

ESTTA Tracking number: **ESTTA1042229**

Filing date: **03/13/2020**

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

Proceeding	91250607
Party	Plaintiff Cook Capital, LLC
Correspondence Address	KIT M. STETINA STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE, SUITE 250 ALISO VIEJO, CA 92656 UNITED STATES kstetina@stetinalaw.com, opposition@stetinalaw.com 949-855-1246
Submission	Motion for Default Judgment
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Date	03/13/2020
Attachments	RequestForDefault.pdf(89155 bytes)

Case: COLRS-050M
Trademark Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
In the Matter of Trademark Application Serial No. 88251618

Cook Capital, LLC,)	Opposition No.: 91250607
)	
Opposer)	
)	
v.)	
)	
Work + Life Fit, Inc.,)	
)	
Applicant)	

APPLICATION FOR DEFAULT JUDGMENT

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir or Madam:

In the matter of the above-identified proceeding, as grounds for entry of a Default Judgment, it is alleged as follows:

1. Opposer commenced the above-identified proceeding by filing a Notice of Opposition together with the required fee in the United States Patent and Trademark Office.
2. Applicant received notification of the opposition proceeding mailed September 3, 2019 from the Trademark Trial and Appeal Board. To Opposer's knowledge, Applicant's answer was not returned to the Trademark Office undelivered.


3. An answer was due from Applicant on or before October 13, 2019.
4. On October 11, 2019, the parties consented to a Motion to Extend for 60-days, which extension was granted by the Board on October 11, 2019, and extended Applicant's answer deadline to December 12, 2019.
5. On December 12, 2019, the parties consented to a Motion to Extend for 30-days, which extension was granted by the Board on December 12, 2019, and extended Applicant's answer deadline to January 11, 2020.
6. On January 13, 2020, the parties consented to a Motion to Extend for 60-days, which extension was granted by the Board on January 13, 2020, and extended Applicant's answer deadline to March 11, 2020.
7. Opposer to date has not received an answer or any further communication from Applicant.
8. Because of Applicant's failure to file an answer to the Notice of Opposition, Opposer maintains that it is appropriate under Trademark Rule of Practice 2.106(a) and Federal Rule of Civil Procedure 55(b)(2) that a Default Judgment be entered by the Board.

WHEREFORE, Opposer respectfully requests that a Default Judgment be entered and that United States Trademark Application Serial No. 88251618 be declared abandoned.

Respectfully submitted,

STETINA BRUNDA GARRED & BRUCKER

Dated: March 13, 2020

By: 

Kit M. Stetina, Reg. No. 29,445
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(949) 855-1246

Counsel for Opposer
Cook Capital, LLC

CERTIFICATE OF SERVICE

I hereby certify that on **March 13, 2020**, the attached **APPLICATION FOR DEFAULT JUDGMENT** was served by email on counsel of record for Applicant at the following address:

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