

**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 CLERK'S DEFAULT
AGAINST DEFENDANT**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited ("Plaintiff") hereby moves for entry of clerk's default pursuant to Federal Rule of Civil Procedure 55(a) (the "Motion") against Defendant, Choove, for not appearing, through the filing of an answer or otherwise responsive pleading, (the "Defaulting Defendant").

DATED: September 26, 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 26th 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 <https://blointernetenforcement.com/>, and distributed to ecommerce platform, TikTok.

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Store Name	Email
Choove	sileanshow16@gmail.com

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**PLAINTIFF’S MEMORANDUM IN SUPPORT OF PLAINTIFF’S
MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANT**

Plaintiff Hong Kong Leyuzhen Technology Co. Limited (“Plaintiff”) submits the following memorandum in support of its request for entry of default (the “Motion”) pursuant to Federal Rule of Civil Procedure 55(a) (“Rule 55(a)”) against Defendant, Choove, through not filing of an answer or otherwise responsive pleading, (the “Defaulting Defendant” or “Defendant”).

I. INTRODUCTION

Plaintiff’s request for entry of default is straightforward, the Court authorized electronic service of process on Defendant via email in this matter in connection with issuing a Temporary Restraining Order (“TRO”) on August 11, 2025, which went into effect August 18, 2025. [Dkt. No. 22]. Plaintiff effectuated service on Defendant and a Return of Service was filed on September 4, 2025. [Dkt. No. 28]

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A) (“Rule 12(a)(1)(A)”), the Defaulting Defendant had twenty-one (21) days to answer or otherwise respond to Plaintiff’s Complaint in this action. As of the filing of this Motion, approximately twenty-two (22) days have expired since electronic service was effectuated on the Defendant. (Kuhn Decl. ¶ 5.) To date, the

Defaulting Defendant has neither answered or otherwise responded to Plaintiff's Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendants.

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 at ¶ 6-10] 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. [Dkt. No. 19 at ¶ 6-10]; *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).

In addition to the foregoing, the Court has determined that it can properly exercise specific personal jurisdiction over the Defendant, which includes the Defaulting Defendant, in issuing the TRO requested by Plaintiff on August 11, 2025. [Dkt. No. 22.] 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 July 29, 2025, Plaintiff filed its Second Amended Complaint in this action. [Dkt. No. 19] The Defendant was properly served on September 4, 2025. [Dkt. No. 28] 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-two (22) days have expired since electronic service was effectuated. (Kuhn Decl. ¶ 5.) To date, Defaulting Defendant has neither answered or otherwise responded to Plaintiff’s Complaint. (*Id.*) Accordingly, the Clerk of the Court is compelled to enter default pursuant to Rule 55(a) against the Defaulting Defendant.

III. CONCLUSION

Based on the foregoing, Plaintiff respectfully requests that the Clerk of the Court enter default against the Defaulting Defendant pursuant to Rule 55(a).

DATED: September 26, 2025

Respectfully submitted,

By: /s/ Joseph W. Droter
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**DECLARATION OF KATHERINE M. KUHN IN SUPPORT OF PLAINTIFF'S
MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANT**

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 Entry of Clerk's Default against Defendant, Choove (the "Motion"). The Motion seeks entry of default against Defendant who has neither appeared in this action nor filed an answer or otherwise responsive pleading (the "Defaulting 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 has failed to file an answer or other responsive pleading within twenty-one (21) days after being served with the Summons and Complaint in this action as required by Federal Rule of Civil Procedure 12(a)(1)(A).

5. 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 twenty-two (22) days have expired since electronic service was effectuated on the Defendant.

6. My office investigated the infringing activities of the Defaulting Defendant, including attempting to identify their contact information. Our investigation confirmed that the Defaulting Defendant is domiciled in Asia and, more particularly, in either the People's Republic of China or territory under that government's control. As such, I am informed and believe that the Defaulting Defendant is active-duty member of any branch of the United States armed services.

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

Executed on September 26, 2025, in Chicago, Illinois.

By: /s/ Katherine M. Kuhn
KATHERINE M. KUHN, ESQ.

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