

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

VV

Mailed: July 19, 2016

Cancellation No. 92063431

*OMH, Inc. and Creative Artists Agency LLC*

*v.*

*CAA Intl Group, Inc. dba CAA Intl Corp.*

**By the Trademark Trial and Appeal Board:**

On April 27, 2016, Respondent's copy of the Board's institution order in the above-captioned proceeding, was returned as undeliverable. On May 3, 2016, the Board obtained an alternate address for Respondent and reset the deadline for Respondent to file an answer to the petition to cancel. The record shows that an answer has not been filed.

This case now comes up for consideration of Petitioner's motion (filed June 17, 2016), for default judgment against Respondent for failure to file an answer. The motion is uncontested.<sup>1</sup>

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<sup>1</sup> If a Respondent fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the Respondent time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a Respondent for failure to file a timely answer may also be raised by means of a motion filed by the Petitioner. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default. *See* TBMP §312.01.

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Inasmuch as Respondent failed to file an answer in this case, and failed to respond to Petitioner's motion in any manner, the motion for default judgment is granted. *See* Trademark Rule 2.127(a).

Accordingly, judgment is hereby entered against Respondent, the petition for cancellation is **GRANTED**, and Registration No. 4338209 will be cancelled in due course by the Commissioner for Trademarks. *See* Fed. R. Civ. P. 55(b) and Trademark Rule 2.127(a).

CC:

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