

ESTTA Tracking number: **ESTTA489096**

Filing date: **08/15/2012**

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

Proceeding	92055799
Party	Plaintiff Edmund Papczun
Correspondence Address	ALAIN VILLENEUVE VEDDER PRICE PC 222 N LASALLE STREET, SUITE 2600 CHICAGO, IL 60601 UNITED STATES avilleneuve@vedderprice.com
Submission	Motion for Default Judgment
Filer's Name	Alain Villeneuve
Filer's e-mail	avilleneuve@vedderprice.com
Signature	/Alain Villeneuve/
Date	08/15/2012
Attachments	41434-00-0010_motion_for_default.pdf (1 page)(8674 bytes)

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

EDMUND PAPCZUN.

Petitioner,

v.

I-D FOODS CORPORATION

Respondent.

Cancellation No. 92/055,799

Serial No. 77/134,486

Mark: HOUSE OF ALISTER MACKENZIE

MOTION FOR DEFAULT JUDGMENT

Petitioner, EDMUND PAPCZUN, filed the current Petition for Cancellation No. 90/055,799 on June 28, 2012. On July 3, 2012, the Trademark Trial and Appeals Board (“TTAB”) issued a scheduling order setting the time to answer to August 12, 2012. The current motion is filed on August 15, 2012, and the Respondent has not served or filed an answer with the TTAB. Under 37 CFR § 2.114(a), if no answer is filed within the time set, the petition may be decided as in case of default. Accordingly, Petitioner hereby moves this Board under Fed. R. Civ. P. 55, 37 CFR § 2.114, and TBMP § 508 for grant of a default order against Serial No. 77/134,486. This motion serves as a notice of default to Respondent under Fed. R. Civ. P. 55(a).

WHEREFORE, Petitioner prays that default be entered and ultimately that serial No. 77/134,486 be cancelled based on the grounds presented in the Petition filed by Petitioner.

Respectfully submitted,

EDMUND PAPCZUN.

Dated: August 15, 2012

By: /Alain Villeneuve/
Alain Villeneuve
Attorney for Petitioner

Vedder Price P.C.
222 N. LaSalle St., Suite 2600
Chicago, Illinois 60601
(312) 609-7848