

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

In the matter of U.S. Application Serial No. 76/291,524
For: TREKKING
Filed: July 27, 2001
Date of Publication: July 30, 2002



11-18-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

TREK BICYCLE CORPORATION)
)
Opposer,)
)
v.)
)
PARFUMS PAROUR)
(LIMITED COMPANY))
)
Applicant.)

Opposition No. 152,880

SEP 27 2002 11 59 AM

MOTION FOR JUDGMENT BY DEFAULT AGAINST
APPLICANT PURSUANT TO 37 C.F.R. SECTION 2.106(A)

Pursuant to 37 C.F.R. Section 2.106(a) and Rule 37(b)(2) of the Federal Rules of Civil Procedure, opposer Trek Bicycle Corporation ("Trek") hereby moves for the entry of default against applicant Parfums Parour Limited Company ("applicant") in the above-captioned opposition.

Upon an order issued by the Trademark Trial and Appeal Board ("the Board") on September 16, 2002, applicant was granted until October 26, 2002, to answer Trek's Notice of Opposition.

Applicant failed to answer Trek's Notice of Opposition by that date. Accordingly, Trek respectfully submits that the appropriate sanction is entry of a judgment by default against

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applicant.

Conclusion

In view of the foregoing, opposer respectfully requests that the Board grant this Motion Judgment by Default Against Applicant Pursuant to 37 C.F.R. Section 2.106(a).

Respectfully submitted,

TREK BICYCLE CORPORATION

Date: 11/13/02

By: Amy Muran Felton

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR JUDGMENT BY DEFAULT AGAINST APPLICANT PURSUANT TO 37 C.F.R. SECTION 2.120(G) was served on the applicant by First Class Mail this 13th day of November, 2002, addressed to:

Richard P. Gilly
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One Penn Center - Suite 1500
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Attorney for Applicant

Date: 11/13/02

By: Amy Muran Felton

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner For Trademarks, BOX TTAB - NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on November 13, 2002.

Date: 11/13/02

Amy Muran Felton
Amy Muran Felton

TTAB

TRADEMARKS
Attorney Docket No. 21229
Date: November 13, 2002

COMMISSIONER FOR TRADEMARKS
BOX TTAB - NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Transmitted herewith is the:



11-18-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

- Trademark
- Service Mark

- Application
- Notice of Opposition
- Petition to Cancel
- Office Action Response
- Supplemental Office Action Response
- Combined Sections 8 and 15 Declaration
- Consented Motion to Extend Discovery and Testimony Periods
- Motion for Judgment by Default Against Applicant Pursuant to 37 C.F.R. Section 2.106(A)

In the Matter of U.S. Application Serial No. 76/291,524

For: "TREKKING"

Also enclosed are:

In the unlikely event that insufficient funds are submitted herewith to cover the filing fee in this correspondence, please charge such funds against Deposit Account No. 50-0277.

Respectfully submitted,

Enclosures

By: Amy Merz

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