

09/15/2003TTAB

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

Dr. Gerald Bidawid

Petitioner,

v.

Robert G. Rosenthal

Registrant.

Cancellation No. 32,774

09/15/2003



08-29-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #11

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Va 22202-3513

MOTION FOR JUDGMENT
PURSUANT TO 37 CFR 2.120(g)

Opposer served Applicant with Interrogatories and Document Requests on August 26, 2002. Applicant's responses were due on October 1, 2002. Opposer did not receive Applicant's responses and on November 13, 2002, Opposer filed a Motion to Compel.

The Board granted the Motion on June 12, 2003 and allowed Applicant until July 12, 2003 to serve its responses.

To date, Applicant has not complied with the Board Order.

CERTIFICATE OF MAILING
Date of Deposit : August 26, 2003
I hereby certify that this correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.
JULIE B. SEYLER

Signature

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Petitioner hereby requests that the cancellation be sustained and Registration No. 2,276,512 be cancelled.

In the event this Motion is denied, it is requested all dates be reset.

Respectfully submitted,



JULIE B. SEYLER

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212-949-9022

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **MOTION FOR JUDGMENT PURSUANT TO 37 CFR 2.120(g)** was served by first class mail, postage prepaid this 26th day of August, 2003 upon the following:

Mr. Robert G. Rosenthal
5856 Faringdon Place
Suite 200
Raleigh, NC 27609



JULIE B. SEYLER