

ESTTA Tracking number: **ESTTA208680**

Filing date: **05/01/2008**

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

Proceeding	91172753
Party	Plaintiff San Francisco Baseball Associates, L.P.
Correspondence Address	HEATHER J. JENSEN COWAN, LIEBOWITZ & LATMAN, P.C. 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES mrm@cll.com
Submission	Motion for Default Judgment
Filer's Name	Kieran G. Doyle
Filer's e-mail	kgd@cll.com, trademark@cll.com
Signature	/Kieran G. Doyle/
Date	05/01/2008
Attachments	chicago1917motion.PDF (3 pages)(20242 bytes)

MEMORANDUM

Opposer's motion for default judgment should be granted because Applicant has failed to submit an answer to the Notice of Opposition in compliance with Trademark Rule 2.106(b) and failed to serve an answer as required by Trademark Rule 2.119. Pursuant to the August 23, 2007 Order of the Board, the answer was due April 23, 2008. To date, Opposer has not been served with an answer.

In the alternative, should this motion be denied or the proceeding be reopened, Opposer requests that the discovery and trial periods be reset.

Dated: New York, New York
May 1, 2008

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

By: /Kieran G. Doyle/
Mary L. Kevlin
Richard S. Mandel
1133 Avenue of the Americas
New York, New York 10036
(212) 790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion for Default Judgment was sent via first class, postage paid mail to Applicant's attorney E. Leonard Rubin, Sachnoff & Weaver, Ltd., 10 South Wacker Drive, Chicago, IL 60606-7507 on May 1, 2008.

/Kieran G. Doyle/
Kieran G. Doyle