

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
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DATE FILED: 8/18/2016

MICROBAN PRODUCTS COMPANY

Plaintiff,

v.

ISKIN, INC.,

Defendant.

No. 14-CV-05980 (RA)

OPINION ADOPTING
REPORT & RECOMMENDATION

RONNIE ABRAMS, United States District Judge:

Plaintiff Microban Products Company brought federal trademark claims and various state-law claims against Defendant iSkin Inc. Following the entry of a default judgment against iSkin, *see* Dkt. 24, the Court referred the calculation of damages to Magistrate Judge Debra Freeman, *see* Dkt. 26. On February 23, 2016, Judge Freeman issued a 41-page Report and Recommendation (the “Report”) detailing damages calculations and recommending the extent of damages to which Microban is entitled. *See* Dkt. 31. The Court has received no objections to the Report.


A district 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). Parties may object to a magistrate judge’s recommended findings “[w]ithin 14 days after being served with a copy of the recommended disposition.” Fed. R. Civ. P. 72(b)(2). “A court may accept those portions of a report to which no specific, written objection is made, as long as the factual and legal bases supporting the findings are not clearly erroneous.” *Stevens v. Griffin*, No. 13-CV-5170 (RJS), 2016 WL 3670825, at *2 (S.D.N.Y. July 5, 2016).

The Court has reviewed the Report for clear error, and having found none, it adopts the Report in its entirety. It is thus ORDERED that the Clerk of Court shall enter judgment in favor

of Plaintiff in the following amount: (i) damages in the amount of \$750,000, representing Plaintiff's actual damages, trebled pursuant to 15 U.S.C. § 1117(b); (ii) pre-judgment interest on such damages, from December 31, 2013, to the date of entry of judgment, at the interest rate referenced in 26 U.S.C. § 6621(a)(2); (iii) post-judgment interest on such damages, from the date of entry of judgment, at the interest rate referenced in 28 U.S.C. § 1961; (iv) attorneys' fees in the amount of \$21,659.10; and (v) costs in the amount of \$1,094.45.

SO ORDERED.

Dated: August 18, 2016
New York, New York



Ronnie Abrams
United States District Judge