

ESTTA Tracking number: **ESTTA236108**

Filing date: **09/11/2008**

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

Proceeding	91183065
Party	Plaintiff SMS CLOTHING
Correspondence Address	John Smart SMS Clothing 1390 Alpha Lake Road Whistler, BC V0N1B1 CANADA
Submission	Opposition/Response to Motion
Filer's Name	John Smart
Filer's e-mail	john@smsclothing.com
Signature	/JohnSmart/
Date	09/11/2008
Attachments	SMS_response_1.doc.pdf (1 page)(52320 bytes)



ATTN: UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
FROM: JOHN SMART
SERIAL NO. 77/194,426
OPPOSITION # 91183065
DATE: September 11, 2008

SMS CLOTHING
V.
DANIEL, SAYO ISAAC

RESPONSE TO LETTER SENT AUGUST 13, 2008 (doc. OPP-7)
FROM GEORGE C. POLOGEORGIS INTERLOCUTORY ATTORNEY

I respectfully request that default judgment be withdrawn on opposition No. 91183065 for the following reasons:

1. I did not receive the first letter by mail (doc OPP-6) requesting my initial response within 30 days.
2. I fortunately just now received by mail (doc OPP-7) as I have been away for the past 3 weeks on business in China.

I would like to suggest if possible that all further communication also be sent directly to my email address john@smsclothing.com to help eliminate any further chance of missed communication.

I would also like to note that the answer requested in both of these letters was answered already in the letter (doc. Opp-5) from my attorney sent July 1, 2008. In the Motion to Withdraw as attorney it was clearly noted in part (2) that I, the Opposer, would continue to represent myself directly. I would also like to stress that there is absolutely no loss of interest in this case on my part.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Smart'.

John Smart
President, SMS CLOTHING

#201-1390 Alpha Lake Rd. Whistler, B.C. V0N 1B1
Ph. 604.905.4421 Fax 604.905.4407 Email: john@smsclothing.com www.smsclothing.com