,000 be entered against Defendant, enhanced to \$15,000 and attached its breakdown as **Exhibit 1** to the Kuhn Declaration filed herewith. (Kuhn Decl., Exhibit 1). Accordingly, an award of statutory damages is appropriate because actual damages are “virtually impossible to prove...” in this case. *See White*, 771 F.Supp.2d at 956.

Given the foregoing circumstances, and the nature of the Defaulting Defendant's conduct, Plaintiff asserts that it is entitled to an award of statutory damages in the amounts requested in Exhibit 1 of the Kuhn Declaration in this action. (Kuhn Decl. ¶ 7, 12, Exhibit. 1). First, the Defaulting Defendant was provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend. (Kuhn Decl. ¶ 7). As a result of the Defaulting Defendant's 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. (*Id.*).

Moreover, Plaintiff has expended considerable capital in securing registration of the Copyright Protected Image and advertising its brand in the United States and in the State of Illinois. (Li. Decl. ¶ 9). 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. (*Id.*). These facts unquestionably support Plaintiff's request for an award in statutory damages against Defaulted Defendant.

Next, the circumstances of the Defaulting Defendant's infringement clearly support awarding the requested statutory damage award against them. It is without question that the Defaulting Defendant has engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Image. In this regard, Plaintiff's Copyright Protected Image, often representing product line releases, have appeared on the Defaulting Defendant's online store maintained with the Platform. (Li Decl. ¶ 7). Moreover, the Defaulting Defendant has unquestionably been operating its online store using the misappropriated Copyright Protected Image through a sophisticated network utilizing a highly developed supply chain capable of supplying thousands of competing products featuring an array of Plaintiff's textile patterns and

designs that could not otherwise be accomplished on an individual basis. (Kuhn Decl. ¶¶ 8, 11). Accordingly, the Defaulting Defendant unquestionably intentionally, and willfully, infringed Plaintiff's Copyright Protected Image to sell their competing products, thereby justifying an award of statutory damages.

Based on the foregoing, Plaintiff respectfully requests the Court to award statutory damages against the Defaulting Defendant for the Alibaba infringing product, which shows infringement of the Copyright Protected Image. As set forth in Plaintiff's supporting documentation, the Defaulting Defendant in this action should be found liable for \$5,000 for statutory damages, which should be treble enhanced because of their willful infringement of the Copyright Protected Image. (Kuhn Decl. ¶ 12, Ex. 1). Accordingly, Plaintiff respectfully requests the Court an award of \$5,000 in statutory damages for copyright infringement under 17 U.S.C. § 504(c)(1) against the Defaulting Defendant. (Kuhn Decl. ¶ 12).

2. *Plaintiff is entitled to enhanced statutory damages.*

Next, the circumstances of the Defaulting Defendant's infringement clearly supports awarding an enhanced statutory damage award of, at least, treble damages against them. Simply put, the Defaulting Defendant's 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 Defaulting Defendant has engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Image. (Kuhn Decl. ¶¶ 8, 11-12). In this regard, Plaintiff's Copyright Protected Image, often representing recent product releases, has appeared on the Defaulting Defendant's online stores maintained with the Platform. (Li Decl. ¶ 7). Moreover, the Defaulting Defendant has clearly been operating their online store using the misappropriated Copyright Protected Image through a sophisticated network utilizing a

highly developed supply chain capable of supplying thousands of competing products featuring an array of Plaintiff's textile patterns and designs that could not otherwise be accomplished on an individual basis. (Kuhn Decl. ¶¶ 8, 11-12).

In addition, Defendant in multiple copyright enforcement actions in this judicial district, which includes the Defaulting Defendant, has been acting through their network to actively monitor and post information on the Plaintiff's pending cases on the website www.SellerDefense.cn. (Kuhn Decl. ¶ 8). This has apparently been done to advise Defendant in all pending actions of Plaintiff's successful prosecution of its claims, and the viability of appearing and asserting potential defenses. (*Id.*). These circumstances reveal an overall strategy by all non-appearing Defendants, including the Defaulting Defendant, 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. (Kuhn Decl. ¶ 8). Such circumstances support awarding Plaintiff enhanced statutory damages in this action. *See Chi-Boy Music*, 930 F.2d at 1229.

The facts presented further support awarding the enhanced statutory damages against the Defaulting Defendant on the grounds that they should serve as a deterrent to future conduct. *Id.* at 1229-30. Simply put, the Defaulting Defendant is watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district. (Kuhn Decl. ¶ 8). The Defaulting Defendant, 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 assets on the named online platform. (*Id.*). 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 Defaulting Defendant, and all other similar infringers, that they will incur substantial liability for their actions.

In doing so, hopefully the Defaulting Defendant, 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, \$15,000. As set forth in Plaintiff's supporting documentation Exhibit 1 to the Kuhn Declaration, the Defaulting Defendant in this action should be found liable because of their willful infringement of the Copyright Protected Image. (Kuhn Decl. ¶ 12, Ex. 1). Accordingly, Plaintiff respectfully requests the Court enter an award of \$5,000.00 against Defendant, in statutory damages, which should be enhanced for willful infringement to \$15,000.00 against Defendant, pursuant to 17 U.S.C. § 504(c)(2).

3. *Plaintiff is entitled to a permanent injunction.*

Next, Plaintiff is entitled to the entry of a permanent injunction against the Defaulting Defendant pursuant to 17 U.S.C. § 502(a), which authorizes courts to “grant temporary and final injunctions on such terms as it may deem reasonable to prevent or restrain infringement of a copyright.”

In determining whether permanent injunctive relief is appropriate, courts apply the four-factor test set forth in *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006), requiring a showing that: (1) Plaintiff has suffered an irreparable injury; (2) remedies available at law are inadequate to compensate for that injury; (3) the balance of hardships favors injunctive relief; and (4) the public interest would not be disserved by a permanent injunction. Each factor weighs decisively in favor of granting injunctive relief here.

First, Plaintiff has suffered and will continue to suffer irreparable harm absent injunctive relief. In *White v. Marshall*, the court noted that copyright infringement often constitutes

irreparable harm and that monetary damages are inadequate, justifying injunctive relief. *White v. Marshall*, 771 F. Supp. 2d 952. Additionally, courts have recognized a presumption of irreparable harm in copyright cases, further supporting the issuance of permanent injunctions. *See also In re Aimster Copyright Litig.*, 252 F. Supp. 2d 634. Here, the Defaulting Defendant has willfully reproduced and publicly displayed Plaintiff's Copyright Protected Images without authorization in connection with online product listings. (Kuhn Decl. ¶ 5). Such conduct causes loss of control over Plaintiff's copyrighted works, damage to brand goodwill, and consumer confusion; harms that are inherently difficult to quantify and not fully compensable through monetary damages alone. Moreover, the Defaulting Defendant's failure to appear or participate in this action demonstrates a substantial risk of continued infringement absent court-ordered relief.

Second, legal remedies are inadequate. In cases where defendants fail to respond or appear, courts have consistently granted permanent injunctions as part of default judgments, particularly when there is evidence of ongoing or likely future infringement. *See Virgin Records Am. Inc. v. Johnson*, where the court granted a permanent injunction under § 502(a) due to the defendant's failure to respond and the likelihood of continued infringement, emphasizing the public interest in upholding copyright protections. 441 F. Supp. 2d 963. Because the Defaulting Defendant has elected not to appear, Plaintiff lacks any meaningful ability to monitor, deter, or prevent future infringement through monetary relief alone. Courts routinely recognize that where defendants operate anonymous or foreign-based online storefronts, monetary damages are insufficient to prevent continued unlawful conduct.

Third, the balance of hardships strongly favors Plaintiff. Plaintiff seeks only to prohibit the Defaulting Defendant from engaging in unlawful conduct, namely the unauthorized use and display of Plaintiff's copyrighted image. The Defaulting Defendant has no legitimate interest in

continuing infringing activities and therefore will suffer no cognizable hardship from compliance with a permanent injunction.

Finally, public interest is served by the enforcement of federal copyright laws and the prevention of consumer deception. Granting injunctive relief promotes respect for intellectual property rights and discourages future infringement, particularly in the online marketplace context.

Because the Defaulting Defendant has failed to respond, defend, or otherwise participate in this action, and because the record establishes a strong likelihood of continued infringement absent injunctive relief, entry of a permanent injunction is appropriate and warranted under 17 U.S.C. § 502(a). Accordingly, Plaintiff respectfully requests that the Court enter a permanent injunction prohibiting the Defaulting Defendant, and all persons acting in concert with it, from directly or indirectly infringing Plaintiff's copyrighted image.

CONCLUSION

Based on the foregoing, Plaintiff respectfully request entry of default and default judgment against the Defaulting Defendant pursuant to Rule 55. In granting its request, Plaintiff asks the Court to award the following: (1) statutory damages of \$5,000.00 against Defaulting Defendant pursuant to 17 U.S.C. § 504(c)(1); (2) enhanced statutory damages of \$15,000.00 against Defaulting Defendant based on its willful infringement pursuant to 17 U.S.C. § 504(c)(2); (3) issuance of a permanent injunction against the Defaulting Defendant pursuant to 17 U.S.C. § 502(a); and (4) such other relief as the Court deems just and proper.

Dated: March 3, 2026

Respectfully submitted,

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)
Joseph W. Droter (Bar No. 6329630)
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March 2026, 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 <http://blointernetenforcement.com>, and distributed to e-commerce platform, Alibaba.

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)

| Seller’s Name | Seller’s Email Address |
|--|---|
| Quanzhou Licheng District Huachuang Clothing Firm 2211917838112 | ibmcbeauty@ibmcgroup.net bachedianzi@126.com |

**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-01807-VMK-GAF

Honorable Virginia M. Kendall

Magistrate Gabriel A. Fuentes

**DECLARATION OF KATHERINE M. KUHN IN SUPPORT OF
MOTION FOR ENTRY OF DEFAULT AND DEFAULT JUDGMENT**

I, Katherine M. Kuhn, of the City of Chicago, in the State of Illinois, 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 and Default Judgment against the Defendant, Quanzhou Licheng District Huachuang Clothing Firm, (the "Defaulting Defendant" or "Defendant").

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 one of the attorneys for Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff"). I make this declaration from matters within my own knowledge unless stated otherwise.

4. I hereby certify that the Defaulting Defendant (as defined in the accompanying Memorandum) has failed to plead or otherwise defend this action after being served with the Summons and Complaint in this action in violation of Federal Rule of Civil Procedure 12(a)(1)(A). Specifically, Defendant was served with copies of the Summons and Complaint via electronic service authorized by the Court on April 28, 2024. Plaintiff filed proof of summons returned on May 1, 2024 [Dkt. No. 32]. Defendant had until May 19, 2024, to answer or otherwise respond to Plaintiff's Complaint. On May 27, 2024, Defendant appeared in the case and filed a Motion for Extension of Time to Answer Plaintiff's Complaint [Dkt. No. 44]. On July 19, 2024, Defendant filed an Answer to Plaintiff's Complaint [Dkt. No. 69].

5. The parties previously had a trial date set for February 23, 2026 [Dkt. No. 120]. In preparation for trial, Defendant's counsel was unable to contact Defendant, which necessitated counsel to file his Withdraw of Counsel on February 2, 2026, and included striking Defendant's previously filed Answer [Dkt. No. 127]. On February 6, 2026, the Court granted Defendant's Counsel's withdraw [Dkt. No. 129], and the previously set trial dates were stricken on February 9, 2026 [Dkt No. 130]. As of the filing of this Motion, Defendant has had twenty-five (25) days to obtain new counsel and file a Renewed Answer. To date, the Defaulting Defendant has not answered or otherwise responded to Plaintiff's Complaint in this action.

6. Plaintiff's asserted claims for relief in this action involve the intentional, willful infringement of the federally registered copyright, VA0002369378 (the "Copyright Protected Image"). These asserted counts include claims for Copyright Infringement (Count I) [Dkt. No. 1 at ¶ 35-52]. In connection with its asserted claims for relief, Plaintiff seeks an award of statutory damages pursuant to 17 U.S.C. § 504(c) against the Defaulting Defendant for the infringement of

the Copyright Protected Image, which should be enhanced for their willful infringement to of the federally registered copyright asserted in this action, VA0002369378.

7. As alleged in the Complaint, the Defaulting Defendant has displayed, without authorization, the Copyright Protected Image on Alibaba's online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Rotita brand Copyrighted photograph through their online store (the "Online Store"), thereby deceiving public consumers as to the quality, nature, and source of goods being purchased.

8. I have reviewed the data provided by Alibaba. Attached as **Exhibit 1** to this Declaration, email address, copyright infringed on, Statutory Damages Request, and enhanced damages request for willful infringement. First, the Defaulting Defendant was provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend this action. As a result of the Defaulting Defendant's 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 Defaulting Defendant.

9. In addition, Defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting Defendant, actively monitor and post information on Plaintiff's pending cases on the website www.SellerDefense.cn. This has apparently been done to advise Defendant 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 Defaulting Defendant, to simply cut their losses where Plaintiff has a high likelihood of success, abandon any online platform, 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 Defaulting Defendant is watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district.

10. To maximize the deterrent effect of the Court's anticipated default and default judgment, Plaintiff is asking that enhanced statutory damages be imposed on the Defaulting Defendant for each alleged infringement of the Copyright Protected Image.

11. Such an award precludes the Defaulting Defendant from shielding themselves from monetary responsibility for the collective infringement of common Copyright Protected Image. *Desire, LLC v. Manna Textiles, Inc.*, 986 F.3d 1253, 1264-1272 (9th Cir. 2021). Rather, Plaintiff expressly requests that the Defaulting Defendant be assessed for an enhanced statutory damage award as described in **Exhibit 1** to this Declaration for their infringement of the Copyright Protected Image.

12. Plaintiff has alleged, and has offered proof, that the Defaulting Defendant has engaged in the infringement of the Copyright Protected Image. Moreover, the basic nature of the copyright infringement scheme employed demonstrates that the Defaulting Defendant not only knew of the impropriety of their conduct but had to implement their scheme through sophisticated sources and established supply chains. This is the only possible scenario under which the Defaulting Defendant could immediately procure, without authorization, Plaintiff's copyright protected product image and offer it for sale through their online store.

13. The presented facts not only establish the Defaulting Defendant's knowledge and intentional infringement of Plaintiff's Copyright Protected Image. Accordingly, Plaintiff should be awarded statutory damages, as described in Exhibit 1 to this Declaration, with treble the enhancement against Defaulted Defendant based on their willful infringement of the Copyright Protected Image.

14. My office, with assistance from our client and those assisting our client, investigated the infringing activities of the Defaulting Defendant, including attempting to identify their contact information. Our investigation confirmed that the Defaulting Defendant is primarily domiciled in Asia. As such, I am informed and believe that the Defaulting Defendant is not an active-duty member of the U.S. armed forces.

I declare under penalty of perjury that the foregoing is true and correct.

Executed the March 3, 2026, in Chicago Illinois.

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)
BAYRAMOGLU LAW OFFICES LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March 2026, 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 <http://blointernetenforcement.com>, and distributed to e-commerce platform, Alibaba.

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)

| Seller’s Name | Seller’s Email Address |
|--|---|
| Quanzhou Licheng District Huachuang Clothing Firm 2211917838112 | ibmcbeauty@ibmcgroup.net bachedianzi@126.com |

Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A
1 Defaulting Defendant [24-cv-01807]

| Seller Information | Copyright Infringed | Amount Requested | Enhanced for Willful Infringement Request |
|---|----------------------------|-------------------------|--|
| Quanzhou Licheng District Huachuang Clothing Firm Seller ID 2211917838112 ibmcbeauty@ibmcgroup.net bachedianzi@126.com | VA0002369378 | \$5,000.00 | \$15,000.00 |
| Total: | | | \$15,000.00 |

**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-01807-VMK-GAF

Honorable Virginia M. Kendall

Magistrate Gabriel A. Fuentes

**DECLARATION OF LIANGJIE LI IN SUPPORT OF PLAINTIFF'S
MOTION FOR DEFAULT AND 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 and Default Judgment (the "Motion").

3. I am the Chief Operations Officer for Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff"). I make this declaration from 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 a well-known source of women’s clothing in the United States and has been the subject of rampant competing sales using its copyrighted images through online platforms such as TikTok, Amazon, Walmart, Temu, eBay, AliExpress, and Alibaba (the “Platform”), which is the online sales platform at issue in this action. These are some of the 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 statutory damages against the defaulted Defendant per copyright infringing product link (the “Defaulting Defendant”) in this action. The Defaulting Defendant is accused of intentionally and willfully infringing Plaintiff’s federally registered copyright asserted in this action, VA0002369378 (the “Copyright Protected Image”).

7. It is without question that the Defaulting Defendant has engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Image. In this regard, Plaintiff’s Copyright Protected Image, often representing recent product releases, has appeared on the Defaulting Defendant’s online store maintained with the Alibaba Platform (the “Online Store”). Moreover, the Defaulting Defendant has unquestionably been operating their Online Store using the misappropriated Copyright Protected Image through a sophisticated network utilizing a highly developed supply chain capable of supplying thousands of competing 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 Defaulting Defendant not only knew of the impropriety of their conduct but had to implement their common scheme through sophisticated sources and established supply chains. This is the only possible scenario under which the Defaulting Defendant could procure, without authorization,

Plaintiff's new copyright protected product image and offer it for sale through their Online Store. In addition, the Defaulting Defendant has intentionally used the Copyright Protected Image for soliciting competing 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 Defaulting Defendant's knowledge and intentional infringement of Plaintiff's Copyright Protected Image.

9. 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. Plaintiff annually spends tens of millions of dollars advertising in the United States to promote the sale of its brand.

10. 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 Defaulting Defendant 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 Alibaba search engine optimization. Doing so causes their online stores to be displayed whenever someone searches for "Rotita" on Alibaba despite Plaintiff not selling authentic "Rotita" brand products on the platform. Based on the foregoing, I would estimate that the Defaulting Defendant's Online Store operates at a net profit of between 40% to 50%. I believe that a disgorgement of the Defaulting Defendant's profits would fall within the net profit range. However, it is impossible to definitively calculate the Defaulting Defendant's total sales on the Platform through their Online

Store or to ascertain their expenses related to their infringing sales because they have failed to appear, defend, or otherwise participate in this action.

11. The Defaulting Defendant named in the company's copyright infringement enforcement actions is engaged in the practice of copying Plaintiff's copyright protected product image after it was displayed on the company's website and then associating this image with sale and promotion of competing products, 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 the named Defaulting Defendant. Simply put, Plaintiff maintains that the Defaulting Defendant is acting, pursuant to a common scheme, whereby they copy Plaintiff's copyright protected image, without authorization, from its website or such unauthorized image is being provided by a common source associated with manufacturing the competing products being sold on the Defaulting Defendant's Platform storefront.

12. Plaintiff has suffered, and continues to suffer, irreparable harm through the Defaulting Defendant's unauthorized use of its federally registered copyright protected image 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 March 3, 2026, in Hong Kong.

By: /s/ Liangjie Li
LIANGJIE LI

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March 2026, 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 <http://blointernetenforcement.com>, and distributed to e-commerce platform, Alibaba.

By: /s/ Katherine M. Kuhn
Katherine M. Kuhn (Bar No. 6331405)

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