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Filing date: **11/08/2018**

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

Proceeding	91243712
Party	Defendant Coast to Coast Real Estate Services, Inc..
Correspondence Address	CHRISTOPHER E. GATEWOOD THRESHOLD COUNSEL, PC 1905 HUGUENOT ROAD, SUITE 200 RICHMOND, VA 23235 chris@threshold.cc, justin@threshold.cc no phone number provided
Submission	Motion for Relief from entry of Default Judgment
Filer's Name	Christopher E. Gatewood
Filer's email	chris@threshold.cc
Signature	/Christopher E. Gatewood/
Date	11/08/2018
Attachments	Coast to Coast RE motion for leave - 11 2018 rev 2.pdf(77909 bytes)

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

In re Application No. 87/880269
Filed: April 17, 2018
Mark: 77 WEST

ROYAL REALTY CORP.,)	
Opposer)	
)	
v.)	Opposition No.: 91243712
)	
COAST TO COAST REAL ESTATE)	
SERVICES, INC.)	
Applicant.)	

MOTION FOR LEAVE TO FILE BRIEF RESPONSE TO PETITION

Applicant Coast to Coast Real Estate Services, Inc., by counsel, hereby requests leave to file a response in this matter.

The Applicant’s delay in filing an answer was not the result of willful conduct or gross neglect on the part of the defendant. *See* TBMP 2018-06 at § 312.02(1). The delay has lasted approximately one week, and was unintentional. Counsel for Applicant was in contact with counsel for the Opposer regarding this matter the week before, the day of, and the week after counsel for the Opposer filed this opposition. Nevertheless, neither the Applicant nor counsel received notice of the filing of the opposition from counsel for the Opposer. A search of Applicant’s counsel’s inbound emails on the date of the filing of the opposition has revealed the system-generated email notice from uspto.gov, which was automatically sub-folded by rule and therefore went unnoticed when it arrived.

The plaintiff will not be substantially prejudiced by such a short delay. *See* TBMP 2018-06 at § 312.02(2). When counsel for the Applicant became aware of the error, he sought leave from counsel for the Opposer to file a response. At the time of this filing, counsel for the

Opposer has not responded to that request. The defendant has a meritorious defense to the action, which standard merely requires a plausible response to the allegations of Opposer's complaint. *See* TBMP 2018-06 at § 312.02(3). Good cause therefore exists for the late filing of the Applicant's answer. *Id*

Applicant therefore respectfully requests that its answer, filed concurrently herewith, be accepted, as allowed by TBMP 2018-06 § 508 and § 312.

Dated: November 8, 2018

Respectfully submitted,

COAST TO COAST REAL ESTATE SERVICES, LLC

By: /s/ Christopher E. Gatewood
Christopher E. Gatewood
THRESHOLD COUNSEL, PC
1905 Huguenot Road, Suite 200
Richmond, VA 23235
Telephone No.: (804) 510-0638
Facsimile No.: (804) 482-2641
e-mail: chris@threshold.cc
Counsel for the Applicant

CERTIFICATE OF SERVICE

I, Christopher E. Gatewood, hereby certify that a copy of the Motion for Leave to File a Response, has been served upon counsel for the Opposer, Daniel D. Frohling and Tatyana Gilles, via email on November 8, 2018.

/s/ Christopher E. Gatewood