

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

AQUAPAW BRANDS, LLC,

Plaintiff,

v.

TROPICALPARADISE, *et al.*,

Defendants.

Civil Action No. 23-cv-1598

Judge Cercone

**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”). 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, severally and individually, as listed on Schedule A for their intentional unfair competition and copyright infringement (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 part, awarded to Plaintiff, and a (3) permanent injunction in order to prevent Defendants from infringing Plaintiff’s intellectual property rights in the future. 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).

Respectfully submitted,

Dated: December 20, 2023

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