

ESTTA Tracking number: **ESTTA1106566**

Filing date: **01/08/2021**

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	Other Motions/Submissions
Filer's Name	Dean Kent
Filer's email	dak@trenam.com
Signature	/s/ Dean A. Kent
Date	01/08/2021
Attachments	Response to Bd ntc with Answer Ex A.pdf(71223 bytes)

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

VANGUARD TRADEMARK HOLDINGS
USA, LLC,

Opposer,

v.

BIG TRUCK RENTAL, LLC,

Applicant.

Opposition No.: 91263394

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

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

RESPONSE TO NOTICE OF DEFAULT

BIG TRUCK RENTAL, LLC (“BTR”) 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. 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.

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

Respectfully submitted,

/s/ Dean A. Kent

Dean A. Kent, Esq.

Florida Bar No. 0307040

Trenam Law

101 E. Kennedy Blvd.

Suite 2700

Tampa, Fl. 33602

Attorneys for BTR

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 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

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

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ANSWER TO NOTICE OF OPPOSITION

For its answer to the Notice of Opposition filed by Vanguard Trademark Holdings USA, LLC (“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.

Suite 2700

Tampa, Fl. 33602

Attorneys for BTR

CERTIFICATE OF SERVICE

I hereby certify that on January __, 2021, a true and complete copy of the foregoing Response has been served upon Opposer by sending said a copy via email to its counsel.

By: /s/ Dean A. Kent