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Filing date: **11/30/2004**

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

Proceeding	91162310
Party	Plaintiff Formula One Licensing B.V. Formula One Licensing B.V. Koningslaan 34 Amsterdam, 1075 AD NETHERLANDS
Correspondence Address	Paul W. Kruse Bass Berry & Sims PLC AmSouth Center, 315 Deaderick Street, Suite 2700 Nashville, TN 37238-3001 UNITED STATES trademarks@bassberry.com
Submission	Motion for Default Judgment
Filer's Name	Paul W. Kruse
Filer's e-mail	trademarks@bassberry.com
Signature	/Paul W. Kruse/
Date	11/30/2004
Attachments	Ser. No. 76-464467 - MFDJ.pdf (5 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Formula One Licensing B.V.,)	
)	
Opposer,)	
)	Opposition No. 91162310
v.)	
)	Ser. No. 76/464,467
Koenigsegg Automobile Inc.,)	
)	
Applicant.)	
)	
Attorney Ref. No. 112338-862)	
)	

MOTION FOR DEFAULT JUDGMENT

Box TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Sir:

Now comes Formula One Licensing B.V. (hereinafter Opposer), by its attorneys, Bass, Berry & Sims, PLC, AmSouth Center, 315 Deaderick Street, Suite 2700, Nashville, Tennessee 37238-3001, (615) 742-6200, and hereby moves the Trademark Trial and Appeal Board, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and 37 C.F.R. § 2.114(a), for entry of a default judgment against Koenigsegg Automobile Inc. (hereinafter Applicant).

As grounds for the motion, Opposer, by its attorneys, avers as follows:

1. On September 28, 2004, Opposer filed a Notice of Opposition with the United States Patent and Trademark Office.

2. On September 29, 2004, the Trademark Trial and Appeal Board instituted the opposition proceeding as Opposition No. 91162310.

3. Applicant's Answer was due Monday, November 8, 2004.
4. On November 10, 2004, Applicant purportedly filed a unilateral request to extend the time to file an Answer until November 22, 2004. A copy is submitted herewith.
5. As of November 30, 2004, the Trademark Trial and Appeal Board Information System Index operated by the United States Patent and Trademark Office does not indicate that Applicant filed a request to extend the time to file an Answer.
6. Applicant's request, if filed, was untimely.
7. As of November 30, 2004, Opposer has received no Answer from Applicant.
8. As of November 30, 2004, the Trademark Trial and Appeal Board Information System Index operated by the United States Patent and Trademark Office does not indicate that Applicant filed an Answer.

WHEREFORE, Opposer requests that a default judgment be entered sustaining the Opposition and that Applicant's application Ser. No. 76/464,467 be refused registration as sought in Opposer's Notice of Opposition. Alternatively, in the event that an Answer was timely filed, Opposer requests that a copy of the Answer be sent to the attention of the undersigned and that the discovery deadline (as well as all other opposition proceeding deadlines) be extended by ninety (90) days.

Please direct all communications to the attention of the undersigned at either (615) 742-7779 or trademarks@bassberry.com

Respectfully submitted,

Formula One Licensing B.V.

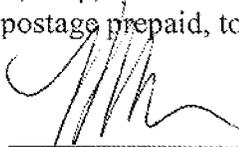
By: 

Paul W. Kruse

Bass, Berry & Sims, PLC
AmSouth Center
315 Deaderick Street
Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "MOTION FOR DEFAULT JUDGMENT" was served on Richard E. Bee, Esq., with an address at 311 Walnut Street, Costa Mesa, California 92672, via first class mail, postage prepaid, today August 18, 2004.

By: 

Paul W. Kruse



United States Patent and Trademark Office

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Request For Extension Of Time To Answer

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PTO-2151 (Exp. 5/31/2004)

OMB No. 0651-0040 (Exp. 5/31/2004)

Signature

The request must be signed by the filer. The request will not be "signed" in the sense of a traditional paper document. To sign the request, the signer must enter any combination of printable characters that have been adopted to serve the function of a signature, preceded and followed by the forward slash(/) symbol. Acceptable "signatures" could include: /john doe/; /jd/; and /123-4567/.

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

Filer Information

Fill in the information below. You will receive an e-mail confirmation of your filing within 24 hours. Your paper will be considered by the Board in due course.

Filer's Signature *	/antonio caselini/
Filer's Name *	Antonio Caselini
Filer's E-Mail Address *	Richbee2@aol.com Note: Multiple e-mail addresses may be provided separated by commas
Date	11/10/2004

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

Formula One Licensing B.V.

Opposer,

V.

Koenigsegg Automobile Inc.

Applicant.

Opposition No. **91162310**

Serial No. **76/464,467**

REQUEST FOR EXTENSION OF TIME TO ANSWER

Applicant Koenigsegg Automobile Inc. hereby requests a two-week extension of time until November 22, 2004 to file an Answer to Opposer's Notice of Opposition.

Applicant's attorney has been in poor health and unable to complete his work on the Answer. His health has improved and he is now able to proceed with this matter.

Applicant's need for more time is not the result of willful conduct, bad faith or gross neglect. This slight delay cannot possibly prejudice Opposer. The discovery and trial dates will remain as set. And as will be seen, Applicant has a meritorious defense to this opposition and is likely to prevail. For these reasons, Applicant's request should be granted.

Respectfully submitted,
Koenigsegg Automobile Inc.

/s/ Antonio Caselini

By: Antonio Caselini
Chief Financial Officer

November 9, 2004