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

Proceeding	91263393
Party	Defendant Big Truck Rental, LLC
Correspondence Address	MONICA B. MASON TRENAM LAW 101 E. KENNEDY BLVD. SUITE 2700 TAMPA, FL 33602 UNITED STATES Primary Email: mmason@trenam.com Secondary Email(s): dhayes@trenam.com 813-227-7401
Submission	Motion for Relief from entry of Default Judgment
Filer's Name	Dean Kent
Filer's email	dak@trenam.com
Signature	/s/ Dean A. Kent
Date	01/13/2021
Attachments	Supp response and answer Enterprise.pdf(72541 bytes)

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

ENTERPRISE HOLDINGS, INC.,

Opposer,

Opposition No.: 91263393

v.

Mark: BIG TRUCK RENTAL,
ANY TIME, ANY WAY TRUCK
SOLUTION

BIG TRUCK RENTAL, LLC,

Applicant.

Serial No. 88/305,431
Published: January 7, 2020

SUPPLEMENTAL RESPONSE TO NOTICE OF DEFAULT

BIG TRUCK RENTAL, LLC (“BTR”), pursuant to TBMP 312.02, hereby responds to the Board’s Notice of Default in the above-referenced matter and states as follows:

The parties have been discussing the settlement of this matter, resulting in an agreed upon delay of the proceeding. However, with regard to the suspension entered in this matter on October 13, 2020 and the Consented Motion to Reopen Deadlines entered on December 3, 2020, undersigned counsel mis-calendared the date of the answer to be due on or before January 22, 2021 instead of the correct date set forth in the Motion to Reopen, December 22, 2020.

For purposes of satisfying the requirements of TBMP 312.02, the delay in filing an answer was not the result of willful conduct or gross neglect on the part of BTR, Opposer will not be substantially prejudiced by the delay, and the Applicant has a meritorious defense to the action as set forth in the draft answer provided as an exhibit hereto. Accordingly, BTR hereby submits its answer attached as **Exhibit A** and requests that the Board not enter judgment by default against it based on the clerical error and request that the late filed answer be accepted by the Board.

WHEREFORE, BTR requests the Board find good cause has been shown in this motion that satisfied TBMP 312.02 and allow **Exhibit A** to be accepted and submitted as its Answer to the Notice of Opposition in this proceeding.

Respectfully submitted,

/s/ Dean A. Kent
Dean A. Kent, Esq.
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Tampa, Fl. 33602
Attorneys for BTR

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2021, a true and complete copy of the foregoing Response has been served upon Applicant by sending said a copy via email.

By: /s/ Dean A. Kent

EXHIBIT A

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ANSWER TO NOTICE OF OPPOSITION

For its answer to the Notice of Opposition filed by Enterprise Holdings, Inc. (“Opposer”), BIG TRUCK RENTAL, LLC (“BTR”) hereby responds as follows:

1. Without knowledge as to Opposer’s adoption and use of various words and registered marks in Classes 35 and 39. Without knowledge as to Opposer’s licensees’ use of such words and marks. Without knowledge as to the “many, many third parties” that purportedly use the applied terms.

2. Admitted and such application speaks for itself.

3. Without knowledge, therefore denied.

4. Denied.

5. Denied.

6. Denied.

Respectfully submitted,

/s/ Dean A. Kent

Dean A. Kent, Esq.

Florida Bar No. 0307040

Trenam Law

101 E. Kennedy Blvd.

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Tampa, Fl. 33602

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