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Filing date: **06/17/2014**

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

Proceeding	91216192
Party	Plaintiff JoseRamirez
Correspondence Address	PAULO A DE ALMEIDA PATEL & ALMEIDA PC 16830 VENTURA BLVD, SUITE 360 ENCINO, CA 91436 UNITED STATES Paulo@PatelAlmeida.com
Submission	Motion for Default Judgment
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Date	06/17/2014
Attachments	Motion for Default Judgment_HOTDEAL.pdf(13045 bytes )

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

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	)	
	)	
Jose Ramirez,	)	
	)	Opposition No. 91216192
	)	Serial No. 79/134,196
Opposer,	)	Mark: HOTDEAL
	)	
v.	)	
	)	
SAAME TOOLS (SHAANXI)	)	
IMPORT & EXPORT CO., LTD.,	)	
	)	
	)	
Applicant.	)	
	)	
	)	

**MOTION FOR DEFAULT JUDGMENT**

Opposer, Jose Ramirez ("Opposer"), respectfully requests that the Trademark Trial and Appeal Board ("Board") enter a Judgment of Default against the Applicant, SAAME TOOLS (SHAANXI) IMPORT & EXPORT CO., LTD., a limited company of China ("Applicant"), pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and Rule 2.106(a) of the Trademark Rules of Practice, on the grounds that Applicant has failed to file an answer in this proceeding.

FRCP 55(a) provides that "[w]hen a party against whom judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the rules and that failure is shown by affidavit or otherwise, the clerk shall enter the party's default."

Likewise, 37 C.F.R. § 2.106(a) provides that "[i]f no answer is filed within the time set, the opposition may be decided as in case of default."

Petitioner filed and served the Notice of Opposition on April 29, 2014. The Board mailed the Scheduling Order to Applicant on May 2, 2014, and set June 11, 2014, as the deadline to file and serve an answer. The deadline to file an answer has passed, and Applicant has not filed an answer. Applicant has not sought an extension of time to file an answer or provided any other explanation for its failure to respond.

Applicant, having failed to file a timely answer, has conceded the truth of the claims made in the Notice of Opposition. Therefore, pursuant to FRCP 55(a), and Rule 2.114(a), Applicant respectfully requests that a Judgment by Default be entered.

Dated: June 17, 2014

Respectfully Submitted,  
By: /Paulo A. de Almeida  
Paulo A. de Almeida  
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Attorneys for Opposer,  
Jose Ramirez

**PROOF OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **MOTION FOR  
DEFAULT JUDGMENT** has been served on ZHAO GANG, the correspondent for  
Appln. No. 79/134,196 as listed in the USPTO database, on June 17, 2014, via First Class  
U.S. Mail, postage prepaid to:

ZHAO GANG  
Convention Plaza  
3011, 30/F, Office Tower  
1 Harbour Road  
HONG KONG

/Paulo A. de Almeida

Paulo A. de Almeida