

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Choove,

Defendant.

Case No. 1:25-cv-06290-FUV-AB

Honorable Franklin U. Valderrama

Magistrate Albert Berry, III

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

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. ("Plaintiff") hereby moves for Default Judgment against the Defendant, Choove. Plaintiff files herewith a Memorandum of Law in support, Declaration of Katherine M. Kuhn and Declaration of Liangjie Li. Plaintiff's Motion for Default Judgment disposes of the case.

DATED: October 23, 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 23rd day of October 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, TikTok.

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

Store Name	Store ID	Email
Choove	8646958356866762208	sileanshow16@gmail.com

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

Plaintiff,

v.

Choove,

Defendant.

Case No. 1:25-cv-06290-FUV-AB

Honorable Franklin U. Valderrama

Magistrate Albert Berry, III

**PLAINTIFF’S MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR
DEFAULT JUDGMENT AGAINST THE DEFENDANT CHOOVE**

Plaintiff Hong Kong Leyuzhen Technology Co. Ltd. (“Plaintiff”) hereby submits this Memorandum of Law in support of its Motion for Default Judgment (the “Motion”) pursuant to Federal Rule of Civil Procedure 55 (“Rule 55”) against the Defendant, Choove, (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 Default Judgment disposes of the case.

I. INTRODUCTION

Plaintiff’s request for entry of default is straightforward. On August 11, 2025, the Court authorized electronic service via email on the Defendant in connection with issuing a Temporary Restraining Order (“TRO”), which went into effect August 18, 2025. [Dkt. No. 22] Plaintiff completed service on Defendant and filed a Return of Service on September 4, 2025 [Dkt. No. 28]. The deadline to respond to the Second Amended Complaint was September 25, 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 Second Amended Complaint in this action. As of the filing of this Motion, approximately forty-seven days (47) have expired since electronic service was effectuated on the Defendant. (Kuhn Decl. ¶ 4.) To date, the Defaulting Defendant has neither answered nor otherwise responded to Plaintiff's Second Amended Complaint. (*Id.*) On October 2, 2025 entry of default was granted pursuant to Rule 55(a) against the Defaulting Defendant [Dkt. No. 32].

Pursuant to Rule 55(b)(2), Plaintiff now also respectfully moves this Court for default judgment finding the Defaulting Defendant liable on all counts asserted in Plaintiff's Second Amended Complaint. [Dkt. No. 19] 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. 19 at 33-54]

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 their willful infringement of the federally registered copyright asserted in this action, VA0002381842 (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 Second Amended Complaint, the Defaulting Defendant has displayed, without authorization, the Copyright Protected Image on TikTok's online sales platform (the "Platform") to market and sell competing products using Plaintiff's authentic Copyrighted Image,

thereby deceiving public consumers as to the quality, nature, and source of goods being purchased. (Kuhn Decl. ¶ 6.) Moreover, the Defaulting Defendant is alleged to be operating as part of a coordinated, sophisticated product network that utilizes a common supply chain and manufacturing source to fulfill consumer orders for competing products by displaying, without authorization, Plaintiff's Copyright Protected Images on their 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 Plaintiff's request for enhanced statutory damages under the Copyright Act. (*Id.*)

Procedurally, Rule 55(b)(2) provides for a court-ordered default judgment which establishes, as a matter of law, that 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. 19] 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 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 Second Amended Complaint. [Dkt. No. 19 at 33-54]

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 enhanced statutory damages of \$150,000.00 for willful infringement pursuant to 17 U.S.C. § 504(c)(2); (2) entry of a permanent

injunction pursuant to 17 U.S.C. § 502(a); and (3) alternatively, entry of a permanent injunction pursuant to 815 ILCS § 510/3.

C. Plaintiff is Entitled to the Relief Requested.

Through entry of default, Plaintiff has established that the Defaulting Defendant: (1) is liable for intentionally and willfully infringing the Copyright Protected Image; 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 statutory damages for infringement of the Copyright Protected Image; (2) Plaintiff’s request that any statutory damage award be enhanced based on the Defaulting Defendant’s willful copyright infringement; (3) and 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 Plaintiff’s Copyright Protected Image, which it maintains was done willfully and intentionally. (Kuhn Decl. ¶¶ 7, 11-12.)

A copyright owner is entitled to recover the actual damages suffered for infringement, and any profits of the infringer that are attributable to the infringement and are not taken into account in computing the actual damages. 17 U.S.C. § 504(b). In establishing the infringer’s profits, the copyright owner is required to present proof only of the infringer’s gross revenue, and the infringer is required to prove his or her deductible expenses and the elements of profit attributable to factors other than the copyrighted work. 17 U.S.C. § 504(b). “[S]tatutory damages have been held to be appropriate on a motion for default judgment because the defaulting party has the information

needed to prove actual damages.” *White v. Marshall*, 771 F.Supp.2d 952, 956 (E.D. Wis. 2011); *see also Wondie v. Mekuria*, 742 F.Supp.2d 118, 124-25 (D.D.C. 2010); *Lifted Research Grp., Inc. v. Behdad, Inc.*, 591 F.Supp.2d 3, 8 (D.D.C. 2008).

First, Plaintiff has asserted a viable claim for infringement of the Copyright Protected 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 Image in its Second Amended Complaint [Dkt. No. 19] and has supplied the Court with a summary of all registrations issued by the United States Copyright Office [Dkt. No. 19, Ex. 1]. Moreover, Plaintiff has set forth considerable factual allegations establishing the Defaulting Defendant has infringed the company's Copyright Protected Image. [Dkt. No. 19-2, Ex. 2] Accordingly, Plaintiff has established that the Defaulting Defendant has infringed Plaintiff's Copyright Protected Image.

Next, Plaintiff is entitled to an award of statutory damages given the circumstances in this action. An award of statutory damages is appropriate because actual damages “are often virtually impossible to prove” *White*, 771 F.Supp.2d at 956. In awarding statutory damages, the court is not required to follow any rigid formula. *Id.* (citing *Chi-Boy Music v. Charlie Club, Inc.*, 930 F.2d 1224, 1229 (7th Cir. 1991)). Instead, the court enjoys wide discretion in setting a statutory damage award within the prescribed range from \$750 to \$30,000 per infringement. *Broadcast Music, Inc. v. Star Amusements, Inc.*, 44 F.3d 485, 489 (7th Cir. 1995). The court may consider such factors as the difficulty or impossibility of proving actual damages, the circumstances of the

infringement, and the efficacy of the damages as a deterrent to future copyright infringement. *Chi-Boy Music*, 930 F.2d at 1229.

Plaintiff has established unquestionably viable copyright infringement claims in this case. The Defaulting Defendant's refusal to appear and defend against the asserted claims, however, has deprived Plaintiff of the ability to present evidence concerning verifiable infringing sales or costs associated with such sales. (Kuhn Decl. ¶ 7.)

Specifically, Plaintiff has neither obtained, nor is the Defaulting Defendant participating in these proceedings, so that the Court can be provided with the infringer's deductible expenses related to the sale of the competing products associated with the unauthorized use and display of Copyright Protected Image. *See* 17 U.S.C. § 504(b). As such, there is no verifiable information concerning the Defaulting Defendant's 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 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 for which Plaintiff has created at considerable expense. (Li Decl. ¶ 10.) Plaintiff has calculated an unverified total infringing sales amount of \$566,159.07 and attached its analysis as **Exhibit 1** to the Kuhn Declaration filed herewith, data provided by TikTok third-party platform. (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 Images 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 Plaintiff's copyright registrations with the United States Copyright Office and spending approximately \$8,000,000 to \$12,000,000 annually to advertise and promote its Rotita brand in the United States. (*Id.*) These facts unquestionably support Plaintiff's request for an award in statutory damages against the 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 TikTok Shop 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 for the TikTok infringing product id, which shows infringement of the Copyright Protected Image. As set forth in Plaintiff's supporting documentation, the Defaulting Defendant in this action should be found liable for enhanced statutory damages, which is enhanced because of their willful infringements of the Copyright Protected Image. (Kuhn Decl. ¶ 12, Ex. 1.) Accordingly, Plaintiff respectfully requests the Court an award of \$150,000 in statutory damages for copyright infringement under 17 U.S.C. § 504(c)(2) 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 against them. Simply put, the Defaulting Defendant's infringing conduct in this action is unquestionably willful, thereby justifying enhanced damages under 17 U.S.C. § 504(c)(2).

It is without question that the Defaulting Defendant has engaged in the intentional misappropriation and unauthorized use of the Copyright Protected Image. (Kuhn Decl. ¶¶ 8, 11-12.) In this regard, Plaintiff's Copyright Protected Image, often representing recent product releases, has appeared on the Defaulting Defendant's online stores maintained with the Platform. (Li Decl. ¶ 7.) Moreover, the Defaulting Defendant has clearly been operating their online store using the misappropriated Copyright Protected Image through a sophisticated network utilizing a highly developed supply chain capable of supplying thousands of competing products featuring an

array of Plaintiff's textile patterns and designs that could not otherwise be accomplished on an individual basis. (Kuhn Decl. ¶¶ 8, 11-12.)

In addition, defendants in multiple copyright enforcement actions in this judicial district, which includes the Defaulting Defendant, has been acting through their network to actively monitor and post information on the Plaintiff's pending cases on the website www.SellerDefense.cn. (Kuhn Decl. ¶ 8.) This has apparently been done to advise 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 bask in the security that any judgment issued against them will almost certainly not be collectable in the Republic of China. (Kuhn Decl. ¶ 8.) Such circumstances support awarding Plaintiff enhanced statutory damages in this action. *See Chi-Boy Music*, 930 F.2d at 1229.

The facts presented further support awarding the enhanced statutory damages against the Defaulting Defendant on the grounds that they should serve as a deterrent to future conduct. *Id.* at 1229-30. Simply put, the Defaulting Defendant is watching the results of Plaintiff's copyright infringement enforcement actions in this judicial district. (Kuhn Decl. ¶ 8.) The Defaulting Defendant, as with other similarly situated defendants, have simply taken the apparent position that any recovery issued by a court is only executable against their restrained assets on the named online platform. (*Id.*) This conduct demonstrates an intentional wiliness to ignore the Court's authority to impose significant statutory damages in this action to send a message to the Defaulting Defendant, and all other similar infringers, that they will incur substantial liability for their actions. In doing so, hopefully the Defaulting Defendant, or other similar infringers monitoring this case,

will post this anticipated reward on the www.SellersDefense.cn website as notice of the consequences for their intentional, and orchestrated actions.

Based on the foregoing, Plaintiff respectfully requests the Court award enhanced statutory damages of not less than \$150,000. 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 enhanced willful infringement to \$150,000.00 against Choove, 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.

CONCLUSION

Based on the foregoing, Plaintiff respectfully request entry of default judgment against the Defaulting Defendant pursuant to Rule 55. In granting its request, Plaintiff asks the Court to award the following: (1) enhanced statutory damages of \$150,000.00 against Defaulting Defendant based on its willful infringement pursuant to 17 U.S.C. § 504(c)(2); (2) 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; (3) such other relief as the Court deems just and proper.

DATED: October 23, 2025

Respectfully submitted,

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

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of October 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, TikTok.

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

Store Name	Store ID	Email
Choove	8646958356866762208	sileanshow16@gmail.com

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Choove,

Defendant.

Case No. 1:25-cv-06290-FUV-AB

Honorable Franklin U. Valderrama

Magistrate Albert Berry, III

**DECLARATION OF KATHERINE M. KUHN IN SUPPORT OF
MOTION FOR 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, Choove (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 Second 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 Second Amended Complaint via electronic service authorized by the Court on September 4, 2025, which is reflected in the Return of Summons filed in this case. [Dkt. No. 28] As of the filing of this Motion, approximately forty-seven (47) days have expired since electronic service was effectuated on the Defendant. Defaulting Defendant has not answered or otherwise responded to Plaintiff's Second 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, VA0002381842 (the "Copyright Protected Image").

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

7. I have reviewed the data provided by TikTok, and Plaintiff is entitled to statutory damages in this action as described in **Exhibit 1** to this Declaration, which shows the Store ID, Infringing TikTok Product ID, Product ID Revenue, and Statutory Damages Request based on the estimated sales. First, the Defaulting Defendant was provided with notice of these proceedings and, apparently, intentionally elected not to appear and defend this action. As a result of the Defaulting Defendant's intentional decision not to appear and defend this action, Plaintiff has been deprived of a meaningful opportunity to assess the true nature of its actual damages. This uncertainty supports Plaintiff's requested statutory damages against the Defaulting Defendants.

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 infringers and 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 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 the Copyright Protected Image. *Desire, LLC v. Manna Textiles, Inc.*, 986 F.3d 1253, 1264-1272 (9th Cir. 2021). Rather, Plaintiff expressly requests that the Defaulting Defendant, be assessed an enhanced statutory damage award 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 manufacturing 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 images and offer them for sale on such a large scale through its online store(s).

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 statutory damages, as described in **Exhibit 1** to this Declaration, with the enhancement against Defaulted Defendant based on its willful infringement of the Copyright Protected Image. Attached as **Exhibit 1** showing the infringing sales data provided by TikTok, price per unit, and total unverified revenue calculated by Plaintiff.

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 its 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: October 23, 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 23rd day of October 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, TikTok.

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

Store Name	Store ID	Email
Choove	8646958356866762208	sileanshow16@gmail.com

Exhibit 1

Hong Kong Leyuzhen Technology Co. Limited v. Choove

Defendant: Choove

Email: sileanshow16@gmail.com

Copyright Infringed: VA0002381842

Store Name	Product ID	Units Sold Excluding Refunds	Average Price Per Unit	Product Revenue (per TikTok)	Enhanced for Willful Infringement
Choove 8646958356866762208	1729590698263548384	24,853	\$22.78	\$566,159.07	\$150,000.00

Q hip enhancer shapewear Search Get app Log in

TikTok Shop > Womenswear & Underwear > Women's Suits & Sets > Overalls > Plain Ruched Wrap Split Hem...

Choove
ELEGANT STYLE

-42% \$26.44 ~~\$45.69~~

\$799 shipping on this order

Plain Ruched Wrap Split Hem Jumpsuit for Women, Chic Fit Modern Elegant Wide Leg Jumpsuit for Dating Daily Wear, Overalls for Women, Ladies Clothes for All Seasons, Clothing, Womenswear, Jumpsuitwomen

Sold by Choove

4.1 ★ (1.10k) 24.5K sold

Color: Black

Black Royal Blue Red Burgundy Violet

Dark Green Bright Yel... Army Gre...

Size: S

S M L XL XXL

Quantity: - 1 +

Buy now

Choove
85 Items

100% 80% 80%

4.1 ★ 1.10k global reviews

Antionette Blake

★★★★★

I absolutely love, love, love this jumpsuit. It fits perfectly, is flattering to my figure and washed well. I love the fabric and the color and I am looking forward to wearing it out this month!

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

HONG KONG LEYUZHEN TECHNOLOGY
CO. LIMITED,

Plaintiff,

v.

Choove,

Defendant.

Case No. 1:25-cv-06290-FUV-AB

Honorable Franklin U. Valderrama

Magistrate Albert Berry, III

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

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

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

2. I make this declaration in support of Plaintiff’s Motion for Default and Default Judgment (the “Motion”).

3. I am the Chief Operations Officer for Plaintiff Hong Kong Leyuzhen Technology Co. Limited (“Plaintiff”). I make this declaration from 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, Alibaba, eBay, AliExpress, and TikTok (the “Platform”), which is the online sales platform at issue in this action. These are some of the largest online retailers in the World – and Plaintiff does not sell its products through any one of them. Rather, Plaintiff only sells its genuine Rotita brand products through its website rotita.com.

6. Plaintiff seeks an award of statutory damages against the Defaulted Defendant per copyright infringing product link (the “Defaulting Defendant”) in this action. The Defaulting Defendant is accused of intentionally and willfully infringing Plaintiff’s federally registered copyright asserted in this action, VA0002381842 (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 TikTok 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 their conduct but had to implement their common scheme through sophisticated sources and established supply chains. This is the only possible scenario under which the Defaulting Defendant could procure, without authorization, Plaintiff’s new copyright protected product images and offer them for sale through their Online Stores. In addition, the Defaulting Defendant has intentionally used the Copyright Protected

Images for soliciting competing Rotita product sales on a Platform that Plaintiff does not, and has not, utilized to sell its authentic products. Simply put, these facts not only establish the Defaulting Defendant's knowledge and intentional infringement of Plaintiff's Copyright Protected Images.

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 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 TikTok Shop search engine optimization. Doing so causes their online stores to be displayed whenever someone searches for "Rotita" on TikTok 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 Defendant's 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.

11. The Defaulting Defendant named in Plaintiff's copyright infringement enforcement actions is engaged in the practice of copying Plaintiff's copyright protected product images after they are displayed on the company's website and then associating these images 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. Plaintiff maintains that the Defaulting Defendant is acting, pursuant to a common scheme, whereby they 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 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(s) 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 October 23, 2025, in Hong Kong.

By: /s/ Liangjie Li
LIANGJIE LI

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of October 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, TikTok.

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

Store Name	Store ID	Email
Choove	8646958356866762208	sileanshow16@gmail.com