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Filing date: **04/17/2017**

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

Proceeding	91233101
Party	Plaintiff Little Hooligans
Correspondence Address	Douglas L. Lineberry McNair Law Firm, P.A. 104 South Main Street, Suite 700 Greenville, SC 29601 UNITED STATES ipdocket@mcnair.net
Submission	Motion for Default Judgment
Filer's Name	Douglas L. Lineberry
Filer's e-mail	ipdocket@mcnair.net, dlineberry@mcnair.net, lfowler@mcnair.net
Signature	/Doug Lineberry/
Date	04/17/2017
Attachments	MotionforDefaultJudgmentandAbandonmentofApplication.pdf(91194 bytes)

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

Applicant: Sheree Epps	Opposition No. 91233101
Trademark: MOMMIN' AIN'T EASY	Little Hooligans,
Serial No.: 87/053,638	Opposer
Filing Date: May 30, 2016	v.
Services Affected: Class IC 025. US 022 039	Sheree Epps,
Published in the Official Gazette: November 8, 2016	Defendant

MOTION FOR ENTRY OF DEFAULT JUDGMENT AND
ABANDONMENT OF APPLICATION

Little Hooligans (“Opposer”) hereby respectfully requests an entry of default judgment and cancellation of application serial number 87/053,638 (“the Application”) against Defendant, Sheree Epps (“Defendant”), pursuant to TBMP Rules 312.01 and 508 and 37 CFR § 2.106(a), 37 CFR § 2.114(a), and 37 CFR § 2.127(a). This Motion for Entry of Default is based on the pleadings and filings in this action, and such additional argument and evidence as presented herein.

FACTS

In support of this Motion for Entry of Default, Opposer provides the following facts:

1. Defendant was served with the Notice of Opposition on February 27, 2017.
2. An Answer or other responsive pleading was due to be filed by Defendant on or before, April 8, 2017.
3. To date, the Defendant has failed to plead or otherwise defend against the Notice

of Opposition that was served upon her.

4. Defendant is now in default pursuant to TBMP Rules 312.01 and 508 and Opposer respectfully requests a default judgment be entered in its favor pursuant to 37 CFR § 2.127(a).

Opposer now moves the United States Patent and Trademark Office (“USPTO”) Trademark Trial and Appeal Board for an Entry of Default Judgment and Abandonment of the Application against Defendant.

ARGUMENT

TBMP Rule 310.03(a) provides the Defendant must file an answer within forty (40) days from the mailing date of this order. Failure to file a timely answer may result in the entry of default judgment and abandonment of the application. The mailing date of the Notice of Opposition was February 27, 2017, and the deadline for the Defendant’s Answer was April 8, 2017. Thus, it is clear that Defendant’s failure to answer the Notice of Opposition entitles Opposer to a default judgment against the Defendant pursuant to TBMP Rule 508 and 37 CFR § 2.127(a).

CONCLUSION

For the reasons set forth above, Opposer respectfully requests that the USPTO Trademark Trial and Appeal Board enter a default judgment against Defendant that includes: (1) Defendant’s Serial No. 87/053,638 not be allowed to register, in whole or in part, and to be deemed abandoned; and (2) that Opposer’s Application No. 87/176,675 be allowed to register.

Respectfully submitted,

Dated: April 17, 2017

/Douglas L. Lineberry/
Douglas L. Lineberry
Registration No. 54,274
Attorney for Little Hooligans

McNair Law Firm, P.A.
P.O. Box 447

Greenville, SC 29602
Telephone:(864)271-4940

Email: dlineberry@mcnair.net