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Filing date: **05/17/2011**

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

Proceeding	91198448
Party	Plaintiff Salt Life Holdings, LLC
Correspondence Address	ELIZABETH G BORLAND SMITH GAMBRELL & RUSSELL LLP 1230 PEACHTREE STREET NE, SUITE 3100 ATLANTA, GA 30309 UNITED STATES egborland@sgrlaw.com, mbedsole@sgrlaw.com
Submission	Motion for Default Judgment
Filer's Name	Elizabeth G. Borland
Filer's e-mail	egborland@sgrlaw.com
Signature	/Elizabeth G. Borland/
Date	05/17/2011
Attachments	Motion for Default Judgment.pdf (3 pages)(11164 bytes)

SERVICE MARK

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

In the Matter of Application Serial No. 85/105,093
Published: February 1, 2011

Salt Life Holdings, LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91198448
)	
Timothy J. Polovina, P.A.,)	
)	
Applicant.)	

Commissioner for Trademarks
Box TTAB FEE
P.O. Box 1451
Alexandria, Virginia 22313-1451

Madam:

OPPOSER’S MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER

On March 24, 2011, the Board entered an Order finding that the communication filed by Applicant Timothy J. Polovina, P.A. on March 14, 2011, did not comply with Rule 8(b) of the Federal Rules of Civil Procedure, and the Board gave Applicant thirty days in which to file an answer that complied with the Federal Rules. As of May 17, 2011, Applicant had not filed an answer to the Notice of Opposition. Therefore, Applicant is in default.

Because Applicant has defaulted in this proceeding, Opposer Salt Life Holdings, LLC (“Opposer”) requests that default judgment be entered against Applicant under Rule 55(c) of the

Federal Rules of Civil Procedure and that its opposition to Applicant Serial No. 91/198,448 be sustained.

This 17th day of May, 2011.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

s/ Elizabeth G. Borland

Elizabeth G. Borland
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Attorney for Opposer Salt Life Holdings,
LLC.

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CERTIFICATE OF SERVICE

I, Elizabeth G. Borland, counsel for Opposer Salt Life Holdings, LLC, do hereby certify that **OPPOSER'S MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO FILE ANSWER** was served upon applicant by placing a copy of same in the U.S. mail, postage prepaid, addressed as follows:

Timothy J. Polovina, P.A.
6671 W. Indiantown Rd., Bldg 50-405
Jupiter, Florida 33458

This 17th day of May, 2011.

s/ Elizabeth G. Borland
Elizabeth G. Borland