

ESTTA Tracking number: **ESTTA697429**

Filing date: **09/22/2015**

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

Proceeding	91221004
Party	Defendant Tom Miles
Correspondence Address	WENDY PETERSON NOT JUST PATENTS LLC PO BOX 18716 MINNEAPOLIS, MN 55418 UNITED STATES wsp@NJPLS.com
Submission	Other Motions/Papers
Filer's Name	Wendy Peterson
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Signature	/Wendy Peterson/
Date	09/22/2015
Attachments	Applicant's Consent to Judgment 91221004.pdf(26762 bytes)

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

Opposition Proceeding 91221004

In the matter of Trademark Application No. 86138010

For the mark: REAL (design mark) 

Publication Date: Nov. 11, 2014

International IP Holdings, LLC v. Tom Miles

MOTION TO ALLOW CONCEDED ENTRY OF JUDGMENT

Applicant Tom Miles motions the Board to accept an entry of judgment with respect to nonuse on all of the goods for SN 86138010 at the time of application, an unpleaded ground in the Notice of Opposition that conforms to the facts.

Applicant has attempted to get consents from the Opposer in this proceeding and in proceeding 91219662 and has not been able to resolve the issue with the cooperation of both of the Opposers. A similarly requested motion has been filed in Proceeding 91219662.

Applicant believes that continuing both of these proceedings in order to deny the pleaded claims while conceding nonuse would be a waste of both parties time and the time of the Board and asks the Board to accept the nonuse concession.

Submitted By: /Wendy Peterson/

Date: September 22, 2015

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CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2015, the foregoing was served upon Opposer by email:

cschneider@oaklandlawgroup.com

By: /Wendy Peterson/

Date: September 22, 2015

Wendy Peterson, Attorney for Tom Miles, Applicant