

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Shenzhen Mahihaoduo Trading Co. Ltd.,)	
Plaintiff,)	
)	1:25-cv-04242
v.)	
)	Dist. Judge Sunil R. Harjani
The Partnerships, and Unincorporated)	
Associations Identified on Schedule A,)	Mag. Judge Maria Valdez
Defendants)	

Plaintiff’s Motion for Entry of Default and Default Judgment

NOW COMES Shenzhen Mahihaoduo Trading Co. Ltd. (“Plaintiff”), by and through its undersigned counsel, and hereby moves for entry of default and default judgment against the remaining defendant in the case (“Defaulting Defendant”), based on Plaintiff’s action for trademark infringement.

I. Statement of Facts

Plaintiff specializes in the creation, manufacture, marketing and sale of a variety of consumer products (collectively, the “Plaintiff Products”). [Dkt. 1 ¶ 8]. Plaintiff is the owner of all rights to the valid, federally registered trademark PIXNOR (the “Plaintiff Mark”), and has used the Plaintiff Mark in connection with the sale, distribution, promotion, and advertising of genuine Plaintiff Products since 2019. [Dkts. 2-1, 19 ¶ 11]. Plaintiff has invested substantial resources, time, money, and commercial efforts to establish the goodwill of Plaintiff’s Products and the Plaintiff Mark. [Dkt. 19 ¶ 9]. Additional factual assertions regarding Plaintiff in the Second Amended Complaint are incorporated herein. [Dkt. 19 ¶¶ 8-18].

The Defaulting Defendant on information and belief conducts business throughout the United States, including within the State of Illinois and this Judicial District, through the operation of the fully interactive, commercial online marketplaces operating under the online storefront as

identified in Schedule A (the “Defendant Online Store”). *Id.* at ¶ 18. The Defaulting Defendant targets the United States, including Illinois, and has offered to sell unauthorized and unlicensed products using the registered Plaintiff Mark (the “Infringing Products”) to consumers within the United States, including the State of Illinois and this Judicial District. *Id.* Additional factual assertions regarding the Defaulting Defendant in the Second Amended Complaint are incorporated herein. *Id.* at ¶¶ 21-38.

Plaintiff filed this action on April 17, 2025 and filed its Second Amended Complaint on August 1, 2025, alleging federal trademark infringement under 15 U.S.C. § 1114 (Count I), false designation of origin under 15 U.S.C. § 1125, and violations of the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510 et seq. [Dkt. 1]. On September 30, 2023, this Court granted Plaintiff’s Renewed Motion for Electronic Service of Process Pursuant to Fed. R. Civ. P. 4(f)(3) that permitted Plaintiff to complete service of process to the Defaulting Defendant by electronically publishing a link to the relevant documentation on a website and sending an email to the email addresses provided for Defendant by third-parties (i.e., Walmart). [Dkt. 32]. The Defaulting Defendant was properly served with process on October 1, 2025, [Dkt. 36], and the Defaulting Defendant has not filed an answer or otherwise pled in this action. *See*, Declaration of Adam E. Urbanczyk (the “Urbanczyk Declaration”) at ¶ 2.

Plaintiff now moves this Court for an Order entering default and default judgment finding that Defaulting Defendant is liable on all counts of Plaintiff’s Second Amended Complaint. Fed. R. Civ. P. 55(a), (b)(2). Plaintiff seeks entry of a permanent injunction prohibiting Defaulting Defendant from using the Plaintiff Mark in connection with the sale of any product that is not authorized by Plaintiff to be sold in connection with the Plaintiff Mark.

II. Argument

a. 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. § 1051, *et seq.* and 28 U.S.C. §§ 1331, 1338(a)-(b). This Court has jurisdiction over the claims in this action under the laws of the State of Illinois pursuant to 28 U.S.C. § 1367(a), because the state law claims are so related to the federal claims that they form the same case or controversy and derive from a common nucleus of operative facts. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, and this Court may properly exercise personal jurisdiction over Defaulting Defendant because it directly targeted business activities toward consumers in Illinois and caused harm to Plaintiff's business with this Judicial District. *See*, [Dkt. 19 at ¶ 8]; uBID, Inc. v. GoDaddy Grp., Inc., 623 F.3d 421, 423-24 (7th Cir. 2010) (“without benefit of an evidentiary hearing, the plaintiff bears only the burden of making a prima facie case for personal jurisdiction” and all of plaintiff's asserted facts should be accepted as true and any factual determinations should be resolved in its favor).

Through at least the fully interactive, commercial online marketplaces accounts operating under the Defendant Online Store, the Defaulting Defendant has targeted sales to Illinois residents by operating its online storefront which offered shipping to the United States, including within Illinois and this judicial district, offered to accept payment in U.S. dollars, and offered for sale Infringing Product using the Plaintiff Mark to residents of Illinois. [Dkt. 19 at ¶ 7]. Personal jurisdiction exists over the Defaulting Defendant because it directly targeted its business activities toward consumers in the United States, including Illinois. Specifically, Defaulting Defendant reached out to do business with Illinois residents by operating its commercial, interactive Defendant Online Store through which Illinois residents could purchase Infringing Products being offered under the Plaintiff Mark. uBID, Inc., 623 F.3d at 423-24; *See*, Monster Energy Co. v. Wensheng, 136 F. Supp. 3d 897, 907 (N.D. Ill. 2015); Deckers Outdoor Corp. v. Does 1-55, 2011 WL 4929036, at *3 (N.D. Ill. Oct. 14, 2011).

b. Plaintiff has met the requirements for entry of default.

Under Federal rules, “when a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). On August 1, 2025, Plaintiff filed its Second Amended Complaint alleging federal trademark infringement under 15 U.S.C. § 1114 and related claims. [Dkt. 19]. The Defaulting Defendant was served with process in accordance with the order on electronic service [Dkt. 32]. Despite having been served with process, the Defaulting Defendant has not filed an answer or otherwise pled in this action. Urbanczyk Decl. at ¶ 2. Upon information and belief, the Defaulting Defendant is not active-duty members of the U.S. armed forces. Urbanczyk Decl. at ¶ 3. Accordingly, Plaintiff asks for entry of default against the Defaulting Defendant pursuant to Fed. R. Civ. P. 55(a).

c. Plaintiff has met the requirements for entry of 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 the Defaulting Defendant is liable to Plaintiff on each cause of action alleged in the Second Amended Complaint. Deckers Outdoor Corp., 2011 WL 4929036, at *2, *citing*, 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 the 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).

As noted above, Plaintiff served the Second Amended Complaint on the Defaulting Defendant on October 1, 2025 [Dkt. 36]. More than twenty-one (21) days have passed since the Defaulting Defendant was served, and no answer or other responsive pleading has been filed by the Defaulting Defendant as required under federal rules. Fed. R. Civ. P. 12(a)(1)(A)(i). Default

judgment is therefore appropriate, and consistent with previous similar cases in front of this Court. Plaintiff seeks entry of a permanent injunction prohibiting Defaulting Defendant from exercising any of the exclusive rights afforded to Plaintiff under 15 U.S.C § 1116.

To properly plead a claim of trademark infringement under the Lanham Act, a plaintiff must allege that: (i) its mark is distinctive enough to be worthy of protection; and (iii) defendant's unauthorized use of the mark causes a likelihood of confusion as to the origin or sponsorship of defendant's products. *See, Barbecue Marx, Inc. v. 551 Ogden, Inc.*, 235 F.3d 1041, 1043 (7th Cir.2000), *citing, Eli Lilly & Co. v. Natural Answers, Inc.*, 233 F.3d 456, 464 (7th Cir.2000). This is the same test that is used for a false designation of origin claim under the Lanham Act and claims under the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, *et seq.* *See, Johnny Blastoff, Inc. v. Los Angeles Rams Football Co.*, 188 F. 3d 427, 436 (7th Cir. 1999); *Am. Broad. Co. v. Maljack Prods., Inc.*, 34 F. Supp. 2d 665, 681 (N.D. Ill. 1998); *Deckers Outdoor Corp. v. Does 1-100*, 2013 WL 169998, at *2 (N.D. Ill. Jan. 16, 2013). The registration of the Plaintiff Mark is *prima facie* evidence of its validity and the validity of its registration, Plaintiff's ownership of the Plaintiff Mark, Plaintiff's exclusive right to use the Plaintiff Mark in commerce on or in connection with consumer products. 15 U.S.C. § 1057(b).

Plaintiff alleges in its Second Amended Complaint that it is the exclusive owner of the federally registered Plaintiff Mark and that Defaulting Defendant has offered to sell, marketed, and advertised, products using the Plaintiff Mark, that Defaulting Defendant has knowledge of Plaintiff's rights in the Plaintiff Mark, that Defaulting Defendant is not authorized to use the Plaintiff Mark for any reason, and that Defaulting Defendant's use of the Plaintiff Mark causes a likelihood of confusion. [Dkt. 1 ¶¶ 40-49].

Plaintiff also alleges in its Second Amended Complaint that Defaulting Defendant is using the Plaintiff Mark on Infringing Products. [Dkt. 19 ¶¶ 39-48]. As such, this creates a likelihood of

confusion, mistake, and deception among the general public as to the affiliation, connection, or association with Plaintiff or the origin, sponsorship, or approval of Defaulting Defendant's Infringing Products by Plaintiff. *Id.* Plaintiff further alleges in its Second Amended Complaint that Defaulting Defendant have engaged in acts violating Illinois law including, but not limited to, passing off their Infringing Products as those of Plaintiff, causing a likelihood of confusion and/or misunderstanding as to the source of their goods, causing a likelihood of confusion and/or misunderstanding as to an affiliation, connection, or association with genuine Plaintiff Products, representing that their Infringing Products have Plaintiff's approval when they do not, and engaging in other conduct which creates a likelihood of confusion or misunderstanding among the public. *Id.*, at ¶ 54-57.

Because the Defaulting Defendant has failed to answer or otherwise plead in this matter, the Court must accept the allegations contained in Plaintiff's Second Amended Complaint as true. *See*, 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 requests entry of judgment with respect to Counts I-III for trademark infringement, false designation of origin, and violation of the Illinois Uniform Deceptive Trade Practices Act.

d. Plaintiff is entitled to permanent injunctive relief.

The Defaulting Defendant should be enjoined from infringing or otherwise violating the Plaintiff's trademark rights in the PIXNOR trademark. Plaintiff is entitled to injunctive relief so it can quickly take action against any new online marketplace accounts that are identified, found to be linked to the Defaulting Defendant, and selling Infringing Products. *See*, Oakley, Inc. v. The P'ships, et al., No. 13-cv-02958 Dkt. Nos. 36-37 (N.D. Ill. June 17, 2013) (J. Pallmeyer).

III. Conclusion

Plaintiff respectfully requests that the Court enter default and default judgment against the Defaulting Defendant and enter a permanent injunction order prohibiting Defaulting Defendant from selling Infringing Products.

Dated: October 28, 2025

Respectfully Submitted

/s/Adam E. Urbanczyk
Adam E. Urbanczyk
AU LLC
444 W. Lake St. 17 Floor
Chicago, IL 60606
(312) 715-7312
adamu@au-llc.com
Counsel for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Shenzhen Mahihaoduo Trading Co. Ltd.,)	
Plaintiff,)	
)	1:25-cv-04242
v.)	
)	Dist. Judge Sunil R. Harjani
The Partnerships, and Unincorporated)	
Associations Identified on Schedule A,)	Mag. Judge Maria Valdez
Defendants)	

Declaration of Service

I, Adam E. Urbanczyk, of the City of Sarasota, in the state of Florida, hereby declare as follows:

1. I am an attorney at law, duly admitted to practice before the Courts of the State of Illinois and the United States District Court for the Northern District of Illinois. I am an attorney for Plaintiff Shenzhen Mahihaoduo Trading Co. Ltd. Except as otherwise expressly stated to the contrary, I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify to the following:
2. I hereby certify that the Defaulting Defendant (as defined in the accompanying motion) has failed to answer or otherwise plead in this action within the allotted time after receiving service of process [*See* Dkt. 36] in violation of Federal Rule of Civil Procedure 12(a)(1)(A).
3. My office investigated the infringing activities of the Defaulting Defendant, including attempting to identify the registrant of each associated online marketplace account and its contact information. Our investigation confirmed that the Defaulting Defendant is domiciled in China. As such, I am informed and believe that the Defaulting Defendant is not active-duty members of the U.S. armed forces.

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

Executed on this day October 28, 2025, at Sarasota, Florida.

Respectfully submitted,

/s/Adam E. Urbanczyk

Adam E. Urbanczyk

AU LLC

444 W. Lake St. 17th Floor

Chicago, IL 60606

(312) 715-7312

adamu@au-llc.com

Counsel for Plaintiff