

ESTTA Tracking number: **ESTTA52534**

Filing date: **11/09/2005**

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

Proceeding	91166695
Party	Plaintiff Formula One Licensing B.V. FORMULA ONE LICENSING B.V. Rokin 55 NLX 1012 KK, Amsterdam,
Correspondence Address	Paul W. Kruse BASS BERRY & SIMS PLC AmSouth Center; 315 Deaderick Street Nashville, TN 37238-3001
Submission	Motion for Default Judgment
Filer's Name	Paul W. Kruse
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Signature	/Paul W. Kruse/
Date	11/09/2005
Attachments	91166695 - Motion for Default.pdf (3 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Formula One Licensing B.V.,)	
)	
Opposer,)	
)	Opposition No. 91166695
v.)	
)	Ser. No. 78/003,649
Gary D. Sackel,)	
)	
Applicant.)	
)	
Attorney Ref. No. 112338-867)	

MOTION FOR DEFAULT JUDGMENT

Box TTAB NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

Formula One Licensing B.V. (hereinafter Opposer) hereby moves the Trademark Trial and Appeal Board, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and 37 C.F.R. § 2.114(a), for entry of a default judgment against Gary D. Sackel (hereinafter Applicant).

As grounds for the motion, Opposer, by its attorneys, avers as follows:

1. On September 22, 2005, Opposer submitted a Notice of Opposition with the United States Patent and Trademark Office.
2. On September 27, 2005, the Trademark Trial and Appeal Board instituted Opposition No. 91166695.
3. Applicant's Answer was due November 6, 2005.

4. As of November 9, 2005, Opposer has received no Answer from Applicant.

5. As of November 9, 2005, the Trademark Trial and Appeal Board Information System Index operated by the United States Patent and Trademark Office does not indicate that Applicant filed an Answer.

WHEREFORE, Opposer requests that a default judgment be entered in Petitioner's favor. Alternatively, in the event that an Answer was timely filed, Opposer requests that a copy of the Answer be sent to the attention of the undersigned and that the discovery deadline (as well as all other opposition proceeding deadlines) be extended by ninety (90) days.

Please direct all communications to the undersigned at (615) 742-6200 or trademarks@bassberry.com.

Please charge any fees due in connection with this document to Deposit Account No. 502483-4995, 112338-867.

Formula One Licensing B.V.

By: 

Name: Paul W. Kruse

Title: Attorney

Date: November 9, 2005


Submitted by:

Bass, Berry & Sims, PLC
AmSouth Center
315 Deaderick Street
Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "MOTION FOR DEFAULT JUDGMENT" was served on Applicant's attorney, Robert C. Kain, Jr. with an address at Fleit Kain Gibbons Gutman, 750 SE 3rd Avenue, Suite 100, Fort Lauderdale, Florida 33316-1153, via first class mail, postage prepaid, today November 9, 2005.

By:



Paul W. Kruse