

ESTTA Tracking number: **ESTTA711362**

Filing date: **11/30/2015**

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

Proceeding	91224331
Party	Plaintiff Huang Zhibao
Correspondence Address	JAY A BONDELL LADAS & PARRY LLP 1040 AVENUE OF THE AMERICAS NEW YORK, NY 10018 UNITED STATES jbondell@ladas.com, masbell@ladas.com
Submission	Motion for Default Judgment
Filer's Name	Jay A Bondell
Filer's e-mail	jbondell@ladas.com
Signature	/Jay A Bondell/
Date	11/30/2015
Attachments	Default Motion.pdf(75088 bytes)

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

In the matter of U.S. Trademark Application 86-291483
For the mark KAUKKO
Publication Date September 8, 2015

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	:	
HUANG ZHIBAO,	:	
Petitioner,	:	Opposition No. 91-224331
	:	
v.	:	
	:	
JING CHANG,	:	
Respondent.	:	
	:	
-----X	:	

**MOTION FOR DEFAULT JUDGMENT
FOR FAILURE TO TIMELY ANSWER**

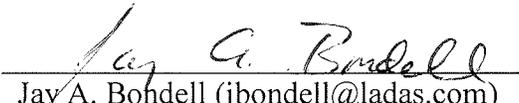
Huang Zhibao (“Petitioner”) respectfully requests that the Trademark Trial and Appeal Board (“TTAB”) enter a Judgment by Default against Jing Chang (“Respondent”) pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and Rule 2.106(a) of the Trademark Rules of Practice on the grounds that Respondent has failed to timely file an Answer in this matter.

1. FRCP 55(a) provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must 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.”
2. Petitioner filed and served the Notice of Opposition on October 13, 2015. The TTAB mailed the Scheduling Order to Respondent on October 14, 2015, and set November 23, 2015 as the deadline to file and serve an Answer. Respondent has not filed and served any Answer or otherwise taken action against the Notice of Opposition.
3. Respondent, having failed to timely file an Answer, has conceded the truth of the claims made in the Notice of Opposition. Therefore, pursuant to FRCP 55(a) and Rule 2.106(a),

Petitioner respectfully requests that a Judgment by Default be entered against Respondent.

Dated: November 30, 2015

Respectfully submitted,

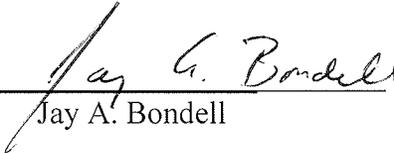

Jay A. Bondell (jbondell@ladas.com)
Ladas & Parry LLP
Attorneys for Petitioner
1040 Avenue of the Americas
New York, NY
(212) 708-1805 (p)
(212) 246-8959 (f)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO TIMELY ANSWER has been served via First Class Mail, on the date indicated below, to the Attorney for Respondent:

Tan Ying Yuan
SHENZHEN CADMON CULTURE COMMUNICATION CO., LTD.
7/F Excellence Century Center
Tower 3, Room 709-710
Shenzhen CHINA

Dated: November 30, 2015

By: 
Jay A. Bondell