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

Proceeding	92051666
Party	Plaintiff Aquagenus, LLC
Correspondence Address	Rod S. Berman Jeffer Mangels Butler & Marmaro LLP 1900 Avenue of the Stars, 7th Floor Los Angeles, CA 90067 UNITED STATES trademarkdocket@jmbm.com
Submission	Motion for Default Judgment
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Date	12/15/2009
Attachments	70682-9001.pdf (3 pages)(26136 bytes)

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

AQUAGENUS, LLC,

Petitioner,

v.

NORA KOSZTOLANYI;
DAVID WHEELER,

Registrants.

Cancellation No. 92051666

Registration No.: 3,181,024

Mark: AQUAHYDRATE

PETITIONER'S MOTION FOR DEFAULT JUDGMENT

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

MOTION FOR DEFAULT JUDGMENT

Pursuant to Rule 2.106(a) of the Trademark Rules of Practice (37 C.F.R. § 2.106(a)), Fed. R. Civ. P. 55(a) and 55(b), and T.T.A.B. Manual of Procedure Section 508, Petitioner Aquagenus, LLC ("Petitioner") hereby moves for entry of default judgment against the Registrants Nora Kosztolanyi and David Wheeler ("Registrants") for failure to respond to Opposer's Petition for Cancellation.

Petitioner filed its Petition for Cancellation ("Petition") against Registrant's registration for AQUAHYDRATE, Reg. No. 3,181,024 on October 27, 2009.

The Board instituted and transmitted the Cancellation Proceeding (the "Proceeding") to Registrant on October 27, 2009. As set forth in the Board's order dated October 28, 2009, the Registrant's deadline to answer the Opposition was December 7, 2009.

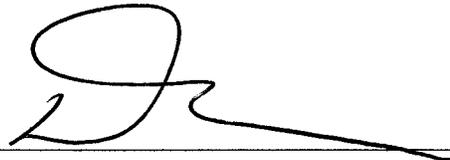
Registrant did not serve an Answer or provide any other procedurally proper response to the Petition for Cancellation.

Accordingly, Petitioner hereby requests that a default judgment be entered against Registrant, and that Registration No. 3,181,0245 be cancelled.

Respectfully submitted,

Dated: _____

12/15/19



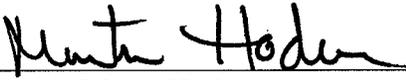
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Attorneys for Petitioner Aquagenus, LLC

CERTIFICATE OF SERVICE

It is hereby certified that on December 15, 2009, a copy of the foregoing PETITION FOR CANCELLATION has been sent by first class mail, postage prepaid, to the owners of record for the registration at their address of record:

David Wheeler
8196 Hall Blvd.
Suite 108
Beaverton, OR 97008

Nora Kosztolanyi
8196 Hall Blvd.
Suite 108
Beaverton, OR 97008



Marta Hodur