

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

**FILED
CLERK**
3/17/2016 3:25 pm

-----X
RADISSON HOTELS INTERNATIONAL,
INC.,

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Plaintiff,

ADOPTION ORDER
14-cv-5927 (ADS)(GRB)

-against-

RADISSON CARS & LIMO, INC. and
HAJIASIF A. USMAN,

Defendants.

-----X
APPEARANCES:

Trivella & Forte LLP

Attorneys for the Plaintiffs

1311 Mamaroneck Avenue, Suite 170

White Plains, NY 10605

By: James Robert Grisi, Esq.

Jonathan Michael Bardavid, Esq.

Gina Elyse Nicotera, Esq., Of Counsel

SPATT, District Judge.

On October 19, 2014, the Plaintiff Radisson Hotels International, Inc. (the “Plaintiff”) commenced this action against the Defendants Radisson Cars & Limo, Inc. and Hajiasif A. Usman (collectively, the “Defendants”), asserting causes of action for (i) service mark infringement, service mark dilution, cybersquatting and unfair competition under the Lanham Act, 15 U.S.C. § 1051 *et seq.*; (ii) service mark and trade name infringement, and unfair competition under New York common law; (iii) violation of the New York Anti-Dilution Statute, New York General Business Law § 360-1; and (iv) breach of contract under New York law.

On February 4, 2015, the Clerk of the Court noted the default of the Defendants.

On May 26, 2015, Plaintiff moved for entry of a default judgment against the Defendants, which the Court subsequently referred to United States Magistrate Gary R. Brown for a

recommendation as to whether a default judgment should be granted and if so, whether damages should be awarded.

On February 25, 2016, Judge Brown issued a report recommending that the Plaintiff's motion for a default judgment be denied without prejudice to renew following the provision of a memorandum of law and appropriate evidentiary support consistent with the applicable rules (the "R&R").

It has been more than fourteen days since the service of the R&R, and the parties have not filed objections.

As such, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the February 19, 2016 R&R for clear error, and finding none, now concurs in both its reasoning and its result. See Coburn v. P.N. Fin., No. 13-CV-1006 (ADS) (SIL), 2015 WL 520346, at *1 (E.D.N.Y. Feb. 9, 2015) (reviewing Report and Recommendation without objections for clear error).

Accordingly, the R&R is adopted in its entirety.

SO ORDERED.

Dated: Central Islip, New York
March 17, 2016

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge