

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SREAM, INC.,

Plaintiff,

-against-

752 TOBACCO CANDY INC.,

Defendant.

15-cv-2904

ORDER

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WILLIAM H. PAULEY III, District Judge:

Plaintiff Scream, Inc. (“Scream”) filed this trademark infringement action against Defendant 752 Tobacco Candy Inc. (“752”) arising out of 752’s unlawful use of Scream’s federally registered “RooR” trademark on water pipes sold in retail smoke shops. Following the entry of a default judgment in Scream’s favor, this Court referred the matter to Magistrate Judge Debra C. Freeman for an inquest on May 6, 2016. By Report and Recommendation dated October 11, 2016, Magistrate Judge Freeman recommended statutory damages against 752 in the amount of \$30,000 and costs in the amount of \$400. Magistrate Judge Freeman also recommended the entry of a permanent injunction. Finally, she recommended that Scream be given 30 days from entry of this Court’s order adopting her Report and Recommendation to submit an application for reasonable attorneys’ fees.

The time to file objections or request an extension of time has passed. Neither party submitted an objection or requested additional time. Absent such objections, this Court reviews the Report and Recommendation for clear error on the face of the record. See Adeo Motor Cars, LLC v. Amato, 388 F. Supp. 2d 250, 253 (S.D.N.Y. 2005).

This Court has reviewed Magistrate Judge Freeman's detailed and reasoned Report and Recommendation, and finds no clear error. Accordingly, the October 11, 2016 Report and Recommendation is approved and adopted in its entirety. Any application for reasonable attorneys' fees should be filed with Magistrate Judge Freeman. The Clerk of Court is directed to mark this case as closed.

Dated: December 12, 2016  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.