

ESTTA Tracking number: **ESTTA203379**

Filing date: **04/08/2008**

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

Proceeding	91182113
Party	Plaintiff Align Technology, Inc.
Correspondence Address	John L. Slafsky and Hollis Beth Hire Wilson Sonsini Goodrich & Rosati 650 Page Mill Rd. Palo Alto, CA 94304 UNITED STATES trademarks@wsgr.com, hhire@wsgr.com
Submission	Motion for Default Judgment
Filer's Name	Hollis Beth Hire
Filer's e-mail	trademarks@wsgr.com, hhire@wsgr.com
Signature	/Hollis Beth Hire/
Date	04/08/2008
Attachments	Align v. Cronauer -- Motion for Default.pdf ( 3 pages )(74060 bytes )

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

ALIGN TECHNOLOGY, INC.	)	Opposition No. 91182113
Opposer,	)	
	)	
v.	)	
	)	<u>MOTION FOR DEFAULT JUDGMENT</u>
EDWARD CRONAUER,	)	
Applicant.	)	
	)	

Re: Mark: THE CLEAR CHOICE IN TARGETED ALIGNMENT  
Serial No.: 78/885830  
Filed: May 17, 2006  
Published: July 31, 2007

Opposer Align Technology, Inc. (“Opposer”), through its counsel, hereby moves for default judgment pursuant to Federal Rule of Civil Procedure 55(a), 37 CFR § 2.114(a) and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) §§ 312 and 508.

Opposer filed and served Applicant Edward Cronauer (“Applicant”) with a Notice of Opposition on January 28, 2008. The TTAB, by order mailed the same day, required Applicant to file his Answer on or before March 8, 2008. Applicant has failed to file an Answer, and is, therefore, is in default.

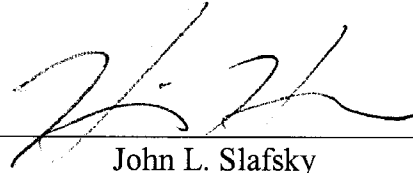
Based upon Applicant’s default, Opposer respectfully requests that default judgment be entered against Applicant in this proceeding, that the Opposition be sustained in Opposer’s favor, and that Application Serial No. 78/885830 be abandoned.

Date: April 8, 2008

Respectfully Submitted,

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "J. Slafsky", written over a horizontal line.

John L. Slafsky  
Hollis Beth Hire  
Attorneys for Opposer  
Align Technology, Inc.

**CERTIFICATE OF SERVICE BY MAIL**

I, Launa Hovland, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served **MOTION FOR DEFAULT JUDGMENT** on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Edward Cronauer  
3010 Sorrel Court  
Weston, FL 33331

Joseph R. Englander  
Christopher & Weisberg, P.A.  
200 E. Las Olas Blvd. Ste 2040  
Fort Lauderdale, FL 33301-2240

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Palo Alto, California on April 8, 2008.



\_\_\_\_\_  
Launa Hovland