

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

two years and ZVPC,

Defendants

Case No. 1:25-cv-04437-SLE-MV

Honorable Sara L. Ellis

Magistrate Maria Valdez

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

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. ("Plaintiff") hereby moves for entry of Default and Default Judgment against the Defendants, two years and ZVPC. 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: June 19, 2025

Respectfully submitted,

By: */s/ Joseph W Droter*

Joseph W. Droter (Bar No. 6329630)

Katherine M. Kuhn (Bar No. 6331405)

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June 2025, 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, temu.

By: /s/ Joseph W. Droter
Joseph W. Droter (IL Bar No. 6329630)

Defendant Store Name	Email Address
two years	1339444341@qq.com
ZVPC	1459714187@qq.com

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
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HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

two years and ZVPC,

Defendants

Case No. 1:25-cv-04437-SLE-MV

Honorable Sara L. Ellis

Magistrate Maria Valdez

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

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“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 Defendants, two years and ZVPC, (the “Defaulting Defendants” or “Defendants”). Plaintiff’s Motion is made and based upon this Memorandum of Law, the Declaration of Katherine M. Kuhn (the “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, the Court authorized electronic service of process on the Defendants via email along with expedited discovery in this matter on May 8, 2025 [Dkt. No. 18]. Plaintiff effectuated service on both Defendants and filed Returns of Service on May 20, 2025 [Dkt. Nos. 22, 23]. As set forth in the docket entry for the Return of Service, a response to Plaintiff’s operative Complaint was due on or before June 10, 2025.

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A) (“Rule 12(a)(1)(A)”), the Defaulting Defendants had twenty-one (21) days to answer or otherwise respond to Plaintiff’s Complaint in this action. As of the filing of this Motion, approximately thirty (30) days have expired since electronic service was effectuated on the Defendants. (Kuhn Decl. ¶ 4.) To date, the Defaulting Defendants have not answered or otherwise responded to Plaintiff’s Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendants.

Pursuant to Rule 55(b)(2), Plaintiff now also respectfully moves this Court for entry of a default judgment finding the Defaulting Defendants liable on all counts asserted in Plaintiff’s Complaint. [Dkt. No. 1.] These asserted counts include claims for Copyright Infringement (Count I), and violation of the Illinois Uniform Deceptive Trade Practices Act (the “Uniform Deceptive Trade Practices Act”) (Count II).

In connection with its asserted claims for relief, Plaintiff seeks an award of statutory damages pursuant to 17 U.S.C. § 504(c) against Defaulting Defendants, which should be enhanced, for their willful infringement of the following federally registered copyrights asserted in this action: VA0002379930 (the “Copyright Protected Images”). (Kuhn Decl. ¶ 5.) Plaintiff additionally requests the Court issue a permanent injunction against the Defaulting Defendants. *See* 17 U.S.C. § 502(a). Alternatively, Plaintiff requests issuance of a permanent injunction based on the Defaulting Defendant’s willful violation of the Uniform Deceptive Trade Practices Act.

As alleged in the Complaint, the Defaulting Defendants have displayed, without authorization, the Copyright Protected Images on the Temu.com online sales platform (the “Platform”) to market and sell competing products using Plaintiff’s authentic Rotita copyrighted images, thereby deceiving public consumers as to the quality, nature, and source of goods being

purchased. (Kuhn Decl. ¶ 6.) Moreover, the Defaulting Defendants are alleged to be operating as part of a coordinated, sophisticated counterfeit product network that utilizes a common supply chains and manufacturing sources to fulfill consumer orders for infringing products by displaying, without authorization, Plaintiff's Copyright Protected Images on their online storefronts. (Kuhn Decl. ¶¶ 8, 11-12.) These circumstances clearly demonstrate the Defaulting Defendants have willfully and intentionally infringed Plaintiff's Copyright Protected images, thereby supporting the company's request for enhanced statutory damages. (*Id.*)

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. *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 defendants are 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 Defendants since the Defendants directly target 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)

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.

On April 23, 2025, Plaintiff filed its Complaint in this action alleging, among other claims, Copyright Infringement (Count I), and violation of the Uniform Deceptive Trade Practices Act (Count II) as asserted in the company's Complaint. [Dkt. No. 1]. Defendants were properly served with the Complaint, Summons, all supporting documents via electronic service on May 20, 2025. [Dkt. Nos. 22, 23.] Specifically, the Defaulting Defendants were required to answer or otherwise respond to the Complaint on or before June 10, 2025. [*Id.*] As such, the Defaulting Defendant had twenty-one (21) days to answer or otherwise respond to Plaintiff's complaint pursuant to Rule 12(a)(1)(A). As of the filing of this Motion, approximately thirty (30) days have expired since electronic service was effectuated on the Defendants, that is the subject of Plaintiff's Motion. (Kuhn Decl. ¶ 4.) To date, the Defaulting Defendants have not answered or otherwise responded to Plaintiff's Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default and default judgment pursuant to Rule 55 against the Defaulting Defendants.

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 failure 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, defendants 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 defendants are 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 Defendants were served, and no answer or other responsive pleading has been filed by the Defaulting Defendants. *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 Defendants for copyright infringement, and violation of the Uniform Deceptive Trade Practice Act as asserted in the Complaint. [Dkt. No. 1 at 31-54.]

As argued below, Plaintiff is entitled to the following remedies through the issuance of a default judgment against the Defaulting 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); and (4) alternatively, entry of a permanent injunction pursuant to 815 ILCS § 510/3.

Plaintiff is Entitled to the Relief Requested.

Through entry of default, Plaintiff has established that all Defaulting Defendants: (1) are liable for intentionally and willfully infringing the Copyright Protected Images; and (2) have willfully violated the Uniform Deceptive Trade Practices Act. 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 Defaulting Defendants' willful copyright infringement; (3) the company's right to issuance of a permanent injunction against the Defaulting Defendants. 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 Defendants. Plaintiff is entitled to such relief for the Defaulting Defendants' infringement of the Copyright Protected Images, 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 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." *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 Images 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. Nos. 1-1 and 2-1, Ex. 1]. Moreover, Plaintiff has set forth considerable factual allegations establishing the Defaulting Defendants have infringed the Copyright Protected Images. Accordingly, Plaintiff has established that the Defaulting Defendants have infringed the 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” *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 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.

Specifically, Plaintiff has neither obtained, nor are the Defaulting 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 Copyright Protected Images. *See* 17 U.S.C. § 504(b). As such, there is no verifiable information concerning the Defaulting Defendants’ gross infringing sales of their competing products or the associated deductible expenses from same. (Kuhn Decl. ¶ 7.) Moreover, while Plaintiff can estimate the range of the Defaulting 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 Copyright Protected Images for which is has created at considerable expense. (Li Decl. ¶ 11.) Temu only provided the number of units sold per infringing link in this case. Consequently, Plaintiff has calculated an unverified total infringing sales amount of \$4,143.02 for Defendant two years, and \$240,574.80 for Defendant ZVPC and attached its analysis 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 Defendants’ 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 Defendants were provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend. (Kuhn Decl. ¶ 7). As a result of the Defaulting 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. (*Id.*)

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 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 in statutory damages per Defaulted Defendants.

Next, the circumstances of the Defaulting Defendants' infringement clearly support awarding the requested statutory damage award against them. It is without question that the Defaulting 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 appeared on the Defaulting Defendants' online stores maintained with the temu Platform. (Li Decl. ¶ 7.) Moreover, the Defaulting Defendants have unquestionably been operating their online stores using the misappropriated Copyright Protected Images through a sophisticated counterfeit network utilizing a highly developed supply chains capable of supplying thousands of competing, knockoff 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 Defendants unquestionably intentionally, and willfully, infringed Plaintiff's Copyright Protected Images to sell their competing products, thereby justifying an award of statutory damages.

Based on the foregoing, Plaintiff respectfully requests the Court award statutory damages against the Defaulting Defendants for each temu infringing goods id, which shows infringement of the Copyright Protected Images. As set forth in Plaintiff's supporting documentation, the Defaulting Defendants in this action should be found liable for statutory damages, which should be treble enhanced because of their infringements of the Copyright Protected Images. (Kuhn Decl. ¶ 12, Ex. 1.) Accordingly, Plaintiff respectfully requests the Court an award of \$4,000 against two

years and \$60,000 statutory damages for copyright infringement under 17 U.S.C. § 504(c)(1) against each Defaulting Defendant. (Kuhn Decl. ¶ 12)

2. Plaintiff is entitled to enhanced statutory damages.

Next, the circumstances of the Defaulting Defendants' infringement clearly support awarding an enhanced statutory damage award of, at least, treble damages against them. Simply put, the Defaulting 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 Defaulting Defendants have engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Images. (Kuhn Decl. ¶¶ 8, 11-12.) In this regard, Plaintiff's Copyright Protected Images, often representing recent product releases, have appeared on the Defaulting Defendants' online stores maintained with the Platform. (Li Decl. ¶ 7.) Moreover, the Defaulting 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 competing, knockoff 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, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting 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. (Kuhn 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. (*Id.*) These circumstances reveal an overall strategy by all non-appearing defendants, including the Defaulting 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. (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 Defendants on the grounds that they should serve as a deterrent to future conduct. *Id.* at 1229-30. Simply put, the Defaulting Defendants are watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district. (Kuhn Decl. ¶ 8.) The Defaulting Defendants, as with other similarly situated defendants, have taken the apparent position that any recovery issued by a court is only executable against their 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 Defendants, and all other similar infringers, that they will incur substantial liability for their actions. In doing so, hopefully the Defaulting 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. As set forth in Plaintiff's supporting documentation Exhibit 1 to the Kuhn Declaration, the Defaulting Defendants in this action should be found liable because of their willful infringement of the Copyright Protected Images. (Kuhn Decl. ¶ 12, Ex. 1) Accordingly, Plaintiff respectfully requests the Court enter an award of \$4,000 against Defendant two years and \$60,000 against ZVPC in statutory damages,

which should be enhanced for willful infringement to \$12,000.00 against two years and \$180,000 against ZVPC, pursuant to 17 U.S.C. § 504(c)(2).

3. Plaintiff is entitled to a permanent injunction.

Next, Plaintiff is entitled to entry of a permanent injunction against the Defaulting 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.

This provision allows courts to issue such relief on terms deemed reasonable to protect the rights of copyright holders. 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. For example, in *Virgin Records Am. Inc. v. Johnson*, 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. *Virgin Records Am. Inc. v. Johnson*, 441 F. Supp. 2d 963. Here, Defendants have elected to not respond to the lawsuit, and therefore show a likelihood they will continue infringement absent a permanent injunction.

Courts in the 7th Circuit have also applied the four-factor test for injunctive relief, requiring plaintiffs to show irreparable harm, inadequacy of legal remedies, a balance of hardships favoring the plaintiff, and that the injunction serves the public interest. 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. Plaintiff has a valid copyright claim against Defendants, which should have a presumption of

irreparable harm in this case. Additionally, permanently enjoining the copyright infringement will ensure that public interest is met, by preventing any future confusion as to the sale of Plaintiff's genuine products.

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 Defaulting Defendants.

III. CONCLUSION

Based on the foregoing, Plaintiff respectfully request entry of default and default judgment against the Defaulting Defendants, two years and ZVPC, pursuant to Rule 55. In granting its request, Plaintiff asks the Court to award the following: (1) statutory damages against Defaulting Defendants pursuant to 17 U.S.C. § 504(c)(1); (2) enhanced statutory damages against Defaulting Defendants based on their willful infringement pursuant to 17 U.S.C. § 504(c)(2); (3) issuance of a permanent injunction against the Defaulting Defendants pursuant to 17 U.S.C. § 502(a) or, alternatively, under the Uniform Deceptive Practices Act pursuant to 815 ILCS § 510/3; and (4) such other relief as the Court deems just and proper.

DATED: June 19, 2025

Respectfully submitted,

By: /s/ Joseph W Droter
Joseph W. Droter (Bar No. 6329630)
Katherine M. Kuhn (Bar No. 6331405)
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joseph@bayramoglu-legal.com
katherine@bayramoglu-legal.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June 2025, 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, temu.

By: /s/ Joseph W. Droter
Joseph W. Droter (IL Bar No. 6329630)

Defendant Store Name	Email Address
two years	1339444341@qq.com
ZVPC	1459714187@qq.com

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

two years and ZVPC,

Defendants

Case No. 1:25-cv-04437-SLE-MV

Honorable Sara L. Ellis

Magistrate Maria Valdez

**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 Defendants (the "Defaulting Defendants" or "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 one of the attorneys 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 Defaulting Defendants (as defined in the accompanying Memorandum) have failed to plead or otherwise defend this action within twenty-one (21) days after being served with the Summons and Complaint in this action in violation of Federal Rule of Civil Procedure 12(a)(1)(A). Specifically, Defendants were served with copies of the Summons

and Complaint via electronic service authorized by the Court on May 20, 2025, which is reflected in the Return of Summons filed in this case. [Dkt. Nos. 22, 23.] As of the filing of this Motion, approximately thirty (30) days have expired since electronic service was effectuated on the Defendants. Defaulting Defendants have not answered or otherwise responded to Plaintiff's Complaint in this action.

5. Plaintiff's asserted claims for relief in this action involve the intentional, willful infringement of the following federally registered copyright protected images: VA0002379930, (the "Copyright Protected Images").

6. As alleged in the Complaint, the Defaulting Defendants have displayed, without authorization, the Copyright Protected Images on the temu.com online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Rotita images 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 statutory damages in this action as described in **Exhibit 1** to this Declaration, which shows the Infringing Temu Goods ID, Number of Infringing Units Sold per Temu, Estimated Infringement Revenue, and Statutory Damages Request based on the estimated sales.

8. First, the Defaulting Defendants were provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend this action. As a result of the Defaulting 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 Defaulting Defendants.

9. In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting 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 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. Simply put, the Defaulting Defendants are 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 Defendants for each alleged infringement of the Copyright Protected Images.

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

12. Plaintiff has alleged, and has offered proof, that the Defaulting 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 Defaulting 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 Defaulting Defendants could immediately procure, without authorization, Plaintiff's copyright protected product images and offer them for sale through their online stores.

13. The presented facts not only establish the Defaulting Defendants' knowledge and intentional infringement of Plaintiff's Copyright Protected Images. Accordingly, Plaintiff should be awarded statutory damages, as described in **Exhibit 1** to this Declaration, with treble the enhancement against Defaulted Defendants based on their willful infringement of the Copyright Protected Images. Attached is **Exhibit 1** showing the infringing sales data provided by Temu, price per unit, and total unverified revenue calculated by Plaintiff.

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

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

DATED: June 19, 2025

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

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June 2025, 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, temu.

By: /s/ Joseph W. Droter
Joseph W. Droter (IL Bar No. 6329630)

Defendant Store Name	Email Address
two years	1339444341@qq.com
ZVPC	1459714187@qq.com

Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. two years and ZVPC
1:25-cv-04437

Defendant: two years

Temu mall id: 4879447775914

Email: 1339444341@qq.com

Copyright Infringed: VA0002379930

Temu infringing goods id (two years)	Number of Infringing Units Sold (data from Temu)	Price Per Unit	Estimated Infringing Revenue	Statutory Request Amount	Treble Enhanced for Willful Infringement Request
601099519348704	554	\$7.48	\$4,143.92	\$4,000	\$ 12,000.00
				TOTAL:	\$ 12,000.00

Defendant: ZVPC

Temu mall id: 4949770221664

Email: 1459714187@qq.com

Copyright Infringed: VA0002379930 x 2

Temu infringing goods id (ZVPC)	Number of infringing units sold (data from Temu)	Price Per Unit	Estimated Infringing Revenue	Statutory Request Amount	Treble Enhanced for Willful Infringement Request
601099515049219	18,517	\$ 10.48	\$194,058.16	\$30,000	\$ 90,000.00
601099515049788	3,788	\$12.28	\$46,516.64	\$30,000	\$ 90,000.00
				TOTAL:	\$180,000.00

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

two years and ZVPC,

Defendants

Case No. 1:25-cv-04437-SLE-MV

Honorable Sara L. Ellis

Magistrate Maria Valdez

**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. 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, Walmart, Alibaba, eBay, Aliexpress, and Temu (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 products through its website rotita.com.

6. Plaintiff seeks an award of statutory damages against the defaulted Defendants per copyright infringing product link (the "Defaulting Defendants") in this action. The Defaulting Defendants are accused of intentionally and willfully infringing Plaintiff's following six (6) federally registered copyright asserted in this action: VA0002379930 (the "Copyright Protected Images").

7. It is without question that the Defaulting 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 Defaulting Defendants' online store maintained with the Platform (the "Online Stores"). Moreover, the Defaulting Defendants have unquestionably been operating their Online Store using the misappropriated Copyright Protected Images through a sophisticated counterfeit network utilizing a highly developed supply chains capable of supplying thousands of competing, 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 Defaulting Defendants 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 Defendants could procure, without authorization, Plaintiff's new copyright protected product images and offer them for sale through their Online Stores. In addition, the Defaulting Defendants have intentionally used the Copyright Protected Images for soliciting counterfeit, competing product sales on the Platform.

9. Plaintiff does not, and has not, utilized to sell its authentic products. Simply put, these facts not only establish the Defaulting Defendants' knowledge and intentional infringement of Plaintiff's Copyright Protected Images.

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 Defaulting 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 Temu.com search engine optimization. Doing so causes their online stores to be displayed

whenever someone searches for "Rotita" on Temu.com despite Plaintiff not selling authentic "Rotita" brand products on the platform. Based on the foregoing, I would estimate that the Defaulting Defendant's' Online Stores operate at a net profit of between 40% to 50%. I believe that a disgorgement of the Defaulting Defendants' profits would fall within the net profit range. However, it is impossible to definitively calculate the Defaulting 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 Defaulting Defendants named in the company's copyright infringement enforcement actions are engaged in the practice of copying Plaintiff's copyright protected product images after they are first displayed on the company's website and then associating these images with sale and promotion of unauthorized, competing 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 Defaulting Defendants. Plaintiff maintains that the Defaulting Defendants are acting, 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 a common source associated with manufacturing the counterfeit products being sold on the Defaulting Defendants' Platform storefronts.

13. Plaintiff has suffered, and continues to suffer, irreparable harm through the Defaulting 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 June 19, 2025, in Hong Kong.

By: /s/ Liangjie Li
LIANGJIE LI

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of June 2025, 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, temu.

By: /s/ Joseph W. Droter
Joseph W. Droter (IL Bar No. 6329630)

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two years	1339444341@qq.com
ZVPC	1459714187@qq.com