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

Proceeding	91229213
Party	Plaintiff Marian University, Inc.
Correspondence Address	Thomas A. Walsh Ice Miller LLP One American Square Suite 2900 Indianapolis, IN 46282 UNITED STATES ipdocket@icemiller.com, sid.bose@icemiller.com, thomas.walsh@icemiller.com
Submission	Motion for Default Judgment
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Date	09/09/2016
Attachments	THE MARIAN METHOD.pdf(23281 bytes) THE MARIAN METHOD brief in support.pdf(25719 bytes)

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

In the Matter of Trademark Serial No. 86/890,259
For the Mark THE MARIAN METHOD
Filed on July 28, 2016

Marian University, Inc.,)	
)	
Opposer,)	
)	
v.)	Opposition No.: 91229213
)	
Medical Massage Professionals LLC,)	
)	
Applicant.)	

Motion for Default Judgment

Opposer, Marian University, Inc., through its undersigned counsel, hereby moves the Trademark Trial and Appeal Board for an order of default judgment for Opposer and against Applicant in the subject Opposition as Applicant has failed to answer the subject Notice of Opposition, to request an extension of time, or otherwise to timely plead. In accordance with Trademark Trial and Appeal Board Manual of Procedure §§ 312 and 508 and 37 C.F.R. 2.106(a), Opposer is entitled to default judgment.

Dated this 9th day of September, 2016.

Respectfully submitted,

By: /Thomas A. Walsh/
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 9, 2016, the foregoing Motion for Default Judgment was served by First Class U.S. mail, postage prepaid, upon the following:

Ruben Alcoba,
Alcoba Law Group PA
3399 NW 72 Avenue Suite 211
Miami, Florida, US 33122

By: /Thomas A. Walsh/
Thomas A. Walsh
Attorney for Opposer

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)	
Medical Massage Professionals LLC,)	
)	
Applicant.)	

Brief in Support of Motion for Default Judgment

Opposer presents this Brief in support of its Motion for Default Judgment.

This proceeding was initiated properly on July 28, 2016, when Opposer filed its Notice of Opposition.

The Trademark Trial and Appeal Board sent notice to Applicant on July 28, 2016, establishing September 6, 2016 as the Time to Answer.

Applicant did not file a timely Answer to the Notice of Opposition.

Applicant did not timely file a request for an extension of time or otherwise timely plead.

Opposer's undersigned counsel has had no communication from Applicant or its counsel since the filing of the Notice of Opposition.

According to the Trademark Trial and Appeal Board's electronic records, as of September 9, 2016, Applicant still has not filed an Answer to the Notice of Opposition, requested an extension of time, or filed any other pleading.

Accordingly, in accordance with Trademark Trial and Appeal Board Manual of Procedure §§ 312 and 508 and 37 C.F.R. 2.106(a), Opposer is entitled to default judgment, refusing registration of the Application.

Wherefore, Opposer requests that the Trademark Trial and Appeal Board enter a default judgment refusing registration of the Application.

Dated this 9th day of September, 2016.

Respectfully submitted,

By: /Thomas A. Walsh/

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