

ESTTA Tracking number: **ESTTA18733**

Filing date: **11/05/2004**

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

Proceeding	91162226
Party	Plaintiff Quick Technologies, Inc. ,
Correspondence Address	DAWN C. WOLFF STORM & HEMINGWAY, LLP 8117 PRESTON ROAD, SUITE 460 DALLAS, TX 75225
Submission	Motion for Default Judgment
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Date	11/05/2004
Attachments	motion for default.pdf (2 pages)

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

QUICK TECHNOLOGIES, INC.,

Opposer,

v.

SAGEMAKER, INC.

Applicant.

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Opposition No. 91162226

Serial No. 75/551,234

Filed: September 11, 1998

MARK: SAGESERVER

Published: August 24, 2004

MOTION FOR DEFAULT JUDGMENT

TO THE HONORABLE TRIAL AND APPEAL BOARD:

Comes now QUICK TECHNOLOGIES INC., (“Opposer” or “QTI”) and files this Motion for Default Judgment against Applicant SageMaker, Inc., as authorized by Federal Rule of Civil Procedure 55, and alleges as follows:

1. On September 10, 2004, QTI filed an Opposition seeking to prevent registration of Applicant’s SAGESERVER mark, because it is confusingly similar to Opposer’s SAGE and SAGE INFORMATION SYSTEMS trademarks and QTI believed that it would be damaged by the registration of the SAGESERVER mark on the principal register. (15 U.S.C. 1063(a))
2. Applicant’s response to the Opposition was due on or before November 2, 2004. Applicant’s have failed to answer or otherwise respond to the Trademark Trial and Appeal Board, and has not responded to or communicated with Opposer in any way in relation to this proceeding.

3. The Trademark Trial and Appeal Board may enter a default against a party who has not filed a responsive pleading or otherwise answered in an Opposition proceeding before the board. (37 C.F.R. 2.106(a)).

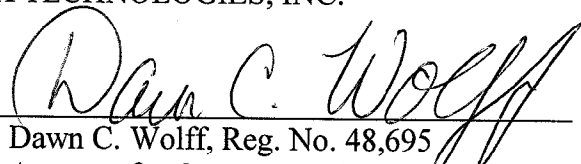
4. Plaintiff is entitled to entry of default judgment against the Applicant in default based on their failure to answer or file a responsive pleading.

WHEREFORE, Opposer requests that default judgment be entered against Applicant based on their failure to answer the Opposition, that registration of Applicant's "SAGESERVER" application Serial No. 75/551,234, be refused, and that no registration be issued thereon to Applicant.

DATED: November 5, 2004

QUICK TECHNOLOGIES, INC.

By: _____



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