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May 30, 2007

INTELLECTUAL
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Assistant Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

76154814

TTAB

Re: Trademark Cancellation No. 92045951
Request for Reinstatement
of Registration

Sir:

The undersigned is counsel for Christian Belce-Kennedy of Switzerland, owner of U.S. Reg. 2,569,622.

A Power of Attorney and an Appointment of Domestic Representative in favor of the undersigned were filed with the original application.

Counsel has now discovered that on June 21, 2006, a Petition for Cancellation was filed in this case and for reasons unknown, was sent by the Trademark Trial and Appeal Board directly to the Registrant in Switzerland. A copy of the Cancellation is attached and it will be noted that although the street address of the Registrant is correct, the country "Switzerland" did not appear.

It is counsel's opinion that the Petition should have been directed to the undersigned.

Subsequently, a notice was sent by the Board allowing 30 days to show cause why judgment should not be entered.

Finally, on December 20, 2006, a judgment by default was entered in this case and on January 30, 2007, the registration was canceled.

Copies of the pertinent documentation are enclosed.



05-30-2007
U.S. Patent & TMO/TM Mail Rcpt Dt. #72

Assistant Commissioner for Trademarks
May 30, 2007
Page two

Inasmuch as counsel was not served, as required, it is submitted that the registration should be restored and proceedings, if any, should commence herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald L. Dennison", with a long horizontal line extending to the right.

Donald L. Dennison
Attorney for Registrant

DLD/jet
Enclosures

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: June 21, 2006

Belce-Kennedy, Christian
38, chemin de la Remettaz CHX
1255 Veyrier,

Cancellation No. 92045951
Reg. No. 2569622

John L. Welch
Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210

Digress Ventures LLC Digress
Ventures LLC

V.

Belce-Kennedy, Christian

Shelley Jamison, Legal Assistant

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), are available at www.uspto.gov/web/offices/dcom/ttab/.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

COPY

Discovery and testimony periods are set as follows:

Discovery period to open:	July 11, 2006
Discovery period to close:	January 07, 2007
30-day testimony period for party in position of plaintiff to close:	April 07, 2007
30-day testimony period for party in position of defendant to close:	June 06, 2007
15-day rebuttal testimony period for plaintiff to close:	July 21, 2007

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: August 23, 2006

Cancellation No. 92045951

Digress Ventures LLC

v.

Belce-Kennedy, Christian

Karl Kochersperger, Paralegal

Answer was due in this case on July 31, 2006. Inasmuch as it appears that no answer has been filed, nor has respondent filed a motion to extend its time to answer, notice of default is hereby entered against respondent under Fed. R. Civ. P. 55(a).

Respondent is allowed until *thirty days* from the mailing date of this order to show cause why judgment by default should not be entered against respondent in accordance with Fed. R. Civ. P. 55(b).

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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

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Mailed: December 20, 2006

Cancellation No. 92045951

Digress Ventures LLC

v.

Belce-Kennedy, Christian

On August 23, 2006, the Board sent a notice of default to respondent because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against respondent, the petition to cancel is granted, and Registration No. 2569622 will be cancelled in due course. See Fed. R. Civ. P. 55, and Trademark Rule 2.114(a).

*By the Trademark Trial
and Appeal Board*



12-28-2006

U.S. Patent & TMO/TM Mail Rpt Ct. #72

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U. S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Digress Ventures LLC

v.

Christian Belce-Kennedy

Cancellation No. 92045951

John L. Welch of Foley Hoag, LLP for Digress Ventures LLC.
Christian Belce-Kennedy, pro se.

The petition of Digress Ventures LLC having been
granted on December 20, 2006, Registration No. 2569622 is
hereby cancelled.



Lynne G. Beresford
Commissioner for Trademarks

JAN 30 2007

COPY