

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Shenzhen Yilanya Technology Co., Ltd,

Defendant.

Case No. 1:25-cv-04947-MMP-HKM

Honorable Martha M. Pacold

Magistrate Heather K. McShain

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

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff") hereby moves for entry of Default and Default Judgment against the Defendant, Shenzhen Yilanya Technology Co., Ltd. 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: September 15, 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 15th day of September 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, Alibaba.

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

Defendant Store Name	Email Address
Shenzhen Yilanya Technology Co., Ltd.	roselai@erandear.com

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HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Shenzhen Yilanya Technology Co., Ltd,

Defendant.

Case No. 1:25-cv-04947-MMP-HKM

Honorable Martha M. Pacold

Magistrate Heather K. McShain

**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, Shenzhen Yilanya Technology Co., Ltd, (the “Defaulting Defendant” or “Defendant”). 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. On May 12, 2025, the Court authorized electronic service via email on the Defendant. [Dkt. No. 18] Plaintiff completed service on Defendant and filed a Return of Service on August 21, 2025 [Dkt. No. 28]. The deadline to respond to the First Amended Complaint was September 11, 2025.

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 First Amended Complaint in this action. As of the filing of this Motion, approximately twenty-four (24) days have expired since electronic service was effectuated on the Defendant. (Kuhn Decl. ¶ 4.) To date, the Defaulting Defendant has answered or otherwise responded to Plaintiff's First Amended Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendant.

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 First Amended Complaint. [Dkt. No. 22] 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). [Dkt. No. 22 at 32-44]

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 each infringement of the Copyright Protected Image, which should be enhanced for its willful infringement of the federally registered copyright asserted in this action, VA0002379894 (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). 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 First Amended Complaint, the Defaulting Defendant has displayed, without authorization, the Copyright Protected Image on the Alibaba.com online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Rotita brand

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 Rotita brand products by displaying, without authorization, Plaintiff's Copyright Protected Image on its online storefronts. (Kuhn Decl. ¶¶ 8, 11-12.) These circumstances clearly demonstrate the Defaulting Defendant has willfully and intentionally infringed Plaintiff's Copyright Protected Image, thereby supporting the company'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 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. 15] 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.

On June 17, 2025, Plaintiff filed its First Amended 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 First Amended Complaint. [Dkt. No. 22]. Defendant, which was properly served with the First Amended Complaint and all supporting documents via electronic service and publication on August 21, 2025. [Dkt. No. 28] Specifically, the Defaulting Defendant was required to answer or otherwise respond to the First Amended Complaint on or before September 11, 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 twenty-four (24) days have expired since electronic service was effectuated on the Defendant. (Kuhn Decl. ¶ 4.) To date, the Defaulting Defendant has not answered or otherwise responded to Plaintiff's First Amended Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default and default judgment pursuant to Rule 55 against the Defaulting Defendant.

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 Defendant was served, and 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, and violation of the Uniform Deceptive Trade Practice Act as asserted in the First Amended Complaint. [Dkt. No. 22 at 32-44]

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); (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.

D. Plaintiff is Entitled to the Relief Requested.

Through entry of default, Plaintiff has established that Defaulting Defendant: (1) is liable for intentionally and willfully infringing the Copyright Protected Images; and (2) has 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 \$5,000 statutory damages for infringement of the Copyright Protected Images; (2) Plaintiff's request that any statutory damage award be enhanced to \$15,000 based on the Defaulting Defendant's willful copyright infringement; (3) and the company'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 the company'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 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 First Amended Complaint [Dkt. No. 22] and has supplied the Court with a summary of the registration issued by the United States Copyright Office [Dkt. No. 22, Ex. 1]. Moreover, Plaintiff has set forth considerable factual allegations establishing the Defaulting Defendant has infringed the company's Copyright Protected Images. [Dkt. No. 23-07] Accordingly, Plaintiff has established that the Defaulting Defendant has infringed the company's Copyright Protected Images.

Next, Plaintiff is entitled to an award of statutory damages given the circumstances in this action. An award of statutory damages is appropriate because actual damages "are often virtually impossible to prove" *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 infringer's deductible expenses related to the sale of the competing products associated with the unauthorized use and display of the Copyright Protected Image. *See* 17 U.S.C. § 504(b). The third-party platform, Alibaba, also did not provide sales data to Plaintiff, not fully complying Plaintiff's expedited Discovery requests (Kuhn Decl. ¶ 7.) As such, there is no verifiable information concerning the Defaulting Defendant's gross infringing sales of its competing products or the associated deductible expenses from same. (*Id.*) Moreover, while Plaintiff can estimate the range of the Defaulting Defendant's net profits from its 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 Image, which was created at considerable expense. (Li Decl. ¶ 10.) Plaintiff has attached **Exhibit 1** to the Kuhn Declaration filed herewith with its statutory request of \$5,000 be awarded. (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 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 Images. In this regard, Plaintiff's Copyright Protected Images, often representing product line releases, have appeared on the Defaulting Defendant's online stores maintained with the Platform. (Li Decl. ¶ 7.) Moreover, the Defaulting Defendant has unquestionably been operating its online stores using the misappropriated Copyright Protected Images 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 its competing products, thereby justifying an award of statutory damages.

Based on the foregoing, Plaintiff respectfully requests the Court award statutory damages against the Defaulting Defendant. 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 to \$15,000 because of its willful infringements of the Copyright Protected Image. (Kuhn Decl. ¶ 12, Ex. 1.) Accordingly, Plaintiff respectfully requests the Court an award of \$15,000 in statutory damages for copyright infringement under 17 U.S.C. § 504(c)(1) against Defaulting Defendant. (Kuhn Decl. ¶ 12)

2. Plaintiff is entitled to enhanced statutory damages.

Next, the circumstances of the Defaulting Defendant's infringement clearly support 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, have appeared on the Defaulting Defendant's online stores maintained with the Alibaba Platform. (Li Decl. ¶ 7.) Moreover, the Defaulting Defendant has clearly 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, 11-12.)

In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting Defendant, have 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 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 Defendant, to simply cut their losses where Plaintiff has a high likelihood of success, abandon any online platform restrained funds, and bank 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 and infringers, have taken the 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 its 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 Shenzhen Yilanya Technology Co., Ltd in statutory damages, which should be enhanced for willful infringement to \$15,000.00, 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 Defendant. 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, Defendant has elected to not appear or respond to the lawsuit and therefore shows 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. Here, Plaintiff has a valid copyright claim against Defendant, which has 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, continued infringement of the Copyrighted Image.

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. Accordingly, Plaintiff is entitled to issuance of permanent injunctive relief against the Defaulting Defendant.

III. 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) or, alternatively, under the Uniform Deceptive Practices Act pursuant to 815 ILCS § 510/3; (4) such other relief as the Court deems just and proper.

DATED: September 15, 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 15th day of September 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, Alibaba.

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

Defendant Store Name	Email Address
Shenzhen Yilanya Technology Co., Ltd.	roselai@erandear.com

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Shenzhen Yilanya Technology Co., Ltd,

Defendant.

Case No. 1:25-cv-04947-MMP-HKM

Honorable Martha M. Pacold

Magistrate Heather K. McShain

**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, Shenzhen Yilanya Technology Co., Ltd (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 my 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 within twenty-one (21) days after being served with the Summons and First Amended 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 First Amended Complaint via electronic service authorized by the Court on August 21, 2025, which is reflected in the Return of Summons filed in this case. [Dkt. No. 28] As of the filing of this Motion, approximately twenty-four (24) days have expired since electronic service was effectuated on the Defendant. Defaulting Defendant has not answered or otherwise responded to Plaintiff's First Amended Complaint in this action.

5. Plaintiff's asserted claims for relief in this action involve the intentional, willful infringement of the federally registered copyright protected image, VA0002379894 (the "Copyright Protected Image").

6. As alleged in the First Amended Complaint, the Defaulting Defendant has displayed, without authorization, the Copyright Protected Images on the Alibaba.com online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Rotita brand Copyrighted photos through its online store (the "Online Store"), 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 Statutory Damages Request based on the copyright infringement. First, the Defaulting Defendant was provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend this action. Additionally, the platform Alibaba has informed Plaintiff that it does not send sales data for Defendants. As a result of the Defaulting Defendant's intentional decision not to appear and defend this action, coupled with Alibaba's lack of providing complete sales data, 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.

8. In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting Defendant, have been acting through their 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, 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.

9. 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.

10. Such an award precludes the Defaulting Defendant from shielding itself 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 Defendant, be assessed an enhanced statutory damage award of \$15,000 as described in **Exhibit 1** to this Declaration for its infringement of the Copyright Protected Image.

11. Plaintiff has alleged, and has offered proof, that the Defaulting Defendant has not only engaged in the infringement of the Copyright Protected Image, but it has done so through a highly sophisticated network. Moreover, the basic nature of the copyright infringement scheme

employed demonstrates that the Defaulting Defendant not only knew of the impropriety of its conduct but had to implement its 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 new copyright protected product image and offer it for sale through its online stores.

12. 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 \$5,000 statutory damages as described in **Exhibit 1** to this Declaration, with treble the enhancement to \$15,000 against Defaulted Defendant based on its willful infringement of the Copyright Protected Image.

13. 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.

DATED: September 15, 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 15th day of September 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, Alibaba.

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

Defendant Store Name	Email Address
Shenzhen Yilanya Technology Co., Ltd.	roselai@erandear.com

Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. Shenzhen Yilanya Technology Co., Ltd
1:25-cv-04947

Defendant: Shenzhen Yilanya Technology Co., Ltd

Alibaba member id: erandear

Email: roselai@erandear.com

Copyright Infringed: VA0002379894

Alibaba infringing product id Shenzhen Yilanya Technology Co., Ltd	Seller_ali_id	Statutory Request Amount	Treble Enhanced for Willful Infringement Request
1601048952193	2211009958127	\$5,000	\$15,000.00

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Shenzhen Yilanya Technology Co., Ltd,

Defendant.

Case No. 1:25-cv-04947-MMP-HKM

Honorable Martha M. Pacold

Magistrate Heather K. McShain

**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 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 Amazon, Walmart, Temu, eBay, Aliexpress, and Alibaba (the “Platform”), which is the online sales platform at issue in this action. These are the six largest online retailers in the World and Plaintiff does not sell its products through any one of them. Rather, Plaintiff only sells its genuine Rotita brand products through its website rotita.com.

6. Plaintiff seeks an award of 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, VA0002379894 (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 Platform (the “Online Store”). 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.

8. The basic nature of the copyright infringement scheme employed demonstrates that the Defaulting Defendant not only knew of the impropriety of its conduct but had to implement its 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 images and offer them for sale through their Online Stores. In addition, the Defaulting Defendant has intentionally used the Copyright Protected Image

for soliciting competing Rotita product sales on Alibaba.com 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 it is largely capitalizing on Plaintiff's advertising efforts by misappropriating its copyright protected image and imbedding the term "Rotita" in its Alibaba.com search engine optimization. Doing so causes its online stores to be displayed whenever someone searches for "Rotita" on Alibaba.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 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 its Online Store or to ascertain its expenses related to its infringing sales because it has failed to appear, defend, or otherwise participate in this action.

11. The Defaulting Defendant named in the copyright infringement enforcement action is engaged in the practice of copying Plaintiff's copyright protected product image after it is 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 it copies the copyright protected image, without authorization, from its website or such unauthorized image(s) are being provided by a common source associated with manufacturing the competing products being sold on the Defaulting Defendant's Platform storefronts.

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 September 15, 2025, in Hong Kong.

By: /s/ Liangjie Li
LIANGJIE LI

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