

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 1:25-cv-23044-ALTONAGA/Reid

TOHO CO., LTD.,

Plaintiff,

v.

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

Defendants.

**PLAINTIFF'S MOTION FOR ENTRY OF CLERK'S
DEFAULT AGAINST DEFENDANTS**

Plaintiff Toho Co., Ltd., ("Plaintiff"), hereby moves for Entry of Clerk's Default against the Defendants identified in Schedule "A" to the complaint (collectively, the "Defendants") [Dkt. 1-1, 12-1]. The Defendants are as follows:

DEFENDANT NUMBER	DEFENDANT NAME	DEFENDANTS INTERNET STORES
1	ADUVETAFFAIR	https://aduvetaffair.com
2	printyfly	https://printyfly.com
3	Perspirature	https://perspirature.com

Plaintiff makes this motion on the ground that the Defendants have failed to appear or otherwise respond to the Complaint within the time prescribed by Federal Rules of Civil Procedure.

On July 25, 2025, the Court authorized electronic service via email on Defendants listed in Schedule "A" [Dkt. No. 16]. On August 6, 2025, Defendants were served with the Summons and copies of the Complaint, the Order Granting the Motion for Alternative Service, and the Temporary Restraining Order via electronic mail ("e-mail") to the email addresses provided by the PayPal in response to the request for expedited discovery as permitted by the TRO and via website posting pursuant to the Court's Order authorizing alternate service of process. (Declaration of Willam Brees attached hereto (the "Brees Decl.") ¶¶ 3, 4; see Dkt. No. 18 Return of Service on file with the Court.) The deadline to respond to the Complaint and Jury Demand (the "Complaint") [Dkt. No.1] was August 27, 2025. Brees Decl. at ¶ 6.

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), the 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, twenty-three (23) days have expired since electronic service was effectuated on the Schedule "A" Defendants. *Id.* at ¶ 8. To date, none of the Defendants have answered or otherwise responded to Plaintiff's Complaint. *Id.* at ¶ 9.

WHEREFORE, Plaintiff request that default be entered against the Defendants.

DATED: August 29, 2025

Respectfully submitted,

/s/ William R. Brees

William R. Brees (FL Bar No. 98886)

william@bayramoglu-legal.com

Emily M. Heim (FL Bar No. 1015867)

emily@bayramoglu-legal.com

BAYRAMOGLU LAW OFFICES LLC

11540 W. Warm Springs Rd., Ste 100

Henderson, NV 89014

Tel: (702) 462 – 5973

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August 2025, I electronically filed the foregoing using the electronic case filing system. Notice of this filing is provided to unrepresented parties for whom contact information is listed below and provided via email and by posting the filing on a URL contained on our website <http://blointernetenforcement.com>, and a link to said website in the email provided by third-party, PayPal.

/s/ William R. Brees
William R. Brees (FL Bar No. 98886)
BAYRAMOGLU LAW OFFICES LLC

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SCHEDULE "A,"

Defendants.

**DECLARATION OF WILLIAM R. BREES ESQ. IN SUPPORT OF PLAINTIFF'S MOTION
FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANTS**

I, William R. Brees, Esq., of St. Petersburg, Florida, declare as follows:

1. I am an attorney duly licensed to practice before this Court, and I am counsel for Plaintiff, Toho Co., Ltd. ("Plaintiff") in the above-captioned matter. I make this Declaration, which is filed in support of Plaintiff's Motion for Entry of Clerk's Default Against Defendants, and I could and would testify competently to the matters set forth herein.

2. On July 8, 2025, Plaintiff filed its Complaint and Jury Demand [Dkt. No. 1] against Defendants, the Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations identified on Schedule "A" [Dkt. 1-1; 12-1] (collectively, "Defendants").

3. On August 6, 2025, Defendants were served with the Summons and copies of the Complaint, the Order Granting the Motion for Alternative Service and the Temporary Restraining

Order via electronic mail (“e-mail”) and via website posting pursuant to the Court’s Order authorizing alternate service of process. (See Dkt. 18 Return of Service on file with the Court.)

4. A true and correct copy of the Email to the Defendants constituting Service of Process is attached hereto as **E i i A**.

5. A true and correct pdf printout of the website located at <https://blointernetenforcement.com/case-files-125-cv-23044/>, which includes copies of the summons and complaint for download is attached as **E i i B**.

6. The deadline to respond to the Complaint and Jury Demand (the “Complaint”) [Dkt. No.1] was August 27, 2025.

7. None of the Defendants been granted an extension of time to respond to the Complaint.

8. As of the filing of this Motion, twenty-three days (23) have expired since electronic service was effectuated on the Defendants.

9. The Defendants have failed to answer or otherwise respond to the Complaint, or serve a copy of the Answer or other response upon Plaintiff’s attorneys of record.

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

Executed on August 29, 2025, in St. Petersburg, Florida.

By: /s/ William R. Brees
WILLIAM R. BREES (FL BAR NO. 98886)

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August, 2025, I electronically filed the foregoing using the electronic case filing system. Notice of this filing is provided to unrepresented parties for whom contact information is listed below and provided via email and by posting the filing on a URL contained on our website <http://blointernetenforcement.com>, and a link to said website in the email provided by third-party, PayPal.

/s/ William R. Brees
William R. Brees (FL Bar No. 98886)
BAYRAMOGLU LAW OFFICES LLC

EXHIBIT A

Friday, August 29, 2025 at 5:50:48 PM Eastern Daylight Time

Subject: E-SERVICE OF COMPLAINT, SUMMONS, TEMPORARY RESTRAINING ORDER in S.D.F.L. Case No. 1:25-cv-23044-CMA Toho Co., Ltd. v. The Individuals, Corporations, Limited Liability Companies, Partnerships and Unincorporated Associations Identified in Schedule A Hereto

Date: Wednesday, August 6, 2025 at 7:50:11 PM Eastern Daylight Time

From: Elizabeth Cummings

To: ngochung.ycv@gmail.com

CC: BLO copyright, Litigation

Priority: High

Attachments: 015 SEALED Temporary Restraining Order.pdf, 016 SEALED Order Granting Motion for Alt Service.pdf, 001 Complaint for Damages and Injunctive Relief.pdf, 004 Summons.pdf, Outlook-30pslyxr.png

TO WHOM IT MAY CONCERN:

We represent Plaintiff in the above-referenced case filed in the United States District Court for the Southern District of Florida. We are writing because **YOU HAVE BEEN NAMED AS A DEFENDANT.**

Pursuant to the court's order on electronic service of process, **YOU ARE HEREBY ELECTRONICALLY SERVED the Summons, Complaint, Temporary Restraining Order, and Order for Electronic Service** granted by he Honorable Chief Judge Altonaga.

Please read the Summons carefully and follow its directions to respond to the Complaint. Any answer or other response to the Complaint *should be filed with the Clerk of Court for the United States District Court for the Southern District of Florida, within twenty-one (21) days, and served on Plaintiff's attorney.* If no appearance or pleading is filed, the Court may render a default judgment against you for the relief demanded in the complaint.

Please direct all inquiries to copyrightR@bayramoglu-legal.com.

You may also access these documents and other case related filings here:

<https://blointernetenforcement.com/case-no-125-cv-23044>

Kind Regards,
Elizabeth

ELIZABETH
CUMMINGS, CP



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1540 West Warm Springs Road, Suite 100,
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IMPORTANT TO US

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EXHIBIT B

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<https://blointernetenforcement.com/case-files-125-cv-23044/>



BLO Internet Enforcement

[Home](#)

Case No.: 1:25-cv-23044

Documents

1. SUMMONS

Download

2. COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF

Download

3. CASE ASSIGNED to Judge Assignment Chief Judge

Download

4. SEALED TEMPORARY RESTRAINING ORDER

Download



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THE INDIVIDUALS, CORPORATIONS,
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PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED IN
SCHEDULE "A,"

Defendants.

**PROPOSED ORDER GRANTING PLAINTIFF'S MOTION FOR ENTRY
OF CLERK'S DEFAULT AGAINST DEFENDANTS**

Before the Court is Plaintiff Toho Co., Ltd.'s motion for entry of clerk's default pursuant to Federal Rule of Civil Procedure 55(a) (the "Motion") against the Schedule "A" Defendants (the "Defendants") who did not appear, through the filing of an answer or otherwise responsive pleading. A true and correct listing of the Defendants is included in this Order.

Finding good cause, the Court hereby **GRANTS** Plaintiff's Motion and directs the Clerk to enter default against the Defendants.

IT IS SO ORDERED.

DATED: _____, 2025

HONORABLE CECILIA M. ALTONAGA
CHIEF UNITED STATES DISTRICT JUDGE

DEFAULTING DEFENDANTS

DEFENDANT NUMBER	DEFENDANT NAME	DEFENDANTS INTERNET STORES
1	ADUVETAFFAIR	https://aduvetaffair.com
2	printyfly	https://printyfly.com
3	Perspiration	https://perspiration.com