

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

In the Matter of Application Serial No. 76/363,532  
For the Mark NEUTELLIGENT  
Published in the Official Gazette on May 13, 2003

<b>TELLIGENT, INC.,</b>	)	
	)	
<b>Opposer,</b>	)	
	)	
v.	)	<b>Opposition No. 91157624</b>
	)	
<b>NEUTELLIGENT, INC.,</b>	)	
	)	
<b>Applicant.</b>	)	

**OPPOSER'S MOTION FOR ISSUANCE OF DEFAULT JUDGMENT AGAINST  
APPLICANT AND MOTION TO SUSPEND THE TTAB SCHEDULING ORDER  
PENDING RESOLUTION OF DEFAULT JUDGMENT**

Opposer, Teligent, Inc., moves the Trademark Trial and Appeal Board (the "Board") to issue an Order of Default Judgment against the Applicant, Neutelligent, Inc., based on its failure to timely file an answer to the Notice of Opposition filed on August 11, 2003, and its failure to respond to the Board's December 18, 2003 Order to Show Cause why judgment by default should not be entered against Applicant. To date, the Applicant has failed to appear in this matter and has not shown good cause to explain its failure. Therefore, pursuant to TBMP 317.01 and 508, final default judgment may be entered against it. 37 C.F.R. 2.106(a)

According to the Board's September 5, 2003 Scheduling Order, discovery in this proceeding closes on March 23, 2004. In light of the failures by Applicant and the impending default judgment, Opposer respectfully requests that the dates in the scheduling order be suspended pending issuance of the default judgment. TBMP 510.03(a); 37 C.F.R. 2.127(d).

This Motion is being submitted in triplicate for the Board's convenience.

TELIGENT, INC.

Dated: March 22, 2004

By   
One of its Attorneys  
Roger P. Furey, Esq.  
Sylvia Denise Davis, Esq.  
KATTEN MUCHIN ZAVIS ROSENMAN  
1025 Thomas Jefferson Drive, N.W.  
Suite 700, East Lobby  
Washington, DC 20007

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the **Opposer's Motion for Issuance of Default Judgment against Applicant and Motion to Suspend the TTAB Scheduling Order Pending Resolution of Default Judgment**, in connection with Opposition No. 91157624 was served on:

Mark R. Dolan, Esq.  
Mark R. Dolan, P.A.  
412 East Madison, Suite 1000  
Tampa, FL 33602

Registrant's counsel, via first-class mail, postage prepaid, this 22nd day of March, 2004.



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Richard Lukas  
Trademark Paralegal  
Katten Muchin Zavis Rosenman  
1025 Thomas Jefferson Street, N.W.  
East Lobby, 7th Floor  
Washington, DC 20007  
202.625.3536

**CERTIFICATE OF HAND DELIVERY**

Date of Deposit: March 22, 2004

I hereby certify that the foregoing **Opposer's Motion for Issuance of Default Judgment against Applicant and Motion to Suspend the TTAB Scheduling Order Pending Resolution of Default Judgment** has been hand delivered on the date indicated above, and is addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514: MAIL STOP BOX - TTAB - NO FEE.



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*Had*

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**VIA HAND DELIVERY**



COMMISSIONER FOR TRADEMARKS  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**MAIL STOP BOX TTAB – NO FEE**

RE: Opposer: TELIGENT, INC.  
Opposition No. 91157624  
Applicant: NEUTELLIGENT, INC.  
Application No. 76/363,532 for NEUTELLIGENT  
Our Reference: 214026.00005



**03-22-2004**

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

Dear Sir:

Submitted herewith are the following:

1. Opposer's Motion for Issuance of Default Judgment against Applicant and Motion to Suspend the TTAB Scheduling Order Pending Resolution of Default Judgment (2 Pages);
2. Certificate of Hand Delivery (1 Page);
3. Certificate of Service (1 Page); and
4. A receipt to be date stamped with the filing date (1 Pink sheet).

The Commissioner is hereby authorized to charge any necessary fees associated with the filing of this Joint Motion to Extend the Deadlines for Serving Trial Briefs to the Deposit Account of Katten Muchin Zavis Rosenman, Account No. 50-1877.

Please direct all inquiries and correspondence in this matter to Roger P. Furey, Esq., at the address on this letterhead or by telephone at 202.625.3630.

Respectfully submitted,

Richard Lukas  
Trademark Paralegal

Date: March 22, 2004

Enclosures

cc: Mark R. Dolan, Esq.  
Roger P. Furey, Esq.  
Peter J. Riebling, Esq.  
Sylvia D. Davis, Esq.

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