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Filing date: **01/11/2013**

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

Proceeding	91205749
Party	Defendant Neatfreak Group, Inc.
Correspondence Address	ERIC P RASMUSSEN PATTERSON BELKNAP WEBB TYLER LLP 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES lpdocketing@pbwt.com, richard.levy@degrandpre.com
Submission	Other Motions/Papers
Filer's Name	Sarah E. Zgliniec
Filer's e-mail	IPDOCKETING@PBWT.COM
Signature	/Sarah E. Zgliniec/
Date	01/11/2013
Attachments	D1579neatfreakres.pdf (4 pages)(308817 bytes)

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

In re U.S. Trademark Application Serial No. 85/170,669
for CLOSETMAX SYSTEM (Stylized/Design) filed November 5, 2010 and
Published in the *Official Gazette* on December 27, 2011

Clairson, Inc.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91/205,749
)	
Neatfreak Group, Inc.)	
)	
Applicant.)	

APPLICANT’S RESPONSE TO NOTICE OF DEFAULT

Applicant NeatFreak Group, Inc. (“NeatFreak”) hereby responds to the Notice of Default issued by the T.T.A.B on January 3, 2013. The parties have settled the dispute and believe that a default judgment under Fed. R. Civ. P. 55 is not warranted in this case. Accordingly, NeatFreak respectfully requests that the T.T.A.B. decline to enter a default judgment in this case. In support of its request Applicant states as follows:

1. Prior to the deadline for Applicant’s Answer, the parties reached an agreement in principle to resolve the issues in this Opposition.
2. The parties entered into a final settlement agreement on December 21, 2012 that fully resolved the Opposition.
3. Per the settlement agreement, Applicant has agreed to abandon its application for “CLOSETMAX SYSTEM and Design” currently pending under Application Serial Number 85/170,669. In light of Applicant’s abandonment of the application, Opposer has agreed to withdraw its Opposition currently pending under Opposition Number 91/205,749.

4. Applicant will file an express abandonment of the application by the end of the day January 11, 2013. Further, Opposer will file a withdrawal of the Opposition by the end of the day January 11, 2013.

5. Opposer Clairson, Inc. ("Opposer") consents to Applicant's request.

WHEREFORE, the Applicant respectfully requests that the T.T.A.B refrain from entering a default judgment under Fed. R. Civ. P. 55(b).

Dated: January 11, 2013

Respectfully submitted,

By: /s/ Sarah E. Zgliniec
Sarah E. Zgliniec
Karen R. Berry
Eric P. Rasmussen
PATTERSON, BELKNAP, WEBB &
TYLER, LLP
1133 Avenue of the Americas
New York, NY 10036
Telephone: (212) 336-2000

Attorneys for Applicant

Opposer, Clairson, Inc. hereby gives its written consent above request filed by Applicant,
and, agrees that a default judgment should not be entered in this case.

Dated: January 11, 2013

Respectfully Submitted,

By: /s/ Joseph E. Walsh, Jr.
Joseph E. Walsh, Jr.
Rudolph A. Telscher, Jr.
Joel R. Samuels
HARNESSE, DICKEY & PIERCE P.L.C.
7700 Bonhomme Avenue, Suite 400
St. Louis, MO 63105
(314) 726-7500 (telephone)
(314) 726-7501 (facsimile)

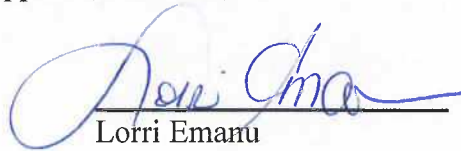
Attorneys for Opposer, Clairson, Inc.

CERTIFICATE OF SERVICE

I hereby certify that **APPLICANT'S RESPONSE TO NOTICE OF DEFAULT** is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board ("ESTTA") on this 11th day of January, 2013, and mailed, via U.S. First Class Mail, to the following:

Joseph E. Walsh, Jr.
Rudolph A. Telscher, Jr.
Joel R. Samuels
HARNES, DICKEY & PIERCE P.L.C.
7700 Bonhomme Avenue, Suite 400
St. Louis, MO 63105
(314) 726-7500 (telephone)
(314) 726-7501 (facsimile)

Attorneys for Opposer, Clairson, Inc.


Lorri Emanu