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Filing date: **02/04/2008**

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

Proceeding	91181194
Party	Plaintiff AirTran Holdings, Inc.
Correspondence Address	Todd D. Williams Smith, Gambrell & Russell, LLP 1230 Peachtree street, N.E.Suite 3100, Promenade II Atlanta, GA 30309 UNITED STATES mbedsole@sgrlaw.com, twilliams@sgrlaw.com, rlunsford@sgrlaw.com
Submission	Motion for Default Judgment
Filer's Name	Todd D. Williams
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Signature	/Todd D. Williams/
Date	02/04/2008
Attachments	Airtran Motion for Default Judgment.PDF (4 pages)(81197 bytes)

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

In re Application of Seiko Epson Kabushiki Kaisha (also trading as Seiko Epson Corporation)

Serial No.: 77/107,655

Filed: February 14, 2007

Mark: AirTrans. for, *inter alia*, portable battery chargers

Published in the Official Gazette on
August 14, 2007

AIRTRAN HOLDINGS, INC.)

Opposer,)

v.)

SEIKO EPSON KABUSHIKI KAISHA)
a/k/a SEIKO EPSON CORPORATION)

Applicant.)

Opposition No.: 91181194

OPPOSER'S MOTION FOR DEFAULT JUDGMENT

Opposer, AirTran Holdings, Inc. ("Opposer"), herewith moves the Board for entry of Default Judgment in the above-captioned proceeding for Applicant Seiko Epson Kabushiki Kaisha's ("Applicant") failure to answer. In support thereof, Opposer states as follows:

On December 11, 2007, the Board issued a notification setting a forty-day deadline in which Applicant was required to file its answer to Opposer's Notice of Opposition. Opposer's time in which to file its answer with the Board expired on January 20, 2008. As of February 4,

2008, the records of the Board reflected in TTABVUE do not show that Applicant has filed an Answer with the Board.

As provided in 37 CFR § 2.106(a): "If no answer is filed within the time set, the opposition may be decided as in case of default." Accordingly, because Applicant has failed to timely file an Answer with the Board, Opposer requests that the Board issue an Order to Show Cause Why Default Judgment Should not be Entered Against Applicant for Failure to Answer.

This 4th day of February, 2008.

Respectfully submitted,



Todd D. Williams, Esq.

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Attorney for Opposer

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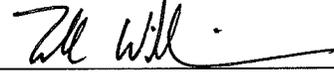
Opposition No.: 91181194

CERTIFICATE OF SERVICE

I hereby certify that I have served OPPOSER'S MOTION FOR DEFAULT JUDGMENT upon the Applicant by email and by mailing a copy of same, properly addressed and postage prepaid, as follows:

Richard C. Gilmore, Esq.
Workman Nydegger
60 East South Temple
1000 Eagle Gate Tower
Salt Lake City, UT 84111

This 4th day of February, 2008.

A handwritten signature in black ink, appearing to read "Todd Williams", with a horizontal line extending to the right from the end of the signature.

Todd D. Williams
Attorney for Opposer