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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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10 BoxNic Anstalt,
11 Plaintiff/Counterdefendant,
12 v.
13 Gallerie degli Uffizi,
14 Defendant/Counterclaimant.
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No. CV-18-1263-PHX-DGC

ORDER

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17 Defendant Gallerie degli Uffizi has filed a motion for the entry of a separate
18 judgment on the award of attorneys' fees and costs it obtained. Doc. 56. No response has
19 been filed. The Court will grant the motion.

20 **A. Background.**

21 This action involves a dispute over the "uffizi.com" domain name and Plaintiff's
22 use of "UFFIZI" trademarks on a website to which the uffizi.com domain name directs
23 viewers. Doc. 1. Plaintiff sought a declaratory judgment that its registration and use of
24 the uffizi.com domain name does not constitute trademark infringement or unfair
25 competition, and that Plaintiff is the rightful registrant of the uffizi.com domain name. *Id.*
26 at 1-2, 6-10. Defendant counterclaimed, alleging cybersquatting, trademark infringement
27 and dilution, and unfair competition under the Lanham Act, 15 U.S.C. § 1125. Doc. 19
28 at 17-21.

1 Plaintiff failed to comply with its discovery obligations and refused to participate in
2 this litigation. *See* Docs. 41, 43. The Court accordingly dismissed Plaintiff’s claims and
3 entered default judgment against Plaintiff on Defendant’s counterclaims. Docs. 44, 49.

4 Defendant moved for an award of attorneys’ fees and costs. Doc. 51. The Court
5 granted the motion in part and awarded Defendant a total of \$119,460.50. Doc. 53.¹
6 Defendant now moves, pursuant to Federal Rules of Civil Procedure 54(b) and 58(a), for
7 the entry of a separate judgment on the fee and cost award to facilitate appropriate
8 collection efforts against Plaintiff in Lichtenstein and Italy. Doc. 56.

9 **B. Discussion.**

10 Rule 54(b) provides that “[w]hen an action presents more than one claim for
11 relief . . . the court may direct entry of a final judgment as to one or more, but fewer than
12 all, claims.” While Rule 58(a) states that “a separate document is not required for an order
13 disposing of a separate motion . . . for attorneys’ fees under Rule 54[.]” district courts in
14 this Circuit have routinely entered separate judgments for fee awards. *See, e.g., Rodriguez*
15 *v. ACCC Ins. Co.*, No. CV-16-00998-PHX-ROS, 2019 WL 9270456, at *1 (D. Ariz.
16 May 10, 2019) (citing *Yufa v. TSI Inc.*, No. 09-CV-01315-KAW, 2016 WL 8929244, at *1
17 (N.D. Cal. Feb. 18, 2016)); *Dunn v. Hatch*, No. 1:15-CV-479-BLW, 2018 WL 2337289,
18 at *3 (D. Idaho May 23, 2018), *aff’d*, 792 Fed. App’x 449 (9th Cir. Nov. 21, 2019);
19 *Jacobs Silver K Farms, Inc. v. Taylor Produce, LLC*, No. 4:13-CV-535-BLW, 2017 WL
20 4226402, at *1 (D. Idaho Sept. 22, 2017); *Watters v. Otter*, No. 1:12-CV-76-BLW, 2015
21 WL 848303, at *2 (D. Idaho Feb. 26, 2015). Defendant states that a separate judgment is
22 necessary to collect the fee award in Liechtenstein, and while it is possible that Italian
23 courts may recognize the Court’s order awarding fees, a separate final judgment clearly
24 would be recognized. Doc. 56 at 3 (citations omitted).

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28 ¹ This amount included \$102,729.00 for attorneys’ fees, \$6,500.00 for expert
witness fees, and \$10,231.50 for translation costs. *Id.*

