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United States District Court
Central District of California

OTTER PRODUCTS LLC; TREEFROG
DEVELOPMENTS, INC.,

Plaintiff,

v.

ACE COLORS FASHION, INC.;
ELECTRONICOS; SHAYNA'S CELL
PHONE ACCESSORIES; VANESSA
ACCESSORIES,

Defendants.

Case No. 2:14-cv-00141-ODW(ASx)

**FINAL ORDER TO SHOW CAUSE
RE. DEFENDANT VANESSA
ACCESSORIES'S ABILITY TO
PROCEED PRO SE**

On January 7, 2014, Plaintiffs Otter Products LLC and Treefrog Developments, Inc. filed a trademark-infringement suit against Defendants Ace Colors Fashion, Inc., Electronicos, Shayna's Cell Phone Accessories, and Vanessa Accessories. (ECF No. 1.) Defendant Vanessa Accessories subsequently filed an answer pro se through an individual named Jose Rosales. (ECF No. 14.) On March 5, 2014, the Court ordered Vanessa Accessories to submit a declaration establishing that it is a sole proprietorship—and therefore that it has the ability to proceed pro se. (ECF No. 20.) To date, Vanessa Accessories has not responded to the Court's Order.

1 It is well-settled that a corporation and other artificial entities may not represent
2 themselves in federal court. *Rowland v. Cal. Men's Colony, Unit II Men's Advisory*
3 *Council*, 506 U.S. 194, 201–02 (1993); *see also* L.R. 83-2.2.2. But this rule does not
4 apply to sole proprietorships, as they do not have a legal existence independent of
5 their owners. *See Nova Exp. v. United States*, 80 Fed. Cl. 236, 238–39 (Fed. Cl.
6 2008); *Bd. of Trs. of Laborers Health & Welfare Trust Fund for N. Cal. v. Perez*,
7 No. C-10-2002 JSW JCS, 2011 WL 6151506, at *4 (N.D. Cal. Nov. 7, 2011).

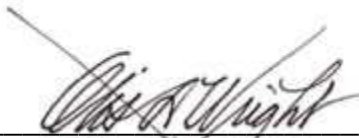
8 As the Court previously noted, it is unclear what legal status Vanessa
9 Accessories is organized as. Vanessa Accessories alleges in its Answer that
10 “Defendant Jose Rosales is an individual doing business as Vanessa Accessories.”
11 (Answer ¶ 6.) It therefore appears that Vanessa Accessories is likely a sole
12 proprietorship.

13 The Court once again **ORDERS** Vanessa Accessories through its representative
14 to file a declaration establishing what type of legal entity it is by **Friday, April 18,**
15 **2014**. No hearing will be held. This is Vanessa Accessories’s final warning that
16 failure to timely respond to this Order will result in the Court striking Vanessa
17 Accessories’s Answer for want of licensed counsel.

18 The Court informs Vanessa Accessories that there is a Federal Pro Se Clinic
19 located in the United States Courthouse at 312 N. Spring Street, Room G-19, Main
20 Street Floor, Los Angeles, California 90012. It is open for appointments on Mondays,
21 Wednesdays, and Fridays. A litigant may schedule an appointment by calling (213)
22 385-2977, extension 270.

23 **IT IS SO ORDERED.**

24 March 28, 2014

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27 **OTIS D. WRIGHT, II**
28 **UNITED STATES DISTRICT JUDGE**