

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

HAPPY HOUR THINKING, LLC,

Plaintiff,

v.

ZEUS, *et al.*,

Defendants.

Civil Action No. 23-cv-1293

Judge Horan

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

In accordance Federal Rule of Civil Procedure 55(b)(2), Plaintiff respectfully submits this Motion for Default Judgment and Permanent Injunction against the defaulting Defendants set forth on Attachment “A” (hereinafter collectively referred to as “Defendants” or individually as “Defendant”).<sup>1</sup> The grounds for this Motion are set forth in the accompanying Memorandum in Support.

Plaintiff respectfully requests the following relief from the Court: (1) a damage award of \$2,150,000.00 against each individual Defendant as listed on Schedule A for their intentional unfair competition and copyright infringement, except Defendants, Shenzhen City Anston Technology Co., Ltd., Yiwu Changde Trading Co., Ltd., Global Bridge Industry Co., Ltd., E-outstanding, Xunshi Electronic, Yuqin Shop, hgtr62, goodsbetter, Shenzhen Mingxin Yang Trading Co. against whom Plaintiff seeks \$2,000,000.00<sup>2</sup>, (2) a post-judgment asset restraining order, and an order authorizing the release and transfer of Defendants’ assets from the Third-Party Service Provider(s) and Financial Institution(s) to satisfy the damages, in whole or in

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<sup>1</sup> This Default Judgment does not dispose of the claims against all the Defendants. Several are still in negotiations and have not been defaulted. These Defendants are not included in the Schedule A for this motion.

part, awarded to Plaintiff.<sup>3</sup>, and a (3) permanent injunction in order to prevent Defendants from infringing Plaintiffs' intellectual property rights in the future; 2) a post-judgment asset restraining order; and 3) 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.

Plaintiff does not believe it is necessary for the Court to hold a hearing on this Motion, and the Motion may be decided on the papers. Courts in our district have entered default judgments in similar cases based upon the papers and without holding a hearing. *See Osprey, LLC v. Alfie Pet*, No. 21-cv-790 [Doc. No. 43] (W.D. Pa. July 28, 2022) (default judgment entered three days after motion filed); *Osprey, LLC v. Alladinbox*, No. 21-cv-1095 [Doc. No. 39] (W.D. Pa. July 21, 2022) (default judgment entered one day after motion filed); *BBC Studios Distribution Ltd. v. The Partnerships and Unincorporated Associations Identified on Schedule "A"*, No. 22-cv-1441 (N.D. Ill. July 20, 2022) (default judgment entered one day after motion filed); *Airigan Solutions, LLC v. Belvia*, No. 20-cv-284 [Doc. No. 35] (W.D. Pa. April 22, 2020) (default judgment entered one day after motion filed). Court in other districts have also entered judgment without hearings. *See, e.g., 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).

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1 While all the Defendants infringed on Plaintiff's Patent and engaged in unfair competition, Defendants Shenzhen City Anston Technology Co., Ltd., Yiwu Changde Trading Co., Ltd., Global Bridge Industry Co., Ltd., E-outstanding, Xunshi Electronic, Yuqin Shop, hgtr62, goodsbetter, Shenzhen Mingxin Yang Trading Co. did not use Plaintiff's photographs, thus they are not alleged to have infringed on Plaintiff's registered copyright..

Respectfully submitted,

Dated: September 15, 2023

/s/ Stanley D. Ference III

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