

ESTTA Tracking number: **ESTTA876954**

Filing date: **02/13/2018**

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

Proceeding	91238726
Party	Plaintiff Richemont International S.A.
Correspondence Address	Dyan Finguerra-DuCharme Pryor Cashman LLP 7 Times Square New York, NY 10036 UNITED STATES Email: DFinguerra-DuCharme@PRYORCASHMAN.com, rk-larberg@pryorcashman.com, jalbrink@pryorcashman.com, tmdocketing@pryorcashman.com
Submission	Motion for Default Judgment
Filer's Name	Dyan Finguerra-DuCharme
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Signature	/dyan finguerra-ducharme/
Date	02/13/2018
Attachments	Motion for Default - 2.13.18.pdf(89501 bytes )

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

In the Matter of Trademark Application Serial No. 87/526,445  
Mark: EWC WATCHES  
Filed: July 13, 2017

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RICHEMONT INTERNATIONAL S.A.,	:	
	:	
Opposer,	:	
	:	Opposition No. 91/238,726
-against-	:	
	:	
	:	<b><u>MOTION FOR DEFAULT</u></b>
SCOTT E HOVEY DBA	:	
HOVEY ENTERPRISES	:	
	:	
Applicant.	:	
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Opposer Richemont International S.A. (“Opposer”) respectfully requests that the Trademark Trial and Appeal Board (“TTAB”) enter a Judgment of Default against Applicant Scott E Hovey, DBA Hovey Enterprises (“Applicant”) pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and Rule 2.106(a) of the Trademark Rules of Practice on the grounds that Applicant has failed to file an Answer in this matter.

FRCP 55(a) provides “[w]hen a party against whom judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” Likewise, 37 C.F.R. § 2.106(a) provides “[i]f no answer is filed within the time set, the opposition may be decided as in case of default.”

Opposer filed the Notice of Opposition on January 3, 2018. The TTAB filed the Scheduling Order on January 3, 2018 and set February 12, 2018 as the deadline to file and serve an Answer. To date, Applicant has not filed or served an Answer.

Applicant, having failed to timely Answer, has conceded the truth of the claims made in the Opposition. Therefore, pursuant to FRCP 55(a) and Rule 2.106(a), Opposer respectfully requests that a Judgment by Default be entered.

Dated: February 13, 2018

Respectfully submitted,

PRYOR CASHMAN LLP

By: /dyan finguerre-ducharme/

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*Attorneys for Opposer Richemont International S.A.*

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SCOTT E HOVEY DBA	:	
HOVEY ENTERPRISES	:	
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Applicant.	:	
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion for Default Judgment has been served on Applicant's identified correspondent of record by mailing said copy via e-mail to the following address:

SCOTT E HOVEY  
DBA HOVEY ENTERPRISES  
330 SARATOGA ROAD #89488  
HONOLULU, HI 96815  
e-mail: [hinano168@hotmail.com](mailto:hinano168@hotmail.com)

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/ryan s. klarberg/  
Ryan S. Klarberg

Date: February 13, 2018