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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SATA GmbH & Co. KG,

Plaintiff,

vs.

TAIZHOU XINGYE PNEUMATIC TOOLS CO., LTD,

Defendant.

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Case No.: 2:19-cv-01948-GMN-BNW

ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Brenda Weksler, (ECF No. 11), which recommends granting Plaintiff’s Motion for Default Judgment, (ECF No. 8).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, February 10, 2021, has passed. (*See* Report and Recommendation, ECF No. 11).

1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 11), is
3 **ACCEPTED AND ADOPTED in full.**

4 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Default Judgment, (ECF No.
5 8), is **GRANTED.**

6 **IT IS FURTHER ORDERED** that default judgment be entered in favor of Plaintiff
7 SATA GmbH & Co. KG and against Defendant Taizhou Xingye Pneumatic Tools Co., Ltd.

8 **IT IS FURTHER ORDERED** that Defendant Taizhou Xingye Pneumatic Tools Co.,
9 Ltd and its officers, agents, servants, employees, attorneys, and all others who are in active
10 concert or participation with the aforementioned be permanently enjoined from using in
11 commerce (including through manufacturing, selling, offering for sale, distributing, promoting,
12 advertising, and/or displaying) any reproduction, counterfeit, copy, or colorable imitation likely
13 to cause confusion of a product that infringes on any of the following trademarks and/or patents
14 of Plaintiff's:

- 15 1. U.S. Trademark Registration No. 3,153,260;
- 16 2. U.S. Trademark Registration No. 3,072,417;
- 17 3. U.S. Trademark Registration No. 2,770,801;
- 18 4. U.S. Trademark Registration No. 2,774,593;
- 19 5. U.S. Trademark Registration No. 2,793,583;
- 20 6. U.S. Trademark Registration No. 4,920,510 ("1000");
- 21 7. U.S. Trademark Registration No. 4,920,511 ("2000");
- 22 8. U.S. Trademark Registration No. 4,920,512 ("3000");
- 23 9. U.S. Trademark Registration No. 4,666,773 ("4000");
- 24 10. U.S. Trademark Registration No. 2,591,111 ("RP");
- 25 11. U.S. D644,716 ("716 Patent");
12. U.S. D548,816 ("816 Patent");
13. U.S. D552,715 ("715 Patent"); and
14. U.S. D552,213 ("213 Patent").

Defendant Taizhou Xingye Pneumatic Tools Co., Ltd.'s products that infringe these trademarks and/or patents include, but are not necessarily limited to, the following models:

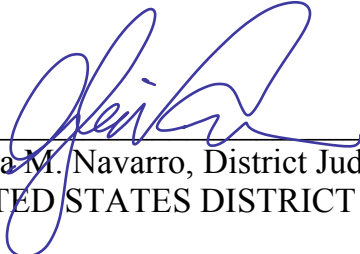
1. M-1000G
2. M-808
3. M-4000G
4. M-3000P
5. MINI 3000P
6. H-2000
7. M-3000G
8. M-2000G
9. AB-17G
10. R-3100
11. An unnamed model number on MingFar's website that infringes U.S. Design Patent D552,715 for SATAjet 3000 B.

IT IS FURTHER ORDERED that Defendant pay Plaintiff \$10,000,000 in statutory damages.

IT IS FURTHER ORDERED that Defendant pay Plaintiff \$7,153 in attorneys' fees.

IT IS FURTHER ORDERED that Defendant pay Plaintiff \$742.10 in costs.

DATED this 16 day of February, 2021.



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT