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05-08-2002

U.S. Patent & TMO/c/TM Mail RptDt. #26

LEE HANK.120M

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

Go2 Systems, Inc.,
Opposer,

v.

eSchoolSolutions.com, Inc.,
Applicant.

) Opposition No. 91150787
) Serial No.: 78/005,466

) I hereby certify that this correspondence and all marked
) attachments are being deposited with the United States Postal
) Service as first-class mail in an envelope addressed to:
) Assistant Commissioner for Trademarks, 2900 Crystal Drive,
) Arlington, VA 22202-3513, on

May 6, 2002
(Date)

Danielle Klausner
Danielle Klausner

MOTION FOR DEFAULT JUDGMENT

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

ATT: BOX TTAB NO FEE

Dear Sir:

Pursuant to T.B.M.P. sections 317.01 and 508, Opposer and Plaintiff Go2 Systems, Inc. (hereinafter "Opposer") hereby respectfully moves the Trademark Trial and Appeal Board to enter a notice of default against Applicant eSchoolSolutions.com, Inc. (hereinafter "Applicant"), the defendant in Opposition No. 91150787.

Opposer filed its Notice of Opposition on January 8, 2002. On February 15, 2002, the Board issued a notification of proceeding to both parties. Applicant's answer was due on or about March 27, 2002. To the best of Opposer's knowledge, Applicant failed to timely answer Opposer's Notice of Opposition, and Applicant has not filed a motion to extend its time to answer. Accordingly, Applicant is in default, and Opposer respectfully submits that it is entitled to a default judgment in its favor. Fed. R. Civ. P. 55(a).

TRADemark TRIAL AND APPEAL BOARD
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As of the date of this Motion, Opposer has not received confirmation that a Notice of Default has been entered against Applicant by the Trademark Trial and Appeal Board. Accordingly, Opposer respectfully requests that this Motion for Default Judgment serve as a substitute for the Board's issuance of a Notice of Default. T.B.M.P. § 317.01.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 5/6/02

By: 
Danielle Klausner
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Newport Beach, CA 92660
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Attorneys for Opposer, Go2 Systems, Inc.

Opposition No. 91150787
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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Motion for Default Judgment upon Applicant by depositing one copy thereof in the United States Mail, first-class postage prepaid, on May 6, 2002, addressed as follows:

eSchoolSolutions.com, Inc.
3330 Edgewater Drive
Orlando, FL 32804



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