

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

VENUS SWIMWEAR, INC. )  
)  
Opposer )  
)  
v. )  
)  
ESSENCE OF VENUS )  
)  
Applicant )

Opposition No. 91155898  
Serial No. 75857446

Published: October 1, 2002  
Mark: ESSENCE OF VENUS

  
06-19-2003  
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

CERTIFICATE UNDER 37 CFR 1.8(a)  
I hereby certify that this correspondence is being  
deposited with the U.S. Postal Service as First Class  
mail in an envelope addressed to the Commissioner  
for Trademarks, 2900 Crystal Drive, Arlington, VA  
22202-3513 on June 16, 2003  
  
Diane Churchill

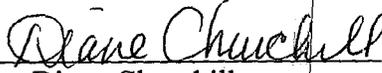
**OPPOSER'S MOTION FOR DEFAULT JUDGMENT**

Opposer moves the Trademark Trial and Appeal Board ("Board") for an order to enter a default judgment pursuant to 37 C.F.R. 2.106(a) and 2.114(a); TBMP 317 and 508 for failure of Applicant to Answer the Notice of Opposition due on May 20, 2003. As of June 13, 2003, Opposer has not received an Answer to Opposer's Notice of Opposition.

Based on the foregoing, Opposer requests that the Board enter default judgment against Applicant thereby effecting an abandonment of Applicant's U.S. Trademark Application Serial No. 75/857,446.

Respectfully submitted,

Dated: June 16, 2003

By:   
Diane Churchill  
Akerman Senterfitt  
222 Lakeview Avenue  
Fourth Floor  
West Palm Beach, FL 33401

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Opposer's Motion For Default Judgment was mailed via U.S. mail this 16 day of June, 2003 to **Bruce C. Morris, Esq.**, Beirne Maynard & Parsons LLP, 1300 Post Oak Boulevard, Suite 2500, Houston, Texas 77056-3000.

  
Diane Churchill

TTAB

**Akerman Senterfitt**  
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June 13, 2003

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**Re: Venus Swimwear, Inc. v. Essence of Venus, Inc.**  
**Application Serial No. 75/857446 for ESSENCE OF VENUS**  
**Opposer's Motion for Default Judgment**  
**Our Reference: 7150-5; Our File No. 21725/133237**

Dear Sir:

Please find enclosed for filing in the United States Patent and Trademark Office the following materials:

- X Opposer's Motion for Default Judgment
- X One Postcard

If there is any deficiency in fees, please charge the cost to our Deposit Account No. 50-0951. This Transmittal Letter is submitted in duplicate.

Respectfully submitted,

Date: June 16, 2003

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