IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

COLLECTANEA J. LIMITED, Plaintiff, v. THE PARTNERSHIPS AND UNINCORPORATED ASSOCIATIONS IDENTIFIED ON SCHEDULE "A," Defendants.	Case No. 25-cv-04839 **Judge Charles P. Kocoras** **Magistrate Judge Maria Valdez**

MEMORANDUM IN SUPPORT OF PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT PURSUANT TO FED. R. CIV. P. 55(a) AND MOTION FOR FINAL JUDGMENT PURSUANT TO FED. R. CIV. P. 55(b) AS TO CERTAIN DEFENDANTS

Plaintiff Yiwu Baimei Electronic Commerce Co., Ltd. ("Baimei" or "Plaintiff") by and through its undersigned counsel, seeks entry of default and default judgment as to Certain Defendants.

Procedural History

1. On May 22, 2025, Plaintiff filed its Amended Complaint ("Complaint" hereinafter) alleging violations of 15 U.S.C. § 1114 (trademark infringement and counterfeiting), 15 U.S.C. § 1125 (false designation) trademark and 17 U.S.C. § 101 et. seq. (copyright infringement). [Doc. 7].

2. On May 28, 2025, Plaintiff filed its Motion for Expedited Third Party Discovery, Motion for Alternate Service, and Motion for Temporary Restraining Order, which this Court subsequently granted. [Doc. 12, 13, 14, and 17, respectively].

3. On June 18, 2025, Plaintiff filed its Motion for Preliminary Injunction. [Doc. 26]. On June 27, 2025, without objection, this Court granted Plaintiff's Motion for Preliminary Injunction. [Doc. 40].

4. On June 18, and June 22, 2025, Plaintiff filed its Return of Summons as to Defaulting Defendants. [Doc. 29-33, 42].

5. On July 22, 2025, Plaintiff filed its Motion for Entry of Default and Final Judgment. [Doc. 55].

6. On July 31, 2025, non-party and third-party platform eBay entered the case and filed a Motion for Relief From, or to Modify, the Preliminary Injunction and Incorporated Memorandum of Law ("Motion to Modify the PI" hereinafter).[1] [Doc. 73].

7. On August 5, 2025, this case came before the Court for a hearing. [Doc. 79]. At that time, this Court continued Plaintiff's prior Motion for Default and non-party eBay's Motion to Modify the PI. *Id*.

8. On October 7, 2025, Plaintiff filed its Renewed Motion for Default. [Doc. 115].

9. On October 8, 2025, Plaintiff filed its Motion to stay briefing on eBay's Motion to Modify the PI. [Doc. 119].

10. On October 10, 2025, this Court entered a Minute Order granting Plaintiff's Renewed Motion for Default and Plaintiff's Motion to stay briefing on eBay's Motion to Modify the PI. [Doc. 123-124].

11. On October 10, 2025, this Court entered a Minute Order requiring Plaintiff and non-party eBay to file a joint status report by October 31, 2025. [Doc. 125].

12. The time allowed for the Defaulting Defendants to respond to the Amended Complaint has expired.

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[1] Third party eBay's Motion pertains to fifty stores utilizing the eBay platform. [Doc. 73 at n.1]. This motion applies only to those Defendants identified by eBay as not being based in the United States. [D.E. 73 at 7 n. 3]. Grant of the instant motion will render eBay's motion moot as to the defendants that eBay does not contend are located in the United States.

13. Plaintiff is informed and believes that the Defaulting Defendants are not considered infants or incompetent persons. *Id*.

10. Plaintiff is informed and believes that the Service Members Civil Relief Act does not apply. *Id*.

14. Plaintiff respectfully requests that an entry of default under Fed. R. Civ. P. 55(a) be entered, as well as an order of final judgment under Fed. R. Civ. P. 55(b). Plaintiff respectfully requests for the entry of a final judgment under Fed.R.Civ.P. 55(b) to include an award of statutory damages as authorized by 15 U.S.C. § 1114 and 17 U.S.C. § 504, and a permanent injunction enjoining the Defaulting Defendants from further acts of trademark and copyright infringement.

MEMORANDUM OF LAW

This memorandum will discuss why Plaintiff has demonstrated that entry of default and final judgment is proper as to Certain Defendants. Next, this memorandum will discuss why a high statutory damages award is appropriate. In support of this argument, Plaintiff will explore why Congress intended on statutory damages as an alternative to actual damages in a case such as this, where Plaintiff created a marketing series with hundreds of images associated with its trademark brand and defendants' infringement has resulted in indeterminable damage to Plaintiff from loss of sales, loss of consumer base, and damage to the brand's goodwill. Plaintiff will also reference the statutory awards it has received from other courts in this district, where a finding of willfulness and injury has been found. This memorandum will conclude that a high statutory damages award is appropriate under the circumstances of this case.

I. 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 Lanham Act, 15 U.S.C. §1114 and 15 U.S.C. § 1125(a), as well as the Federal Copyright Act, 17 U.S.C. § 101, et seq. [Doc. 7 at ¶1-4, 68]. Venue is proper in this Court under 28 U.S.C. § 1391. *Id*. This Court may properly exercise personal jurisdiction over Defendants since each of the Defendants directly targets business activities toward consumers in the United States, including Illinois, through at least the fully interactive, commercial Internet stores operating under the Defaulting Defendants [Doc. 7 at ¶¶2, 3, 5 and Doc. 9 at ¶¶21-26]. *uBID, Inc. v. GoDaddy Grp., Inc.*, 623 F.3d 421, 423-24 (7th Cir. 2010) (without the benefit of an evidentiary hearing, the 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).

Through the fully interactive commercial Defendants' Internet Stores, Illinois residents can purchase products from Defaulting Defendants that are sold and advertised in listings for sale utilizing Plaintiff's registered trademark and copyrights without authorization. *See NBA Properties, Inc. v. HANWJH*, 46 F.4th 614 at 624-625, 2022 WL 3367823 at *7 (7th Cir. Aug. 16, 2022) ("[Defendant's] actions certainly can be characterized as purposeful. It established an online store, using a third-party retailer, Walmart.com. Through this online store, it unequivocally asserted a willingness to ship goods to Illinois and established the capacity to do so. When an order was placed, it filled the order, intentionally shipping an infringing product to the customer's designated Illinois address."). Therefore, personal jurisdiction is proper because each of the Defendants is committing tortious acts in Illinois, is engaging in interstate commerce, and has wrongfully caused Plaintiff substantial injury in the State of Illinois. [Doc. 7 at ¶¶2, 3, 5 and Doc. 9 at ¶¶21-26].

II. PLAINTIFF MEETS THE REQUIREMENTS FOR FED. R. CIV. P. 55(a) ENTRY OF DEFAULT

The Return of Summons reflects that Plaintiff served Defendants on June 18, and 25, 2025. [Doc. 29-33, 42]. Therefore, the twenty-one days for Defendants to respond[2] to the Complaint, on June 18, 2025 and July 16, 2025, respectively, has passed. The Defaulting Defendants have failed to answer or otherwise respond to the Complaint, and failed to file a copy of an Answer or other response with the Court. See attached Declaration of Larry Ford Banister, II.

III. PLAINTIFF MEETS THE REQUIREMENTS FOR FED. R. CIV. P. 55(b) ENTRY OF FINAL DEFAULT JUDGMENT

Rule 55(b)(2) of the Federal Rules of Civil Procedure provides for a court-ordered default judgment. A default judgment establishes, as a matter of law, that defendants are liable to Plaintiff on each cause of action alleged in the Amended 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 a 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).

A. Entry of Default Judgment is Appropriate.

1. Plaintiff Has Properly Pled a Claim for Trademark Infringement and Counterfeiting

To properly plead a claim of trademark infringement and counterfeiting pursuant to the

[2] Docket Entry 33 provides August 18, 2025 as the Answer deadline as computed by the Clerk of Court. However, this would greatly exceed the twenty-one day deadline pursuant to Fed.R.Civ.P. 12 and also conflict with the computation of the Answer deadline of July 9, 2025 consistent with Docket Entries 29-32. Therefore, the entry providing for August 18, 2025 as the Answer Deadline from service on June 18, 2025 is incorrect and the Answer deadline of July 9, 2025 should control.

Lanham Act, a plaintiff must allege that (1) its mark is distinctive enough to be worthy of protection, (2) defendants are not authorized to use the mark; and (3) defendant's use of the mark causes a likelihood of confusion as to the origin or sponsorship of defendant's products. *Neopost Industrie B.V. v. PFE Int'l Inc.*, 403 F. Supp. 2d 669, 684 (N.D. Ill. 2005) (citing *Bliss Salon Day Spa v. Bliss World LLC*, 268 F.3d 494, 496-97 (7th Cir. 2001)).

Plaintiff alleged in its Amended Complaint that it owns the Trademark [Doc. 7 at ¶6, Doc. 9 at ¶37], that the registered Trademark is distinctive [Doc. 9 at ¶37], that Defaulting Defendants have knowledge of Plaintiff's rights in the registered trademark, [Doc. 9 at ¶66] that Defaulting Defendants are not authorized to use the registered Trademark [Doc. 7 at ¶33, Doc. 9 at ¶25] and that Defaulting Defendants' use of the registered Trademark causes a likelihood of confusion. [Doc. 7 at ¶¶57, 60, 63]. Defaulting Defendants' failure to respond or otherwise plead in this matter requires the Court to accept the allegations of Plaintiff's Amended Complaint as true. Fed. R. Civ. P. 8(b)(6); *Am. Taxi Dispatch, Inc., v. Am. Metro Taxi & Limo Co.*, 582 F. Supp. 2d 999, 1004 (N.D. Ill. 2008)). Accordingly, Plaintiff is entitled to entry of judgment in its favor with respect to Count I for willful infringement and counterfeiting of its registered trademark against the Defaulting Defendants.

2. Plaintiff Has Properly Pled a Claim For False Designation of Origin

In order to establish liability for false designation of origin under 15 U.S.C. § 1125(a), Plaintiff must show that: (1) the registered mark is a protectable trademark; and (2) a likelihood of confusion will exist as to the origin of Plaintiff's products. *Johnny Blastoff, Inc. v. Los Angeles Rams Football Co.*, 188 F.3d 427, 436 (7th Cir. 1999)) (citing *International Kennel Club of Chicago, Inc. v. Mighty Star, Inc.*, 846 F.2d 1079, 1084 (7th Cir. 1988)). This is the same test that

is used for bringing a trademark infringement claim under the Lanham Act. *Id*. Plaintiff properly pled a claim for false designation of origin in the Amended Complaint. [Doc. 7 at ¶¶71-74] Therefore, Plaintiff is entitled to entry of judgment in its favor with respect to Count II for false designation of origin of its registered trademark against the Defaulting Defendants.

3. Plaintiff Has Properly Pled a Claim for Copyright Infringement

To establish copyright infringement, Plaintiff is required to prove two elements: "(1) ownership of a valid copyright, and (2) copying of constituent elements of the work that are original." *Feist Publications, Inc. v. Rural Tel. Serv. Co*., 499 U.S. 340, 349, 111 S.Ct. 1282, 113 L.Ed.2d 358 (1991). Plaintiff has demonstrated its ownership of valid copyrights by attaching to its Complaint and a Declaration, Copyright Registration Nos. VA 2-348-112 and VA 2-348-115, which have an effective registration date of May 22, 2023 ("Beadnova Works" hereinafter). [Doc. 7 at ¶¶ 6, 8-9; Doc. 7-2, Doc. 7-3]. This registration creates a *prima facie* presumption of validity of a copyright. 17 U.S.C. § 410(c); *Team Play, Inc. v. Boyer*, 391 F. Supp. 2d 695, 699 (N.D. Ill. Sept. 28, 2005).

Here, Defendants are willfully and deliberately reproducing Plaintiff's Beadnova Works, either in their entirety or in substantially similar form, and are willfully and deliberately distributing copies to the public through their advertisements, marketing, and displays. Plaintiff has proven that due to admissions and based on the evidence presented, Plaintiff is entitled to entry of judgment in its favor regarding Count III for copyright infringement.

4. Plaintiff Is Entitled to an Award of Statutory Damages

Section 1117(c)(2) to chapter 15 of the United States Code provides that a plaintiff may be awarded statutory damages of $2,000,000.00 for willful trademark counterfeiting for each and every use of a mark. Section § 504(c)(1) to chapter 17 of the United States Code provides that a

plaintiff may be awarded statutory damages up to $150,000.00 when infringement was committed willfully. 17 U.S.C. § 504(c)(2).

"District courts enjoy wide discretion in awarding fees and may consider various factors such 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 v. Charlie Club*, 930 F.2d 1224, 1229 (7th Cir. 1991) (citations omitted) "Statutory damages are 'most appropriate' when an infringer's nondisclosure makes actual damages uncertain." *Luxottica USA LLC v. The Partnerships*, Case No. 2014-cv-09061 at *4, 2015 WL 3818622 (N.D. Ill. June 18, 2015) (citing *Sara Lee Corp. v. Bags of N.Y., Inc.*, 36 F.Supp.2d 161, 165 (S.D.N.Y. 1999)). Here, none of the Defaulting Defendants have appeared and/or provided Plaintiff with information from which Plaintiff might determine Defendants' sales and an award of statutory damages is appropriate.

To date, Plaintiff has received judgments in eight other lawsuits where under similar circumstances, the District Court found that Defendants willfully infringed Plaintiff's registered property and that the infringement caused Plaintiff injury to support an award of statutory damages. *See Collectanea J. Limited v. The Partnerships and Unincorporated Associations Identified on Schedule A*; Case No. 24-cv-3821 (N.D.Ill. Nov. 8, 2024) (Ellis, J.) [Doc. 131] (awarding statutory damages of $15,000 for willful copyright infringement against each defaulting defendant); Case No. 24-cv-5184 (N.D.Ill. Sept. 18, 2024) (Harjani, J.) [Doc. 32] (awarding statutory damages of $50,000 for willful trademark and copyright infringement against each defaulting defendant); Case No. 24-cv-4731 (N.D. Ill. Dec. 3, 2024) (Alonso, J.) [Doc. 47] (awarding statutory damages of $150,000 for willful copyright infringement against each defaulting defendant); Case No. 24-cv-5610 (N.D. Ill. Sept. 16, 2025) (Jenkins, J.) [Doc.

49] (awarding statutory damages of $50,000 for willful copyright infringement), Case No. 24-cv-6472 (N.D.Ill. Feb. 21, 2025) (Daniel, J.) [Doc. 85] (awarding statutory damages of $75,000 for willful copyright infringement and $75,000 for willful trademark infringement against each defaulting defendant).

The volume of infringers, in this case as well as the preceding cases, underscores the prevalence of the infringement on Plaintiff's registered trademark and copyrights. In its copyright series, Plaintiff created hundreds of original images which have similar bead placement, background, and other definable characteristics which individually and collectively are readily identifiable and associated with the Beadnova brand. Creating this form of content for any brand is a massive undertaking. The time, energy, and resources Plaintiff expends to police its registered property distracts from Plaintiff's ability to focus on marketing, development, content creation, and product enhancement for its branded products. This dichotomy, of having to allocate resources to manage infringement rather than simply to manage its products, is exactly why Congress provides for the relief of infringement in the form of statutory awards. If Plaintiff only received actual damages, Plaintiff may not recover the time, resources, and costs that it invests into policing its property.

For Plaintiff, seeing the (collectively) thousands of infringers simply taking the trademark and the images and then using the trademark and images on their storefronts takes away from Plaintiff's efforts to build consistent marketing and to make content associated with its brand. Any customers looking for Beadnova and its associated quality control, customer service, and warranties must either sift through hundreds or thousands of infringer storefronts before being able to find Plaintiff's storefront, or risk buying counterfeit products from an infringer. This loss

of goodwill and brand confidence is incalculable and is why high statutory damages should be awarded.

5. Defendants' Acts of Infringement Were Willful

"[A] finding of willfulness is justified if the infringer knows that its conduct is an infringement or if the infringer has acted in reckless disregard of the copyright owner's right." *Wildlife Express Corp. v. Carol Wright Sales, Inc.*, 18 F.3d 502, 511 (7th Cir. 1994) (internal quotation marks omitted). Although "evidence that notice had been accorded to the alleged infringer before the specific acts found to have constituted infringement occurred is perhaps the most persuasive evidence of willfulness, it is not the only way that willfulness can be established." *Video Views, Inc. v. Studio 21, Ltd.*, 925 F.2d 1010, 1021 (7th Cir. 1991), *overruled on other grounds*, *Fogerty v. Fantasy, Inc.*, 510 U.S. 517, 521 n.8 (1994). Because "one who undertakes a course of infringing conduct may neither sneer in the face of [a] copyright owner nor hide its head in the sand like an ostrich," *ibid.*, courts may consider a variety of other factors when evaluating willfulness, including "evidence that the defendant ignored the plaintiff's notices about copyright protection ... and passed the matter off as a nuisance," *Wildlife Exp. Corp.*, 18 F.3d at 512.

As alleged in Plaintiff's Amended Complaint [Doc. 7], some Defendants created numerous Defendant Internet Stores utilizing the Beadnova Mark and Works. [*Id*. at ¶10]. Many Defendants have also used Plaintiff's watermark in their images, eliminating any possible "innocent" infringement or accidental use of the copyright or trademark.[3] Here, given the

[3] See Exhibit Five (Evidence) to the Declaration of Yu Chung Ting [Doc. 10]; [Doc. 10-1] pp. 2, 14, 21, 43, 49, 112, 133, 138, 144; [Doc. 10-2] pp. 19, 25, 46, 53, 73, 84, 96, 113, 136, 152, 171; [Doc. 10-3] pp. 7, 18, 29, 40, 45, 51, 57, 63, 88, 93, 109, 112, 116, 133, 143, 153; [Doc. 10-4] pp. 2, 12, 28, 38, 44, 49, 55, 60, 66, 82, 93, 103, 120, 126, 131, 141, 156; [Doc. 10-5] pp. 12, 24, 34, 44, 55, 71, 95, 108, 113, 119, 134, 147, 157, 161; [Doc. 10-6] pp. 7, 39, 41, 49, 65, 75, 91, 97, 102, 107, 118, 133, 139, 150, 161; [Doc. 10-7] pp. 2, 16, 37, 44, 51, 68, 90, 105, 118, 124, 134, 141, 154, 157, 166, 178, 181, 201, 207).

Defendants' default, the allegations of the complaint are taken as true and a finding of willfulness is therefore warranted. *See Scholz Design, Inc. v. Campbell Signature Homes, LLC*, No. 08-1087, 2009 WL 383430 at *2 (C.D. Ill. Feb. 12, 2009) ("The Court finds that Campbell's copyright infringement was knowing, willful and intentional, because Scholz made this allegation in its Complaint."); *Kinsey v. Jambow, Ltd.*, 76 F. Supp. 3d 708, 712 (N.D. Ill. 2014).

Even without reliance upon Defendants' default, it is clear that Defaulting Defendants' copyright infringement was willful. Defaulting Defendants clearly had knowledge that their activities constituted infringement or at least displayed a reckless disregard for Plaintiff's rights in its registered trademark and copyrights, particularly with the use of Plaintiff's watermark.

In addition, Plaintiff alleged in its Complaint that "Defendants have engaged in fraudulent conduct when registering the Defendant Internet Stores by providing false, misleading and/or incomplete information to Internet based e-commerce platforms." [*Id*. at ¶¶37-38]. Pursuant to 15 U.S.C. § 1117(e), this creates a rebuttable presumption of willfulness. *Int'l Typeface Corp. v. Shellabarger*, No. 06-CV-0260 (HLM), 2008 WL 11333693, at *8 (N.D. Ga. June 30, 2008) (applying the presumption where the defendant "provid[ed] false contact information to his domain name registrar, . . . ma[king] himself inaccessible to . . . [the plaintiffs'] efforts to notify him of trademark infringement").

District courts in the Northern District of Illinois have routinely found infringement willful in cases involving this Plaintiff, and other copyright infringement cases. *See Collectanea J. Limited v. The Partnerships and Unincorporated Associations Identified on Schedule A*; Case No. 24-cv-3821 (N.D. Ill. —) (Ellis, J.) [Doc. 131] (awarding statutory damages of $15,000 for willful copyright infringement against each defaulting defendant); 24-cv-4731 (N.D. Ill. Dec. 3, 2024) (Alonso, J.) [Doc. 47] (awarding statutory damages of $150,000 for willful copyright

infringement against each defaulting defendant); *Lei Tang v. The Partnerships and Unincorporated Associations Identified On Schedule A*; Case No. 1:23CV16489 (N.D. Ill. Mar. 23, 2024) (Kocoras, J.) [Doc. 54].

6. Plaintiff's Ongoing Investment in Marketing and Promotion and Brand Protection Efforts Justify a High Statutory Damages Award

Courts may also take into account the value of a plaintiff's brand and the efforts taken to protect, promote, and enhance that brand. *Lorillard Tobacco Co.,* Case No. 03-cv-4986, 2004 WL 2534378, at *9-10. The commercial success achieved through utilization of the registered copyrights has resulted in significant infringement by individuals and entities who unlawfully use the Beadnova Mark and Works using Plaintiff's goodwill. Plaintiff has had to expend significant resources in policing its registered copyright images. [Doc. 9 ¶¶ 14, 33-35, 37]

7. A High Statutory Damages Award is Justified Due to the Acts of Infringement Having Taken Place on the Internet

Many Courts, in this district and elsewhere, have awarded high damages where the predicate acts of infringement took place on the internet. *See Monster Energy Company v. Jing, et al.*, Case No. 2015-cv-00277, 2015 WL 4081288, at * 7 (N.D. Ill. July 6, 2015); *Luxottica Group S.p.A. v. Hao Li, et al.*, Case No. 16-cv-00487, 2017 WL 621966, at *16 (N.D. Ill. Feb. 15, 2017) ("But even putting aside any evidence of defendant selling multiple products through multiple online sales platforms, defendant can reach a worldwide customer base on eBay alone."); *Coach, Inc. v. Ocean Point Gifts*, Case No. 09-4215 (JBS), 2010 WL 2521444, at *14-15 (D.N.J. Jun. 14, 2010) (finding high damage awards in counterfeit cases were "due in part to the wide market exposure that the Internet can provide").

In addition to the fact that the internet permits wide market exposure, as Plaintiff set out in its Complaint, third party service providers like those used by Defendants do not adequately

subject new sellers to verification and confirmation of their identities, allowing Defendant Internet Stores to routinely use false or inaccurate names and addresses when registering with these e-commerce platforms. [Doc. 9 at ¶¶28-29]. This point is underscored here where Plaintiff, a moderately sized retailer, is attempting to establish its brand and secure market share amidst the constant overseas infringers doing business on the same platform. The audacity of infringers in attempting to deceive courts as to their identity and avoid liability has also been demonstrated in this judicial district. *See Camelbak Products LLC v. The Partnerships and Unincorporated Associations Identified On "Schedule A"*, 1:20-cv-01544 (N.D. Ill. January 5, 2021) (Doc. 105 at 3).

Without sufficient deterrence, Plaintiff will not be able to regain control over the unbridled infringement and damage to its goodwill.

8. The Award of Statutory Damages Should be Sufficient to Compensate Plaintiff and to Deter Further Acts of Infringement

When the infringement is willful, the statutory damages award may be designed to penalize the infringer and to deter future violations. *See Illinois Bell Tel. Co. v. Haines & Co.*, 905 F.2d 1081, 1089 (7th Cir. 1990); *Bulgari, S. P.A. v. Xiaohong,* Case No. 15-cv-05148, 2015 WL 6083202 at *5 (N.D. Ill., October 15, 2015) (Coleman, J.) ("This Court's award, moreover, must be adequate to deter future infringement, intentional or unintentional, by the defendant and others similarly situated."). A high statutory damages award will serve to both compensate Plaintiff and to deter the Defaulting Defendants and others who are either now or may in the future infringe upon the registered works.

9. Plaintiff Is Entitled to a Permanent Injunction Preventing Further Acts Of Infringement of Its Registered Works

In addition to the foregoing relief, Plaintiff respectfully requests entry of a permanent injunction enjoining Defaulting Defendants from infringing or otherwise violating Plaintiff's registered copyright, including at least all injunctive relief previously awarded by this Court to Plaintiff in the TRO and Preliminary Injunction. "Without a permanent injunction, the defendants will likely continue their infringing conduct..." *Kinsey v. Jambow, Ltd.*, 76 F. Supp. 3d 708, 714 (N.D. Ill. 2014). Further, prevention of additional acts of infringement of Plaintiff's registered Beadnova Mark and Works serves the public interest. *See Miyano Mach., USA, Inc. v. MiyanoHitec Mach, Inc.*, 576 F. Supp. 2d 868, 889 (N.D. Ill. 2008) ("The public interest is generally served by the enforcement of trademark laws as such laws prevent confusion among and deception of consumers ...") (citation omitted). This Court and others in this judicial district routinely grant permanent injunctive relief to prevailing plaintiffs in copyright infringement cases. *See Collectanea J. Limited v. The Partnerships and Unincorporated Associations Identified on Schedule A*; Case No. 24-cv-5184 (N.D.Ill. Dec. 5, 2024) (Harjani, J.) [Doc. 32]; 24-cv-5610 (N.D.Ill. Sept. 16, 2024) (Jenkins, J.) [Doc. 49]; 24-cv-6472 (N.D.Ill. Feb. 21, 2025) (Daniel, J.) [Doc. 85]; *Lei Tang v. The Partnerships and Unincorporated Associations Identified On Schedule A*; Case No. 1:23CV16489 (N.D.Ill. Mar. 23, 2024) (Kocoras, J.) [Doc. 54].

10. The Court Should Authorize Immediate Execution Upon this Final Judgment Order

In both the TRO [Doc. 17] and the PI [Doc. 40], in order to avoid the fraudulent transfer of assets beyond the jurisdiction of the Court, the Court prohibited Defaulting Defendants and third parties in possession of their assets from transferring funds. In addition to the immediate transfer of assets of the funds now restrained in Defendants' financial accounts and continued leave to serve Defaulting Defendants and third parties, including but not limited to DHGate, eBay, Newegg and Walmart, with this order via email, relief commonly afforded to plaintiffs in

similar cases. *See Luxottica Group S.p.A. v. Uzilol Store, et al.* at ¶¶ 6-10. To the extent that it may be necessary for Plaintiff to utilize state law collections devices, Plaintiff respectfully requests that the Court dissolve the stay on execution contained in and as authorized by Fed. R. Civ. P. 62(a). *See* Fed. R. Civ. P. 62, Advisory Committee's Notes (2018) ("Amended Rule 62(a) expressly recognizes the court's authority to dissolve the automatic stay... One reason for dissolving the automatic stay may be a risk that the judgment debtor's assets will be dissipated.").

III. CONCLUSION

WHEREFORE, Plaintiff requests that this Court enter default pursuant to Fed. R. Civ. P. 55(a) and final judgment pursuant to Fed. R. Civ. P. 55(b) against Defaulting Defendants as identified on the Schedule A to the proposed order. Plaintiff respectfully requests that the Court enter default judgment against each Defaulting Defendant for statutory damages in the amount of $2,000,000 for trademark infringement and $150,000 for copyright infringement and a permanent injunction order prohibiting Defaulting Defendants from using Plaintiff's federally registered Beadnova trademark and Beadnova Works without authorization.

Respectfully Submitted this 31st of October, 2025,

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