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

Proceeding	92045061
Party	Plaintiff Jim McLean Enterprises, Inc. Jim McLean Enterprises, Inc. 4400 N.W. 87th Avenue Miami, FL 33178
Correspondence Address	Michelle L. Visser Rader, Fishman & Grauer PLLC 39533 Woodward Avenue, Suite 140 Bloomfield Hills, MI 48304
Submission	Motion for Default Judgment
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Date	12/27/2005
Attachments	Untitled.pdf (2 pages)

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

JIM MCLEAN ENTERPRISES, INC.,)	
)	
Petitioner,)	
)	Cancellation No.: 92045061
v.)	Registration No. 2,081,148
)	Mark: X-FACTOR & DESIGN
SEAN VANHORSE FOR VANHORSE INC.,)	
)	
Registrant.)	
_____	/	

**MOTION FOR DEFAULT JUDGMENT AND
BRIEF IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT**

Pursuant to 37 CFR §2.114(a), Fed. R. Civ. P. 55(a) and 55(b) and TBMP §508, Petitioner, Jim McLean Enterprises, Inc., respectfully moves the Board for an entry of default judgment against Registrant, Sean Vanhorse for Vanhorse Inc., for failing to file an answer within the time set.

Petitioner filed a Petition for Cancellation on October 21, 2005, requesting cancellation of Registration No. 2,081,148 for the mark X-FACTOR & DESIGN. The Board instituted the proceeding on October 24, 2005, notifying Registrant that an answer to the Petition for Cancellation was due within 40 days, on or before December 3, 2005.

Registrant has failed to file an answer, nor has Registrant filed a motion for an extension of time in which to file. Therefore, entry of default judgment is respectfully requested. If there are any questions with respect to this Motion, the Board is encouraged to contact the undersigned.

Petitioner's Motion is supported by 37 C.F.R. §2.114(a), Fed. R. Civ. P. 55(a) and 55(b) and TBMP § 508.

Respectfully submitted,

Dated: December 27, 2005

By Michelle L. Visser
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Attorneys for Registrant

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing ***Motion for Default Judgment and Brief in Support of Motion for Default Judgment*** on Registrant by causing a true and correct copy thereof to be sent by first class mail, postage prepaid to:

Sean Vanhorse for Vanhorse Inc.
2470 Hopewell Plantation Drive
Alpharetta, GA 30201

Dated: December 27, 2005

Michelle L. Visser
Michelle L. Visser

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