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Filing date: **03/09/2007**

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

Proceeding	92046877
Party	Plaintiff HAGGAR CLOTHING CO. HAGGAR CLOTHING CO. ,
Correspondence Address	PRISCILLA L. DUNCKEL BAKER BOTTS L.L.P. 2001 ROSS AVENUE DALLAS, TX 75201 UNITED STATES
Submission	Motion for Default Judgment
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Date	03/09/2007
Attachments	SUIT UP cancellation Mtn for Default Judgment.pdf (3 pages)(62685 bytes)

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

HAGGAR CLOTHING CO.	§	
	§	Cancellation No. 92046877
Petitioner,	§	
	§	
vs.	§	Mark: SUIT UP
	§	
TMW MARKETING COMPANY, INC.	§	Registration No. 2,507,899
	§	Issued November 13, 2001
Respondent.	§	

**OPPOSER'S MOTION FOR DEFAULT JUDGMENT FOR FAILURE
TO ANSWER PURSUANT TO 37 C.F.R. § 2.114(a)**

Pursuant to 37 C.F.R. §2.114(a) and Fed.R.Civ. P. 55(a), Petitioner, Hagggar Clothing, Co., through its attorneys, hereby moves the Trademark Trial and Appeal Board to enter a default judgment against Respondent for failure to answer the Petition to Cancel filed in the above-referenced Cancellation Proceeding.

On January 12, 2007, Petitioner filed a Petition to Cancel against the subject registration. By notice from the Board dated January 13, 2007, Respondent was given forty (40) days to answer the Petition to Cancel, namely, until February 22, 2007. Respondent has not contacted Petitioner and has not filed a Request for Extension of Time to File Answer. To date, more than two weeks have expired following the deadline to Answer.

In view of Respondent's failure to timely file an answer to the Petition to Cancel, Petitioner requests that the Board enter a default judgment granting the Petition to Cancel and canceling Registration No. 2,507,899 in its entirety.

Respectfully submitted,

March 9, 2007

By: 

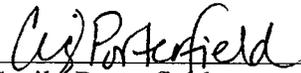
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ATTORNEYS FOR PETITIONER
HAGGAR CLOTHING CO.

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of March, 2007, I mailed, via first class mail, postage prepaid, a true and correct copy of the foregoing MOTION FOR DEFAULT JUDGMENT to:

Timothy D. Pecsénye
TMW Marketing Company, Inc.
40650 Encyclopedia Circle
Freemont, California 94538.2453
CORRESPONDENT ADDRESS FOR RESPONDENT



Cecily Porterfield

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on this 9th day of March, 2007, that the foregoing MOTION FOR DEFAULT JUDGMENT is being electronically filed with the Trademark Trial and Appeal Board using the Electronic System for Trademark Trials and Appeals (ESTTA).



Cecily Porterfield