

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOGGIE DENTAL INC, *et al.*,

Plaintiffs,

v.

ANYWILL, *et al.*,

Defendants.

Civil Action No.

19-682

(Judge Hornak)

**MOTION FOR ENTRY OF DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

Plaintiffs hereby move for entry of a Default Judgment and Permanent Injunction pursuant to Federal Rule of Civil Procedure 55(b)(2) against the Defendants set forth on **Exhibit A** hereto, all of whom are in default.<sup>1</sup> The grounds for this Motion are set forth in the accompanying Memorandum in Support.

Plaintiffs respectfully request the following relief against Defendants: 1) the entry of a final judgment and permanent injunction by default in order to prevent Defendants from infringing Plaintiffs' intellectual property rights in the future; 2) disgorgement of Defendants' profits pursuant to 15 U.S.C. § 1117(a); 3) an award of statutory damages against certain Defendants pursuant to 17 U.S.C. § 504 (c); 4) a post-judgment asset restraining order; and 5) an order authorizing the release and transfer of Defendants' frozen assets to satisfy the damages awarded to Plaintiffs. A proposed Order granting the relief sought is submitted herewith.

---

<sup>1</sup> On August 9, 2019, Plaintiffs filed a Request for Entry of Default against all the defaulting Defendants served on June 21, 2019 [DE 41] and against all the defaulting Defendants served on June 25, 2019 [DE 42]. On August 14, 2019, the Clerk's Entry of Default was entered against both sets of Defendants. [DE 43] and [DE 44].

Plaintiffs do not believe it is necessary for the Court to hold a hearing on this Motion, and the Motion may be decided on the papers.<sup>2</sup> Although a hearing has been held in some online counterfeiting cases in this District, in other online counterfeiting cases default judgment has been entered without a hearing. *Airigan v. Belvia, et al.*, No. 20-cv-284 (W.D. Pa. April 21, 2020) [DE 34] (default judgment entered day after motion filed). Other Courts routinely enter default judgments based upon the papers and without holding a hearing. *See Apple Corps. Limited v. The Individuals, Partnerships and Unincorporated Associations Identified on Schedule "A"*, No. 19-cv-62853 (S.D. Fla. Feb. 13, 2020) (default judgment entered one day after motion filed); and *Chanel, Inc. v. The Individuals, Partnerships and Unincorporated Associations Identified on Schedule "A"*, No. 19-cv-61416 (S.D. Fla. Aug. 12, 2019) (default judgment entered six days after motion filed).

/

/

/

/

/

---

<sup>2</sup> It is respectfully submitted there is no reason to conduct a hearing on the Plaintiff’s request for statutory damages since all of the evidence needed for an award of statutory damages is already before the court. Courts have awarded damages post-default without an evidentiary hearing based upon affidavits like those submitted by the plaintiff in this case. *See Rios v. Loves*, No. 13-CV-1619 (E.D. Pa. 2015) (After a Court determines that judgment by default should be entered as to liability, the court must address the quantum of damages or other recovery to be awarded. The Court may determine the amount of damages by conducting a hearing or upon submission of affidavits.); *see also Jonestown Bank and Trust Co. v. Automated Teller Mach., Services, Inc.*, 2012 WL 6043624, \*4 (M.D. Pa. 2012) (explaining that the Court may determine damages by asking parties to submit “affidavits and other materials from which the court can decide the issue.”) (citing 10 James Wm. Moore, et al., *Moore’s Federal Practice* § 55.32[2][c] (Matthew Bender ed. 2010)); *Frenkel v. Baker*, No. 13-5880, 2014 WL 5697449, at \*12 (E.D. Pa. Nov. 4, 2014) (citing *Amresco Fin. Financial I L.P. v. Storti*, 2000 WL 284203, at \*2 (E.D. Pa. Mar. 13, 2000)) (entry of default with an award of damages proper where award can be ascertained from figures in evidence and affidavits).

Respectfully submitted,

Dated: May 12, 2020

/s/ Stanley D. Ference III

Stanley D. Ference III

Pa. ID No. 59899

courts@ferencelaw.com

Brian Samuel Malkin

Pa. ID No. 70448

bmalkin@ferencelaw.com

FERENCE & ASSOCIATES LLC

409 Broad Street

Pittsburgh, Pennsylvania 15143

(412) 741-8400 – Telephone

(412) 741-9292 – Facsimile

Attorneys for Plaintiff

**Schedule “A”**  
**Defendants With Store Name and Seller ID**

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
1	Anywill	A1KGXS6694KK0F	B07M6PNDMZ
2	AHuShi	AWX8XMIYVF7QQ	B07L68R2YK
4	Ale's Store	A28FLU0ZJO0Q51	B07ML3RQ4Q
5	AMZself	A2LTKBZ1LUKGD2	B07PBKMCJV
9	Aya-Chic	AV58HO4Y4YG5	B07LCJQ6W2
13	Big Elephant	A3AZJ9TNMIEGD	B07MBP1CND
14	BYBELLA	A3N4X0QAELZ7CQ	B07PNDMLZ8
16	De Lon	A2H9OA2IB881NB	B07M8D6FVK
18	E.L. Solutions	A3CNAJSCZDB917	B07LH6YK1K
19	Ecolines	A2VOPXI5HC2XXG	B07KVF9CTZ
20	Elegant kiss	AX9B8JO3UEO1U	B07KZNSYZW
21	Extechnico	A20NZHTNL4PTXD	B07PRPHT7S
22	FairyMe	A3T80QRV3HCEL5	B07PBT5FP9
25	Fangchal	A396YX0HT6M56V	B07JJF8MZX
28	horseshoe1	A327N0M7NMJD7R	B07PKC1CXC
31	J & T Jordan	A33AHOWEC4JYNC	B07KDSPTRH
32	JackPack Labs	A69BPJ5B9WCCL	B07N1271C7
33	JESSEPOUNDS	AEMFZDZF1ZXNE	B07JYL5QL9
37	Lagita	A2MQTDAKKSEDXZ	B07JDY9843
38	LAROSA MEDICAL	A2PB7QKWA4H0S8	B07PNT4XJ7
40	LONESON	A1M8E9D3R6YQVS	B07LG8N4SP
43	MayMeyz	A2A5FZ04CXTTC6	B07ML3RQ4Q
44	NF Merchandise	A3JSCT3L9HWKV8	B07M6C3H88
46	NO.1 Online	A2G5XJ2AQC9U9S	B07MJVHS7Q
47	NOTTODAY	A3S88F4ORA904G	B07PRSJZ5H
53	Quorum Value	ANS8B7J9GNA2W	B07NC54PVD
56	Ruitx Store	A2RLONNTW8MLTW	B07MLKR43D
57	Samatoo	A3VD0VF1UXFDQ4	B07HK8J9DF

<b>Def. No.</b>	<b>Defendant/ Amazon Store Name</b>	<b>Amazon Seller ID</b>	<b>Amazon ASIN</b>
59	Shuofeng	A252ISGGD173I1	B07P4Y14CR
61	Smvison	A1I0A6TETBVBZI	B07P7FY1V4
63	Taylor(USA)	A36XVP1BD7NYRM	B07HH2626J
64	TOBABYFAT	A15BGP0GJL0F9Q	B07HHYWWNV
65	UPBASICN	A2FZ54PRNJQVG	B07LG8N4SP
66	Vanuoda	A3S1XK8QBM0LEQ	B07N2K727T
68	VST Group	A2V4ZV9PXST2EL	B07Q19TFYB
69	WINNUO	A3VFLP6P9D5Z1Y	B07MFNPBG3
70	YINGAR	AYN6FQZ5A10K6	B07MCCTHXS
72	Yu Xingchen	A12GJ7ZZH2R7SR	B07PKPTVW5
73	Yuntech	A260EP94GRU9NF	B07L3K526N
75	Zhongsi	AEG0KI3GGYTKK	B07MNF5GWK
76	zUOKIJU	A11URB4R2AC6HW	B07MGPWVNK
79	Big Desert	A2CQ3M4XU1WT8J	B07PHSB3GR
80	Big Wing Style	A3SHZFKHJCMJCN	B07NJ5HPR1
81	CANIKLINE MALL	A1KZVKZAM21NJW	B07N14SH8G
84	Diligent bee	A3DD0YE17W1LA3	B07M5DJDJX
86	Hunt Sr. Products	A336QI6AJFJY9S	B07QMC1D5Z
90	niuworld	A3DOF2HOZYWW1W	B07QYGRRG2
92	our tomorrow	A2EKHUHZ25L3BC	B07MR29Z4L
93	PLUS MI LIFE	A25LSUD2OUVS3T	B07MBMCS6Z
94	Realler	ASL612W0VED	B07LD4JB58
95	sweetypplain	AHDQEKHLS948P	B07QK63NFZ
96	Tosui	A1214SCEMDA211	B07P2SM38H
98	Waroom	A1SKB4Y8LK6O12	B07Q4P5NYG

**CERTIFICATE OF SERVICE**

I hereby certify that on May 12, 2020, the foregoing document is being filed via the Case Management/Electronic Case Filing (CM/ECF) system; I also certify that on the same day, a true copy of the foregoing is being served in accordance with the Order Authorizing Alternate Service.

/s/ Stanley D. Ference III  
Stanley D. Ference III