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Filing date: **05/24/2012**

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

Proceeding	92054496
Party	Defendant Pass The Roc Athletics, Inc.
Correspondence Address	JARROD GREENE PASS THE ROC ATHLETICS INC 72 VAN REIPEN AVE STE 121 JERSEY CITY, NJ 07306 UNITED STATES passtheroc1891@yahoo.com
Submission	Other Motions/Papers
Filer's Name	Mark J. Ingber
Filer's e-mail	ingber.law@verizon.net
Signature	/Mark J. Ingber/
Date	05/24/2012
Attachments	PASS THE ROC MOTION TO SET ASIDE NOTICE OF DEFAULT.pdf (3 pages) (555519 bytes)

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

In the Matter of Registration No. 3,016,764
Issued on November 22, 2005

_____	:	
HAT WORLD, INC.,	:	
	:	
Petitioner,	:	
v.	:	Cancellation No.: 92054496
	:	
PASS THE ROC ATHLETICS, INC.,	:	
	:	
Registrant.	:	
_____	:	

MOTION TO SET ASIDE NOTICE OF DEFAULT

Registrant Pass the Roc Athletics, Inc. responds to the notice of default issued on May 1, 2012 to the prose Registrant, and requests that the Board accept Registrant's late-filed Answer and decide this case on its merits.

Registrant submits that default should not be entered for the following reasons and moves that the Board reopen proceedings:

a) Registrant made numerous efforts to retain counsel since the filing of the Petition to Cancel. Due to the fact that Registrant is a small company, Jarrod Greene the principal of the company is frequently traveling which has hindered his ability to locate competent counsel familiar with TTAB proceedings. Pro Se Registrant attempted to follow the required procedures of this Board to the best of its ability by filing the necessary extensions of time, all the while attempting to retain counsel.

b) Registrant has now retained the undersigned as counsel as per the

Notice of Appearance filed in this proceeding on May 15, 2012.

c) Furthermore, Registrant's principal was ill during the intervening time since the petition to cancel was filed as indicated in the extension of time filed January 20, 2012, which hindered Registrant's ability to retain counsel. Therefore, Registrant's delay in the timely filing of an answer was neither willful nor gross neglect, and Registrant has made efforts to be attentive to this proceeding.

d) Petitioner Hat World, Inc. will not be substantially prejudiced by the delay since the claim set forth in the Petition to Cancel has no basis.

e) Registrant has a meritorious defense to the Petition to Cancel, as indicated in the Answer filed herewith.

Accordingly, Applicant respectfully requests that the Board set aside the Notice of Default and allow this case to proceed on the merits.

Respectfully submitted,

Dated: May 24, 2012

By: _____


Mark J. Ingber
The Ingber Law Firm
181 Millburn Avenue, Suite 202
Millburn, NJ 07041
Attorneys for Petitioner
PASS THE ROC ATHLETICS, INC.

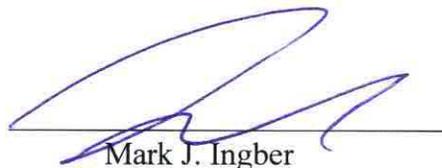
CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2012 I served this Answer to Petition to Cancel and Affirmative Defenses on the Petitioner's attorney of record in the following manner:

VIA EMAIL AND FIRST CLASS MAIL

David L. May, Esq.
Nixon Peabody LLP
401 9th Street, N.W.
Suite 900
Washington, D.C. 20004-2128

dmay@nixonpeabody.com



Mark J. Ingber