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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Serial No. 76/155,723 for the mark KERMIT
Published in the Official Gazette on July 31, 2001
Opposer's Ref.: HEN USA TC-01/06534

TRADEMARK TRIAL AND
APPEAL BOARD
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THE JIM HENSON COMPANY, INC.,:

Opposition No. 151,872

Opposer,

- against -

PEDRO TELLERIA SOPENA,

Applicant.



-----X

MOTION TO ENTER JUDGMENT IN FAVOR OF OPPOSER

Opposer, The Jim Henson Company, Inc., hereby moves for an order sustaining the opposition on Applicant's default pursuant to 37 CFR 2.114(a).

The Opposition in this case was filed with the Trademark Trial and Appeal Board on April 26, 2002 and the T.T.A.B. issued its initial scheduling order on June 17, 2002. That scheduling order required that Applicant file its answer or otherwise move with respect to the Notice of Opposition by July 29, 2002.

To date, no answer has been served and no other evidence has been shown to suggest that there is good cause for failing to respond to the Notice of Opposition. There is no basis why judgment should not be entered against Applicant. Accordingly, for the reasons set forth herein and pursuant to 27 CFR 2.114(a), Petitioner respectfully requests that a default judgment be entered, that the Notice of Opposition be sustained and that Application Serial No. 76/155,723 be rejected and registration denied.

Dated: New York, New York
September 9, 2002

"Express Mail" mailing label No. EL578546472US
Date of Deposit: September 9, 2002
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
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and is addressed to the Assistant Commissioner for Trademarks,
2900 Crystal Drive, Arlington, Virginia 22202-3513.

Yvonne Sharpy

(Printed name of person mailing paper or fee)


(Signature)

Respectfully submitted,

FROSS ZELNICK LEHRMAN
& ZISSU, P.C.

By: 
Lisa Pearson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the MOTION FOR ENTRY OF
DEFAULT JUDGMENT was served on Applicant by First Class Mail, postage pre-paid,
this 9th day of September 2002:

Thomas W. Brooke
Holland & Knight LLP
2100 Pennsylvania Avenue NW
Suite 400
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Yvonne Sharpy

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