

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

DOGGIE DENTAL INC, *et al.*,

Plaintiffs,

v.

GO WELL, *et al.*,

Defendants.

Civil Action No.

19-1282

(Judge Hornak)

**DECLARATION OF BRIAN SAMUEL MALKIN
IN SUPPORT OF MOTION FOR ENTRY OF
DEFAULT JUDGMENT AND PERMANENT INJUNCTION**

I, Brian Samuel Malkin, hereby affirm as follows:

1. I am over eighteen (18) years of age and not a party to this action. I have never been convicted of a felony or any criminal offense involving moral turpitude, and I am fully competent to attest to the matters stated herein. I have personal knowledge of every statement made in this Certificate of Service and such statements are true and correct.

2. I am an attorney with the law firm of Ference & Associates LLC, which is located at 409 Broad Street, Pittsburgh, Pennsylvania 15143.

3. I am an attorney for the Plaintiffs Peter Dertsakyan and Doggie Dental, Inc. in the above-captioned case.

4. I make and submit this Supplemental Declaration in support of Plaintiffs' Motion for Default Judgment and Permanent Injunction (hereinafter "Motion for Default Judgment") against those Defendants for whom the Clerk has entered Default (the "Defendants").

5. **Supplemental Exhibit 1** is a chart of evidence I prepared for calculating damages against the identified defendants based upon their infringing use of Plaintiff's copyrighted images. The chart includes citations to the evidence of record by ECF No. and page numbers. In some rows, there are more pages numbers than copyrighted photos identified. This is because the online platform item display page uses a rolling view of photos and for purposes of collecting evidence, each of the photos was rolled over to get a larger version from the rolling display. For further clarification, behind the Chart are copies of color photographs that were captured when all the evidence for this case was gathered. Each color photograph is at least one example of an infringing use of the Plaintiff's copyrighted photographs. There is a coversheet in front of each set of color photographs that indicates which Defendant's online storefront the photographs were being used.

6. There is a coversheet in front of each set of color photographs that indicates on which Defendant's online storefront the photographs were being used.

7. **Supplemental Exhibit 2** is a chart indicating the total amount of funds in each Defendant's account at the time the restraints were placed in accordance with the Court's temporary restraining order. This information was provided to Plaintiff by the Third Party Service Provider or the Financial Institution served with the Court's temporary restraining order.

8. The Defendants were served with Requests for Admissions which they failed to answer and are now deemed admitted. These admissions included that they each Defendants sold more than 150,000 units of the infringing product and profits from the sale of the infringing products totals more than \$2 million Dollars.

9. Based upon my personal experiences with these online counterfeiting cases, China based sellers, such as Defaulting Defendants, sell into the United States across multiple e-commerce platforms and do not limit their sales to one e-commerce platform.

10. Examples of such other e-commerce platforms include Alibaba.com, AliExpress.com, DHgate.com, and Wish.com.

I declare under the penalty of perjury laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Executed this 15th day of June, 2020, at Pittsburgh, Pennsylvania.

/s/ Brian Samuel Malkin
Brian Samuel Malkin

CERTIFICATE OF SERVICE

I hereby certify that on June 15, 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/ Brian Samuel Malkin
Brian Samuel Malkin

**SUPPLEMENTAL
EXHIBIT 1**

Deft. No.	Seller	Total Copyrighted Works Used	ECF No.	x \$150,000.00.
			45	=
3	Center Sport Life	1	20	150,000.00
14	Pounce'n' Play shop	3	100, 101, 102	450,000.00

Color Copies of Infringing Photos

Seller Display Name
Center Sport Life

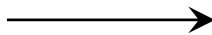
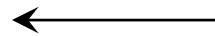
Seller ID
ANNI75IPFOMB8



1 Infringing Work

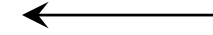
Seller Display Name
Pounce'n'Play shop

Seller ID
A23EEJ69XLPF6I



ADVANTAGES OF CUR BRUSH

 <p>FUNCTIONAL EVALUATED</p> <p>To make your dog's life easier</p>	 <p>FLAVORFUL GOODNESS</p> <p>Contains natural ingredients</p>
 <p>100% NATURAL LEAF EXTRACT</p> <p>Contains natural ingredients</p>	 <p>Small EFFECTIVE</p> <p>High quality material</p>



3 Infringing Works

SUPPLEMENTAL
EXHIBIT 2

Def. No.	Defendant/Amazon Store Name	Amazon Seller ID	Amazon ASIN	Account Balance
10	Matfapero	ATCV9G5EHHD4B	B07WMNVQHQ	\$8,936.26
5	Cube Store	A4KLC6JANYKEQ	B07TRQBNVJ	\$6,038.97
3	Center Sport Life	ANNI75IPFOMB8	B07MLH29KL	\$1,387.78
7	LeshionLife	AQZVMFU5EDRRJ	B07MXNNPXV	\$1,173.83
9	mansgoods	A3LGEKSF23N94S	B07VJ5JDMY	\$1,061.26
1	Go Well	A1EI53ECSEE358	B07MLH1W35	\$908.86
13	niuworld	A3DOF2HOZYWW1W	B07QXDB4YV	\$871.80
19	Yiwu Lanjie Trading Co.,Ltd.	A6LZWYNZ7QGCD	B07RJTXGJ3	\$594.32
12	MS Hong	A1MQ17GQ2699WZ	B07S4FY7HM	\$573.63
15	Solclair	A3CE0WUVA70I2S	B07QQLM9V8	\$341.42
4	Clever Market	A2G8CPMFVS1839	B07MLH29KL	\$223.17
14	Pounce'n'Play shop	A23EEJ69XLPF6I	B07S9SSVT3	\$188.47
2	Ahui	A3U2CPCPJ050N8	B07TX92ZNQ	\$99.72
6	essentialstore	A3TGAHL4LATVYC	B07S3V85B7	\$46.71
18	yaslin	AOTR5BEXCZ5V6	B07MWWVZ69	\$0.00