

ESTTA Tracking number: **ESTTA495907**

Filing date: **09/21/2012**

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

Proceeding	92055795
Party	Plaintiff Terrence Hastings
Correspondence Address	JESS M COLLEN COLLEN IP, INTELLECTUAL PROPERTY LAW PC THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES jcollen@collenip.com, docket@collenip.com, pmulhern@collenip.com
Submission	Other Motions/Papers
Filer's Name	Jess M. Collen
Filer's e-mail	gdavis@collenip.com, docket@collenip.com, pmulhern@collenip.com
Signature	/Jess M. Collen/
Date	09/21/2012
Attachments	N1407_PETITIONER-S RESPONSE TO RESPONDENT-S MOTINO TO ACCEPT LATE FILED ANSWER_120921.pdf (3 pages)(126307 bytes)

§ 310(c) (citing Fed. R. Civ. P. 6(c)). Additionally, a respondent's motion to extend must be submitted to the Board within the time in which the party is required to answer. *Id.* Petitioner notes that he was not asked to consent to late filing of Respondent's Answer nor did Respondent file a motion to extend the time to answer prior to its deadline to file an answer. Although Respondent's Motion to Accept Late Filed Answer indicates that it "admittedly was late in filing its Answer," Respondent has not shown any good cause for its failure to answer by the deadline.

Respectfully submitted for,
Petitioner

By: /Jess M. Collen/

Jess M. Collen
COLLEN *IP*
The Holyoke-Manhattan Building
80 South Highland Ave
Ossining, NY 10562
(914) 941-5668
(914) 941-6091
Attorney for Petitioner, Terrence Hastings

JMC/GMD

Dated: September 21, 2012

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

COLLEN *IP*, THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE, OSSINING, NEW YORK 10562

By: /Govinda M. Davis/ Date: September 21, 2012

CERTIFICATE OF SERVICE

I, Govinda M. Davis, hereby certify that I caused a true and correct copy of the Response to Respondent's Motion To Accept Late Filed Answer to be served upon the following

E.F. Hutton Group, Inc.
77 Water Street
7th Floor
New York, New York 10005

via first class mail, postage prepaid this 21th Day of September 2012.

/Govinda M. Davis/