

ESTTA Tracking number: **ESTTA311690**

Filing date: **10/15/2009**

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

Proceeding	91191624
Party	Plaintiff Chivas Holdings (IP) Limited
Correspondence Address	Jay A. Bondell Ladas & Parry LLP 26 West 61st Street New York, NY 10023 UNITED STATES jbondell@ladas.com, mcornman@ladas.com, elipins@ladas.com, gdeluca@ladas.com
Submission	Motion for Default Judgment
Filer's Name	Jay A. Bondell
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Signature	/Jay A. Bondell/
Date	10/15/2009
Attachments	Motion for Default Judgment.pdf ( 3 pages )(70057 bytes )

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

In the matter of U.S. Trademark Application Serial No. 77/647,485

For the mark CHIVAS POP

Filing Date: January 12, 2009

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	)	
Chivas Holdings (IP) Limited,	)	
	)	
Opposer,	)	Opposition No. 91191624
	)	
v.	)	
	)	
Chivas USA Enterprises LLC,	)	
	)	
Applicant.	)	
-----	x	

MOTION FOR DEFAULT JUDGMENT

Pursuant to 37 C.F.R. §2.106(a) and Rule 55 of the Federal Rules of Civil Procedure, Chivas Holdings (IP) Limited (hereinafter "Opposer") hereby moves for entry of judgment by default against Chivas USA Enterprises LLC (hereinafter Applicant") based on Applicant's failure to timely file an answer to Opposer's Notice of Opposition filed and served on August 24, 2009.

In the above-identified opposition proceeding, Applicant had a 40-day answering period which expired on October 3, 2009. Applicant has failed to answer Opposer's Notice of Opposition. Pursuant to 37 C.F.R. §2.106(a), Opposer is entitled to relief in the form of entry of judgment by default against Applicant.

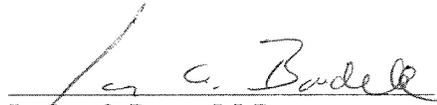
Opposer respectfully requests that judgment be entered in Opposer's favor refusing Applicant's application for registration.

New York, New York

Respectfully submitted,

Jay A. Bondell (jbondell@ladas.com)

Michael A. Cornman (mcomman@ladas.com)

A handwritten signature in black ink, appearing to read "Jay A. Bondell", written over a horizontal line.

**Ladas & Parry LLP**

Attorneys for Opposer

26 West 61<sup>st</sup> Street – 4th Floor

New York, NY 10023

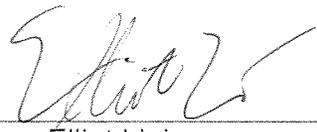
Phone: 212 708-180

Fax: 212 246-8959

CERTIFICATE OF SERVICE

It is hereby certified that on October 15, 2009, a true copy of the foregoing MOTION FOR DEFAULT JUDGMENT, is being served by first-class mail, postage prepaid, to the attorney for Applicant at the following address:

Jennifer T. So, Esq.  
Pillsbury Winthrop Shaw Pittman LLP  
725 S. Figueroa Street – Suite 2800  
Los Angeles, CA 90017-5406

By:   
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Elliot Lipins