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

Proceeding	91163622
Party	Plaintiff The Red Hat Society, Inc ,
Correspondence Address	Albert Y. Tsui Cherskov & Flaynik 20 N. Wacker Drive, Suite 1447 Chicago, IL 60606
Submission	Motion for Default Judgment
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Date	02/25/2005
Attachments	Motion Page 1.tif (1 page) Motion Page 2.tif (1 page) Motion Page 3.tif (1 page)

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

RED HAT SOCIETY, INC.,)
) Opposition No.: 91163622
)
 Opposer,)
)
 v.)
)
)
 LOUIS R. MACDONALD,)
 Applicant.)
)
)

MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER

Pursuant to Fed. R. Civ. P. 55(b)(2), Opposer, RED HAT SOCIETY, INC. moves for an entry of judgment by default against Applicant for U.S. Trademark Application having Serial No.: 78331972.

Opposer electronically filed the instant Opposition on December 29, 2004. On December 29, 2004, The Board issue a Notice stating inter alia, that Applicant's Answer is due within forty days of the Board's Notice mailing date. More that forty days have passed since the Trademark Trial and Appeal Board's Notice and an Answer has not been filed. As such, Applicant has failed to file a timely answer to Opposer's complaint.

WHEREFORE, Opposer requests entry of a default judgment against Applicant for Serial No.: 78331972.

Respectfully submitted,

RED HAT SOCIETY, INC.

Dated: February 25, 2005

By: _____


Albert Y. Tsui
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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and complete copy of the following **MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER** was mailed by first class mail, postage paid, on this 25th day of February to Applicant as follows:

Louis R. MacDonald
8 Cole Court
Bayport, N.Y. 11705



Albert Y. Tsui