

ESTTA Tracking number: **ESTTA342569**

Filing date: **04/15/2010**

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

Proceeding	92050883
Party	Defendant BENCHMADE KNIFE COMPANY, INC.
Correspondence Address	J. Peter Staples Chernoff, Vilhauer, McClung & Stenzel, LLP 601 SW Second Avenue, Suite 1600 Portland, OR 97204 UNITED STATES pete@chernofflaw.com
Submission	Motion to Dismiss 2.132
Filer's Name	Nancy J. Moriarty
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Date	04/15/2010
Attachments	3446.0196 Motion for Judgment for Plaintiff's Failure to Prove Case.pdf (2 pages)(44162 bytes)

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

In the Matter of Trademark Registration No.: 1,154,620

For the Mark: BALI-SONG

Date Registered: May 14, 1981

JONATHAN J. BENSON,

Petitioner,

v.

BENCHMADE KNIFE COMPANY, INC.,

Registrant.

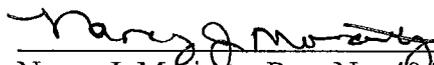
Cancellation No. 92050883

MOTION FOR JUDGMENT FOR PLAINTIFF'S FAILURE TO PROVE CASE

Pursuant to 37 C.F.R. §2.132 and TBMP §534.01, Registrant, Benchmade Knife Company, Inc. moves for dismissal because Opposer Jonathan J. Benson (hereinafter "Benson") has failed to prosecute this matter. Benson's thirty day trial period ended on April 5, 2010. Registrant has not been served with, and it does not appear that any testimony or other evidence has been filed with the Board.

Accordingly, judgment of dismissal should be entered.

Respectfully submitted,



Nancy J. Moriarty, Reg. No. 48,733
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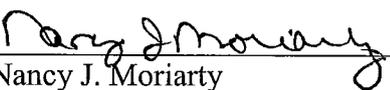
CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of this correspondence was served on Petitioner by first class mail, postage prepaid, on April 15, 2010, addressed as follows:

Jonathan J. Benson
11115 Fairfax Court
Thornton, CO 80233

Petitioner

DATED: April 15, 2010



Nancy J. Moriarty