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Filing date: **08/17/2021**

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

Proceeding	91270216
Party	Plaintiff Eden Foods, Inc.
Correspondence Address	CHRISTOPHER KELLY WILEY REIN LLP 1776 K STREET, N.W. TRADEMARK ADMINISTRATION WASHINGTON, DC 20006 UNITED STATES Primary Email: ckelly@wiley.law Secondary Email(s): bdavis@wiley.law 2027197000
Submission	Motion for Default Judgment
Filer's Name	Adrienne J. Kosak
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Signature	/Adrienne J. Kosak/
Date	08/17/2021
Attachments	Motion for Default Judgment ZIONS EDEN.pdf(94502 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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EDEN FOODS, INC.,)	
)	
Opposer,)	NOTICE OF OPPOSITION
)	
v.)	Opposition No.: 91270216
)	
ZION'S EDEN, LLC,)	
)	
Applicant.)	

MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER

Opposer Eden Foods, Inc. (“Opposer”) hereby moves for default judgment against Applicant Zion’s Eden, LLC (“Applicant”) for failure to answer the Notice of Opposition. Pursuant to the schedule set by the Board, Applicant’s answer was due on August 9, 2021. To date, Applicant has not filed an answer.

Opposer therefore requests that Applicant be required to show cause within 30 days of the filing of this motion (by or before September 16, 2021) as to why default judgment should not be entered against Applicant. *See* TBMP § 508 (providing that a motion for default judgment may serve as a substitute for the Board’s issuance of a notice of default pursuant to Fed. R. Civ. P. 55(a)). If Applicant fails to respond within 30 days of this motion, or files a response that does not show good cause why default judgment should not be entered against Applicant, Opposer asks that default judgment be entered. *See* TBMP § 312.01; 37 C.F.R. § 2.114(a).

Respectfully submitted,

By: /Adrienne J. Kosak/
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Adrienne J. Kosak
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Attorneys for Opposer

Dated: August 17, 2021

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2021, a true and correct copy of the foregoing MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO ANSWER was served on the following via ESTTA and email:

Zion's Eden, LLC
1583 Bradley Ave.
Camden, NJ 08103
zionseden@gmail.com

/Adrienne J. Kosak/
Adrienne J. Kosak