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

Proceeding	92063400
Party	Plaintiff MyTenTwo, Inc.
Correspondence Address	JOSHUA M GERBEN GERBEN LAW FIRM PLLC 1050 CONNECTICUT AVE NW SUITE 500 WASHINGTON, DC 20036 UNITED STATES jgerben@gerbenlawfirm.com
Submission	Motion for Default Judgment
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Date	05/06/2016
Attachments	TENTWO Motion for Default_May 6.pdf(46764 bytes )

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

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MyTenTwo, Inc.,

Petitioner,

v.

10n2 Technologies Ltd.

Registrant,

Cancellation No.: 92063400

Mark: 10N2

Registration No: 4363168

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**MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO FILE ANSWER**

Petitioner, pursuant to 37 C.F.R. § 2.114(a) and Section 312 of the Trademark Trial and Appeal Board Manual of Procedure, moves for default judgment in that the Registrant has failed to file an Answer to the Petition to Cancel. As further grounds in support of this Motion it is stated:

1. This Petition to Cancel was filed on March 18, 2016 by the Petitioner on the grounds of priority and abandonment under Trademark Act Section 14.
2. On April 25, 2016, the Trademark Trial and Appeal Board served the Registrant 10n2 Technologies Ltd., indicating that an Answer was due within forty days of the date of mailing (*i.e.* May 4, 2016). In addition, discovery and testimony dates were set, with discovery scheduled to close November 30, 2016.
3. As of this date, the Petitioner has not been served with an Answer and a check of the Trademark Trial and Appeal Board database indicates that no Answer has yet been filed.
4. 37 C.F.R. Section 2.114(a) states that if no Answer is filed within the time set, the Petition may be decided as in case of default. Section 312.01 of the TBMP states that if no

Answer is filed the Petitioner may file a Motion for Default Judgment.

5. Inasmuch as the Registrant has not answered the Petition to Cancel, Petitioner would move that default judgment be entered in its favor, Federal Trademark Registration No. 4363168 be cancelled.

Respectfully submitted,

Dated: May 6, 2016

A handwritten signature in black ink, appearing to read 'E. Perrott' with a stylized flourish at the end.

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 6, 2016, a true and correct copy of the foregoing Motion for Default Judgment is being served by First-Class mail on Registrant as shown in the correspondence record in the Office, as follows:

10n2 Technologies Ltd  
44 Leeson Street  
Lower Dublin  
IRELAND 2

Respectfully submitted,



Dated: May 6, 2016

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