

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

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Mailed: December 2, 2014

Cancellation No. 92059799

Fairmont Holdings, Inc.

v.

Philip Restifo

Benjamin U. Okeke, Interlocutory Attorney:

On September 22, 2014, Petitioner filed a motion for sanctions stating that Respondent failed to secure Petitioner's consent prior to filing its "Motion for an Extension of Answer or Discovery or Trial Periods With Consent." Petitioner, in its motion for sanctions, requests that the "Board sanction Registrant for its misrepresentation to the Board by ordering Registrant to immediately file its answer in this proceeding." On the same day Petitioner filed its motion for sanctions Respondent filed its answer. Accordingly, Pettioner's motion for sanctions is deemed **MOOT**, and will be given no further consideration.

Respondent's answer, filed September 22, 2014, is noted and accepted and is now Respondent's operative pleading in this matter.