

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
TEXAS, HOUSTON DIVISION

GoClips, LLC, and Z Keepers, LLC v. Along Tools, Inc, and Rizhao  
Along Abrasive Tools Co LTD

GoClips · No. 4:25-cv-00355 · Decided March 16, 2026

SUMMARY

The United States District Court for the Southern District of Texas adopted a magistrate judge’s Memorandum and Recommendation concerning Plaintiffs’ motion for default judgment in a patent infringement action. The court overruled Plaintiffs’ objections regarding service on Rizhao Along Abrasive Tools Co. Ltd., granted default judgment against Along Tools, Inc., and denied it as to Rizhao. Along Tools was found liable for direct infringement and permanently enjoined from further infringing the ’754 patent.

CASE DETAILS

|                       |                                                                                                                                                                                                                    |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of Texas, Houston Division                                                                                                                                  |
| WRITING FOR THE COURT | Charles Eskridge                                                                                                                                                                                                   |
| JURISDICTION          | United States District Court for the Southern District of Texas, Houston Division                                                                                                                                  |
| DECIDED               | March 16, 2026                                                                                                                                                                                                     |
| DOCKET                | 4:25-cv-00355                                                                                                                                                                                                      |
| DISPOSITION           | other                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Plaintiffs objected to a magistrate judge's Memorandum and Recommendation concerning their motion for default judgment in a patent-infringement action.                                                            |
| STANDARD OF REVIEW    | The district court reviews de novo those portions of a magistrate judge's recommendation to which a party specifically objects and may accept unobjected-to portions absent clear error on the face of the record. |
| PRECEDENTIAL VALUE    | Unknown; district court order adopting a magistrate judge's Memorandum and Recommendation.                                                                                                                         |
|                       |                                                                                                                                                                                                                    |

## PARTIES

GoClips, LLC, Z Keepers, LLC v. Along Tools, Inc., Rizhao Along Abrasive Tools Co. Ltd.

## TOPICS

default judgment

service of process

patent infringement

injunctions

civil procedure

## PRACTICE AREAS

civil procedure

patent law

patent infringement

remedies

## QUESTIONS PRESENTED

1. Whether service on Andy Zhao constituted adequate service on Rizhao Along Abrasive Tools Co. under Nevada law.
2. Whether Plaintiffs' supplemental declaration should be considered after the magistrate judge issued the Memorandum and Recommendation.
3. Whether default judgment should be entered against Along Tools, Inc. and Rizhao Along Abrasive Tools Co.

## HOLDINGS

1. Plaintiffs failed to establish that service on Andy Zhao constituted adequate service on Rizhao under Nevada law; default judgment was therefore denied as to Rizhao.
2. The supplemental declaration was rejected as improperly submitted.
3. Default judgment was properly entered against Along Tools, Inc. for direct infringement of the asserted '754 patent, and Along Tools was permanently enjoined from further infringement.

## KEY QUOTATIONS

*"The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court."*

*"It is thus found to be liable for direct patent infringement as asserted and permanently enjoined from further infringing the '754 patent."*

## FACTUAL BACKGROUND

GoClips, LLC, and Z Keepers, LLC, brought a patent-infringement action against Along Tools, Inc., and Rizhao Along Abrasive Tools Co. Plaintiffs obtained entries of default against both defendants and moved for default judgment. The court found insufficient evidence of Andy Zhao's role in Rizhao, making it unclear whether service on Zhao constituted adequate service on Rizhao under Nevada law. The court entered default judgment and a permanent injunction against Along Tools, Inc., but denied default judgment as to Rizhao.

## PROCEDURAL HISTORY

Plaintiffs sued Defendants for patent infringement and obtained entries of default against both Defendants. The magistrate judge recommended granting default judgment against Along Tools, Inc., but denying it as to Rizhao Along Abrasive Tools Co. for lack of proper service. Plaintiffs objected only to the service ruling concerning Rizhao and submitted a supplemental declaration. The district court conducted de novo review of the objected-to portion, overruled the objections, adopted the Memorandum and Recommendation, and granted default judgment against Along Tools while denying it as to Rizhao.

## DISPOSITION

other

## CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam)
- Guillory v. PPG Industries, Inc., 434 F.3d 303, 308 (5th Cir. 2005)
- Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

## OPINION

March 16, 2026 Nathan Ochsner, Clerk UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION GOCLIPS, LLC, and § CIVIL ACTION NUMBER Z KEEPERS, LLC, § 4:25-cv-00355 Plaintiffs, § § § versus § JUDGE CHARLES ESKRIDGE § § ALONG TOOLS, INC, and § RIZHAO ALONG ABRASIVE § TOOLS CO LTD, § Defendants. § ORDER ADOPTING MEMORANDUM AND RECOMMENDATION Plaintiffs GoClips, LLC, and Z Keepers, LLC, sue Defendants Along Tools, Inc, and Rizhao Along Abrasive Tools Co for patent infringement.

Dkt 1 at ¶¶31–50. The matter was referred for disposition to Magistrate Judge Yvonne Ho. Dkt 21. Plaintiffs sought and obtained an entry of default against both Defendants. See Dkt 17. They then moved for default judgment. Dkt 22.

The Magistrate Judge entered a Memorandum and Recommendation recommending that the motion be granted as to Along Tools but denied as to Rizhao for lack of proper service. Dkt 23. The district court reviews de novo those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also United States v Wilson, 864 F2d 1219, 1221 (5th Cir 1989, per curiam).

The district court may accept any other portions to which there’s no objection if satisfied that no clear error appears on the face of the record. See Guillory v PPG Industries Inc, 434 F3d 303, 308 (5th Cir 2005), citing Douglass v United Services Automobile Association, 79 F3d 1415, 1430 (5th Cir 1996, en banc); see also FRCP 72(b) advisory committee note (1983).

Plaintiffs filed objections solely as to the portion of the Memorandum and Recommendation finding lack of proper service on Rizhao. Dkt 24. Also submitted was a supplemental declaration. On de novo review and determination, the objections lack merit.

The Memorandum and Recommendation is thorough and well-reasoned. The Magistrate Judge correctly found that Plaintiffs had provided insufficient evidence of Andy Zhao's role in Rizhao, and thus it is unclear whether service on Zhao served as adequate service on Rizhao under Nevada law. See Dkt 23 at 6–7.

The supplemental declaration is rejected as improperly submitted. The objections otherwise fail to show that default judgment should be entered against Rizhao. The objections by Plaintiffs GoClips, LLC, and Z Keepers, LLC, to the Memorandum and Recommendation of the Magistrate Judge are **OVERRULED**. Dkt 24. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is **ADOPTED** as the Memorandum and Order of this Court. Dkt 23. The motion by Plaintiffs GoClips, LLC, and Z Keepers, LLC, for default judgment is **GRANTED IN PART** and **DENIED IN PART**. It is **GRANTED** as to Defendant Along Tools, Inc. It is otherwise **DENIED**. Dkt 22.

As such, default judgment is now **ENTERED** against Defendant Along Tools, Inc. It is thus found to be liable for direct patent infringement as asserted and permanently enjoined from further infringing the '754 patent. **SO ORDERED**. Signed on March 16, 2026, at Houston, Texas. Uae.  
Honorable Charles Egkridge United States District Judge