

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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Stanley Steemer International, Inc.,

Plaintiff,

- against -

Stanley Steam Carpet Cleaning et al, *et al.*,

Defendants.
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TOWNES, United States District Judge,

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

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BROOKLYN OFFICE

ORDER ON R&R

12-cv-1653 (SLT) (VVP)

Plaintiff brought this action under the Federal Trademark Act of 1946 – known as the Lanham Act – against numerous defendants, alleging defendants’ unauthorized use of plaintiff’s trademarks, marks, and name. Plaintiff moved on August 28, 2013 for a default judgment against defendants Stanley Steam Carpet Cleaning, Stanly Steam Carpet Cleaning, and ABC Rug Carpet Cleaning (the “Defaulting Defendants”). (Docket No. 43.) Currently before the Court is Magistrate Judge Viktor V. Pohorelsky’s thorough and well-reasoned Report and Recommendation (“R&R”), entered on October 28, 2014, which recommends that a default judgment be entered against the Defaulting Defendants and that each be permanently enjoined from using the name Stanley Steemer and trademarks for commercial purposes. (Docket No. 50). The Defaulting Defendants have not filed any objections to the R&R.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. *See* 28 U.S.C. § 636(b)(1). Within fourteen days of service of the R&R, any party may file written objections to the report. *See id.* Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the R&R. *See id.* The district court judge is not required to review the factual or legal conclusions of the magistrate judge as to those portions of the R&R to which

no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). In addition, failure to file timely objections may waive the right to appeal this Court's Order. *See* 28 U.S.C. § 636(b)(1); *Small v. Sec'y of Health & Human Servs.*, 892 F.2d 15, 16 (2d Cir. 1989).

In this case, on October 28, 2014, Judge Pohorelsky recommended that this Court enter a judgment of default against each of the Defaulting Defendants and permanently enjoin each from using the name Stanley Steemer and trademarks for commercial purposes. Objections to the R&R were due by November 12, 2014. No objections were filed with this Court. Upon review of the recommendation, this Court adopts and affirms the Judge Pohorelsky's R&R.

SO ORDERED.

/s/ Sandra L. Townes

SANDRA L. TOWNES
United States District Judge

Brooklyn, New York
Dated: November 18, 2014