

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-61018-ALTMAN/Hunt

SHENZHEN AIFASITE ELECTRONIC
COMMERCE CO., LTD.,

Plaintiff,

v.

THE PARTNERSHIPS,
AND UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE “A,”

Defendants.

ORDER GRANTING MOTION FOR FINAL DEFAULT JUDGMENT

The Plaintiff has filed a Motion for Entry of Final Default Judgment as to Certain Defendants (the “Motion”) [ECF No. 119]. On February 27, 2024, the Clerk of Court entered default against the following Defendants listed on Schedule A to the Complaint [ECF No. 7-2] (collectively, the “Defaulting Defendants”):

- Chloenoel (Def. No. 18);
- Galaxy (Def. No. 38);
- Interesting Shop (Def. No. 64); and
- Shenzhenshiyouhuiyoumeimaoyiyouxiangongsi (Def. No. 120).

See Clerk’s Entry of Default as to Defs. Nos. 18, 38, 64, and 120 [ECF No. 101]. Our review of the record indicates that the Defaulting Defendants have indeed failed to appear, answer, or otherwise respond to the Plaintiff’s Complaint [ECF No. 1]. Accordingly, after a careful review of the Motion, the record, and the applicable law, we now **GRANT** the Plaintiff’s Motion as to these Defendants.

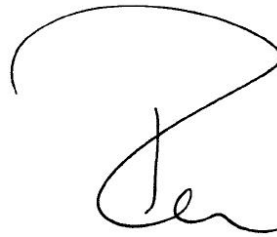
Pursuant to Federal Rule of Civil Procedure 55(b)(2), the Court may enter a final default judgment against any party who has failed to respond to the complaint. But “a defendant’s default does not in itself warrant the court entering a default judgment. There must be a sufficient basis in the

pleadings for the judgment entered.” *Nishimatsu Constr. Co., Ltd. v. Houston Nat’l Bank*, 515 F.2d 1200, 1206 (5th Cir. 1975); *see also Buchanan v. Bowman*, 820 F.2d 359, 361 (11th Cir. 1987) (“[L]iability is well-pled in the complaint and is therefore established by the entry of default.”).

Our review of the record in this case confirms that the Complaint adequately establishes our subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1338 and sufficiently pleads claims for (1) trademark infringement and counterfeiting under the Lanham Act, 15 U.S.C. §§ 1114, 1125(a); and (2) false designation of origin under the Lanham Act, *id.* § 1125(a). *See* Compl. ¶¶ 37-48. The Plaintiff has thus satisfied the requirements for the entry of a final default judgment against the Default Defendants.

Accordingly, we hereby **ORDER and ADJUDGE** that the Plaintiff’s for Entry of Final Default Judgment [ECF No. 119] is **GRANTED** as to the Defaulting Defendants. In accordance with Federal Rule of Civil Procedure 58, final judgment will be entered separately.

DONE AND ORDERED in the Southern District of Florida on May 14, 2024.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record