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Filing date: **10/05/2012**

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

Proceeding	91205089
Party	Defendant Total Import Solutions, Inc.
Correspondence Address	C/O 3TMC TOTAL IMPORT SOLUTIONS INC PO BOX 1818 RANCHO CUCAMONGA, CA 91729 1818 UNITED STATES tmregistered@gmail.com
Submission	Other Motions/Papers
Filer's Name	Paoting Heilian
Filer's e-mail	tmregistered@gmail.com
Signature	/paotingheilian/
Date	10/05/2012
Attachments	Motion to set aside default.pdf (1 page)(10838 bytes) 91205089-consent extension.pdf (2 pages)(68593 bytes)

**UNITED STATES DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

In the Matter of Application No. 85310158

Mark:

EAGLE SHINE

Ashland Licensing and Intellectual Property)	
LLC)	
)	Opposition No. 91205089
Petitioner,)	
)	
V.)	
)	
Total Import Solutions, Inc.)	
)	
Registrant.)	

PETITIONER'S MOTION TO SET ASIDE NOTICE OF DEFAULT

Petitioner ("Allen Hon") respectfully contests to Respondent's motion for the following reasons:

1. It appears that the Motion for Extension of time submitted by Defendant on August 9, 2012 was not entered in the TTAB's computer system. Defendant in fact has submitted an Extension of time to answer the opposition and the new due date was supposed to be November 15, 2012. Attached is a copy of the receipt generated from the TTAB's system.

2. Prior to filing the motion for extension of answer with consent, Defendant has secure an email confirmation from Plaintiff's representative.

Conclusion

In conclusion, Defendant respectfully believe that default should be set aside because of a computer error and not the fault of Defendant.

Respectfully submitted,

/paotingheilian/



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ESTTA v.3.0

PTO-2151 (Exp. 03/31/2014)

OMB No. 0651-0040 (Exp. 03/31/2014)

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

Proceeding.	91205089
Applicant	Defendant Total Import Solutions, Inc.
Other Party	Plaintiff Ashland Licensing and Intellectual Property LLC

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 08/17/2012. Total Import Solutions, Inc. requests that such date be extended for 90 days, or until 11/15/2012, and that all subsequent dates be reset accordingly.

Time to Answer : 11/15/2012
 Deadline for Discovery Conference : 12/15/2012
 Discovery Opens : 12/15/2012
 Initial Disclosures Due : 01/14/2013
 Expert Disclosure Due : 05/14/2013
 Discovery Closes : 06/13/2013
 Plaintiff's Pretrial Disclosures : 07/28/2013
 Plaintiff's 30-day Trial Period Ends : 09/11/2013
 Defendant's Pretrial Disclosures : 09/26/2013
 Defendant's 30-day Trial Period Ends : 11/10/2013

Plaintiff's Rebuttal Disclosures : 11/25/2013

Plaintiff's 15-day Rebuttal Period Ends : 12/25/2013

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

Total Import Solutions, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Total Import Solutions, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,
/paotingheilian/
Paoting Heilian
tmregistered@gmail.com
EAMitchell@ashland.com
08/09/2012

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