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

Proceeding no.	91273797
Party	Defendant Security Services, LLC
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Submission	Other Motions/Submissions
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Date	04/06/2022
Attachments	ALWAYS ON Motion for Default Judgment.pdf(137259 bytes )

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

In the matter of U.S. App. Ser. No. 88889400 for ALWAYS ON, ULTRASECURE  
Published: September 14, 2021 in International Classes 9, 42

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BearCom Group, Inc.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91273797
	)	
Security Services, Inc.	)	
	)	
Applicant and Counterclaimant.	)	
	)	
	)	

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**APPLICANT’S MOTION FOR ENTRY OF DEFAULT JUDGMENT**  
**OF APPLICANT’S COUNTERCLAIM**

Applicant Security Services, Inc. (“Applicant”), moves the Board pursuant to 37 C.F.R. §2.114(a) for entry of default judgment of the Applicant’s counterclaim on the grounds that Opposer, BearCom Group, Inc. (“Opposer”), has failed to file an answer within the time set by the Board. In support of its Motion, Applicant states:

1. On February 11, 2022, Applicant filed an Answer and Counterclaim to Opposer’s opposition of Application No. 88889400 for the mark ALWAYS ON, ULTRASECURE in International Classes 9 and 42.

2. On February 15, 2022, the Board served the Notice of the Counterclaim on Opposer, setting March 17, 2022, as the deadline for Opposer to file an Answer to the Counterclaim.

3. Neither before or on March 17, 2022, did Opposer file an Answer to the Counterclaim or request an extension of time to file such an Answer.

4. “[T]he standard for determining whether a default judgment should be entered against the defendant, for its failure to file a timely answer to the complaint, is the Fed. R. Civ. P. 55(c) standard, which requires that the defendant show good cause why default judgment should not be entered against it.” TTAB Manual of Procedure § 508.

5. Because Opposer has failed to file an Answer to the Counterclaim within the time permitted, default judgment should be granted to Applicant and an order issued sustaining Application No. 8,888,9400, and cancelling Registration No. 6,584,504, as petitioned in the Counterclaim.

WHEREFORE, for good cause shown, Applicant Security Services, Inc. respectfully requests that its Motion for Entry of Default Judgment of Applicant’s Counterclaim be granted.

SECURITY SERVICES, INC.



Dated: April 6, 2022

By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing APPLICANT’S MOTION FOR ENTRY OF DEFAULT JUDGMENT OF APPLICANT’S COUNTERCLAIM was served by electronic mail on April 6, 2022, on counsel of record for Opposer:

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