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

Proceeding	91194654
Party	Plaintiff Ductmate Industries, Inc.
Correspondence Address	MICHAEL L. DENVER BUCHANAN INGERSOLL & ROONEY PC ONE OXFORD CENTER, 20TH FLOOR, 301 GRANT STREET PITTSBURGH, PA 15219 UNITED STATES michael.dever@bipc.com
Submission	Motion for Default Judgment
Filer's Name	Michael L. Dever
Filer's e-mail	michael.dever@bipc.com, louanne.guerra@bipc.com, vicki.cremonese@bipc.com
Signature	/Michael L. Dever/
Date	09/01/2010
Attachments	Motion for Default Judgment.pdf (2 pages)(47094 bytes)

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

DUCTMATE INDUSTRIES, INC.)	
)	
Opposer,)	
)	
v)	Opposition No. 91/194,654
)	
GRAY METAL SOUTH, INC.)	
)	
Applicant)	
)	

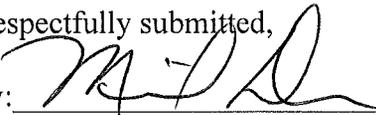
MOTION FOR DEFAULT JUDGMENT

Pursuant to Trademark Rule 2.114(a), Opposer, Ductmate Industries, Inc. ("Opposer"), hereby moves for a default judgment due to the failure of Applicant Gray Metal South Inc. ("Applicant") to timely file an Answer in response to the Notice of Opposition.

Opposer filed its Notice of Opposition on April 27, 2010 and the Trademark Trial and Appeal Board ("Board") set a June 6, 2010 deadline for Opposer to Answer. That deadline was subsequently twice extended, most recently on July 1, 2010 wherein the Board granted the Stipulation for an Extension of Time which set August 5, 2010 as the Time to Answer. To date, no Answer or other response has been submitted.

Accordingly, Opposer moves for a default judgment and respectfully requests that the Board enter judgment against Applicant.

Date: September 1, 2010

Respectfully submitted,
 By: 
 Michael L. Dever
 Buchanan Ingersoll & Rooney, P.C.
 20th Floor, One Oxford Centre
 301 Grant Street
 Pittsburgh, Pennsylvania 15219
 (412) 562-1637
 Attorneys for Opposer
 Ductmate Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of September, 2010, I sent via U.S. mail, a true and correct copy of the foregoing Motion for Default Judgment to:

Brian B. Shaw
Kimberly I. Shimomura
Harter, Secrest & Emery
1600 Bausch and Lomb Pl.
Rochester, New York 14604-2711



Michael L. Dever