

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

In the matter of trademark Registration Nos.: 2098004, 2164668
For the mark: REJUVENA SKIN THERAPY SPAS, R REJUVENA SKIN THERAPY
Dates registered: September 16, 1995; June 9, 1998

JDS Distribution LLC

v.

REJUVENA CORPORATION

Cancellation No. 92041417

BOX: TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

TO THE COMMISSIONER FOR TRADEMARKS:

Motion for Default Judgment for Failure to Answer

Plaintiff, JDS Distribution LLC, hereby files its Motion for Default Judgment according to TBMP § 508. A petition to cancel the above-identified registrations was mailed to the Defendant from the USPTO on January 14, 2003. The Defendant's answer was due forty (40) days from the mailing date of the petition, i.e., February 23, 2003. Because this date fell on a Sunday, Defendant's answer should have been filed on or before Monday, February 24, 2003. Defendant failed to file a timely answer. Plaintiff, therefore, respectfully requests that judgment be entered against the Defendant, for its failure to file a timely answer to the complaint. Default judgment is proper according to TBMP § 317 and § 508.

Date: 3/8/03

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469-916-5300 - Main
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Respectfully submitted,

By: 

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TTAB

03-04-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #64

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March 4, 2003

VIA EXPRESS MAIL No. EU828073588US

Box TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Mark: REJUVENA SKIN THERAPY SPAS
R REJUVENA SKIN THERAPY
Reg. Nos: 2098004, 2164668
Our File No.: 125275-3000

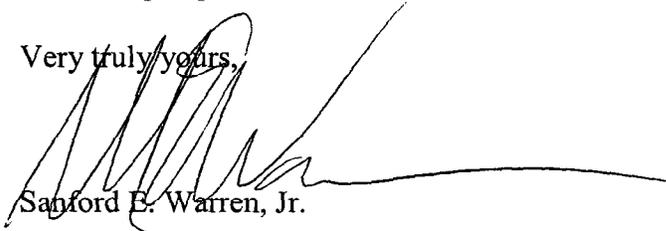
Dear Sir:

Enclosed for filing with the Patent and Trademark Office, please find the following:

1. Motion for Default Judgment for Failure to Answer;
2. Notice of Change of Address; and
3. Return Postcard.

Please file the enclosed documents and return the stamped postcard to us for our records.

Very truly yours,


Sanford E. Warren, Jr.

SEW:pl

Enclosures

cc