

TAB

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

SUPER SMOKERS BBQ U.S.A., INC.)
Opposer)
v.)
SMOKERS Limited)
Applicant)

Opposition No. 91157376



10-27-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #58

OPPOSER'S MOTION FOR DEFAULT JUDGMENT

Pursuant to the Board's Order of August 18, 2003, an answer was due in this case by September 27, 2003. Opposer has not yet been served with an answer and, according to the on-line records of the Board, no answer has yet been filed. As it appears that no answer has been filed, nor has Applicant filed a motion to extend its time to answer, Opposer respectfully requests that the Board enter judgment by default against Applicant and refuse registration of Application Ser. No. 76/223,274, pursuant to Trademark Rule 2.106(a).

Respectfully Submitted,

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CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on the date shown below:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent via facsimile and U.S. Mail, postage prepaid, this 24th day of October 2003, to the following:

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