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

Proceeding	91166450
Party	Plaintiff Padres L.P. Padres L.P. 100 Park Boulevard San Diego, CA 92101 UNITED STATES
Correspondence Address	Antonio Borrelli Cowan, Liebowitz & Latman, P.C. 1133 Avenue of the Americas New York, NY 10036 UNITED STATES
Submission	Motion for Default Judgment
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Date	11/03/2005
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Ref. No. 21307.022

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

PADRES L.P., Opposer, v. BRIAN KEITH GILLOOLY, Applicant.	Opposition No. 91 166,450
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MOTION FOR DEFAULT JUDGMENT

MOTION

Pursuant to Trademark Rule 2.106(a), Opposer hereby moves for a default judgment in this proceeding because Applicant has failed to file a timely answer. In the alternative, should this proceeding be reopened, Opposer requests that the discovery and trial periods be reset.

MEMORANDUM

Opposer's motion for default judgment should be granted because Applicant has failed to submit an answer to the Notice of Opposition. The order instituting this opposition was mailed by the Board on September 2, 2005. As the answer was due October 12, 2005, and no answer has been filed or received, and no good cause shown, a default judgment should be entered.

In the event, however, that this proceeding is reopened, Opposer requests that the discovery and trial periods be reset.

Dated: New York, New York
November 3, 2005

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Motion for Default Judgement was served on applicant by sending a copy first class, postage prepaid, to Applicant's counsel Craig Lewis Gillooly, 1205 Prospect St., Suite 400, La Jolla, CA 92037-3613, on November 3, 2005.

/Antonio Borrelli/
Antonio Borrelli