

ESTTA Tracking number: **ESTTA101142**

Filing date: **09/26/2006**

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

Proceeding	91171138
Party	Plaintiff ConAgra Brands, Inc. ConAgra Brands, Inc. One ConAgra Drive Omaha, NE 68102 UNITED STATES
Correspondence Address	Tracy L. Deutmeyer McGrath North Mullin & Kratz, PC LLO Suite 3700 First National Tower1601 Dodge Street Omaha, NE 68102 UNITED STATES tdeutmeyer@mcgrathnorth.com
Submission	Motion for Default Judgment
Filer's Name	Tracy L. Deutmeyer
Filer's e-mail	tdeutmeyer@mcgrathnorth.com
Signature	/Tracy L. Deutmeyer/
Date	09/26/2006
Attachments	SNACK_PALS_MOTION_FOR_DEFAULT_JUDGMENT_FAILURE_TO_APPEAR.pdf (3 pages)(39548 bytes)

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

IN THE MATTER OF APPLICATION SERIAL NO. 78/684,646
PUBLISHED IN THE OFFICIAL GAZETTE ON MAY 2, 2006

ConAgra Brands, Inc.,)	
)	
Opposer,)	
)	OPPOSITION NO.: 91171138
v.)	
)	MARK: SNACK PALS
Novartis AG,)	
)	
Applicant.)	

MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER

Attention Applicant: Pursuant to Trademark Trial and Appeal Board Manual of Procedure §312.01, Opposer, ConAgra Brands, Inc., requests that the Board enter a judgment by default against you unless you, within 20 days from the mailing date of this Motion for Default, show cause why default judgment should not be entered against you. The Answer to the Notice of Opposition was due on July 9, 2006 and no Answer has since been filed.

WHEREFORE, Opposer requests that judgment be entered in its favor if Applicant does not, within 20 days from the date of this Notice of Opposition, show cause why a default judgment should not be entered against Applicant.

RESPECTFULLY SUBMITTED,
CONAGRA BRANDS, INC., Opposer

By: /Tracy L. Deutmeyer/
Tracy L. Deutmeyer
**McGRATH, NORTH, MULLIN
& KRATZ, PC LLO**
Suite 3700, First National Tower
1601 Dodge Street
Omaha, Nebraska 68102
Phone: (402) 341-3070
Facsimile: (402) 952-6870
tdeutmeyer@mcgrathnorth

ATTORNEYS FOR OPPOSER

Dated: September 26, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion For Default Judgment For Failure To Answer has been served on Novartis AG by mailing said copy on September 26, 2006, via First Class Mail, postage prepaid to:

Mary F. Leheny
Novartis AG
One Health Plaza
East Hanover, NJ 07936

/Tracy L. Deutmeyer/
Tracy L. Deutmeyer