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

Proceeding	92052197
Party	Defendant Supercar Collectibles Limited
Correspondence Address	Heather J. Kliebenstein Merchant & Gould P.C. 3200 IDS Center, 80 South Eighth Street Minneapolis, MN 55402-2215 UNITED STATES
Submission	Other Motions/Papers
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Date	06/02/2011
Attachments	ReplyMotionJudgement.pdf ( 3 pages )(181882 bytes )

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

**In the Matter of United States Trademark Registration No. 2,049,847**

Terri Yenko Gould, Executor	)	
	)	Cancellation No.:92052197
Petitioner,	)	
	)	
vs.	)	
	)	
General Marketing Capital, Inc./Supercar	)	
Collectables Limited	)	
	)	
Respondent.	)	
_____	)	

**Reply to Petitioner’s Opposition to Respondent’s Motion for Judgment**

**Pursuant to 37 C.F.R. § 2.132**

Applicant hereby replies to Petitioner’s Opposition to Respondent’s Motion for Judgment Pursuant to 37 C.F.R. § 2.132.

Respondent requests that, prior to deciding Respondent’s motion for judgment, the Board consider the concurrently filed *Respondent’s Reply to Petitioner’s Opposition to Respondent’s Motion to Strike Testimonial Declarations Filed by Petitioner*.

The testimonial declarations and exhibits filed by Petitioner were un-consented and in purposeful violation of the applicable rules. Respondent had no opportunity to object or to cross-examine the witnesses. Petitioner has provided absolutely no explanation or excuse for such

behavior. Thus, the proffered testimonial declarations and accompanying exhibits must be stricken from the record. As a result, the record will be devoid of any testimony or evidence to carry Petitioner's burden of proof and Respondent will be entitled to entry of judgment in its favor pursuant to 37 C.F.R. § 2.132.

**Respectfully submitted,**

**STOUT, UXA, BUYAN & MULLINS, LLP**

**June 2, 2011**

**/Robert D. Buyan/**

**Robert D. Buyan  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Reply to Petitioner's Opposition to Respondent's Motion for Judgment Pursuant to 37 C.F.R. § 2.132 has been served on George E. Bullwinkel, Esq. by mailing said copy on June 2, 2011, via First Class Mail, postage prepaid to:

George E. Bullwinkel  
Attorney at Law  
425 Woodside Avenue  
Hinsdale, IL 60521



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Gabriela Zuniga