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

Proceeding	91228850
Party	Plaintiff Lacoste Alligator S.A.
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Submission	Motion for Sanctions (Other)
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

LACOSTE ALLIGATOR S.A.,

Opposer,

v.

RICH C. YOUNG,

Applicant.

Opposition No. 91228850

OPPOSER’S MOTION FOR SANCTIONS

Pursuant to Rule 2.120(h) of the Trademark Rules of Practice and Rule 37(b)(2) of the Federal Rules of Civil Procedure, Opposer Lacoste Alligator S.A. (“Opposer”) hereby requests that the Trademark Trial and Appeal Board (the “Board”) enter judgment against Applicant Rich C. Young (“Applicant”).

On February 15, 2017, Opposer filed a motion to compel Applicant to serve initial disclosures. (Dkt. No. 11.) The Board granted Opposer’s motion on March 14, 2017, ordering Applicant to serve his initial disclosures by no later than April 3, 2017. (Dkt. No. 14.) In its March 14 Order, the Board stated that “[i]n the event Applicant fails to serve his initial disclosures as ordered herein, Opposer’s remedy lies in a motion for sanctions pursuant to Trademark Rule 2.120(g),¹ which sanctions may include judgment.” (*Id.*)

As of the filing date of this motion, counsel for Opposer has not received Applicant’s initial disclosures. Thus, Applicant did not serve his initial disclosures by the April 3 deadline.

¹ Trademark Rule of Practice 2.120 was revised with the rule changes that went into effect on January 14, 2017. The provision that pertains to sanctions is now Trademark Rule of Practice 2.120(h) in the revised rules.

Therefore, Opposer requests that the Board enter judgment against Applicant. *See Caterpillar Tractor Co. v. Catfish Anglers Together, Inc.*, 194 U.S.P.Q. 99, 100 (T.T.A.B. 1976) (entering judgment where applicant provided no reason for not complying with Board order compelling discovery).

Dated: April 6, 2017
New York, New York

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 6th day of April 2017, I caused a true and correct copy of the foregoing **Opposer's Motion for Sanctions** to be served by email to Applicant at the email address rcy2001@gmail.com.

/Emily Weiss/

Emily Weiss