

ESTTA Tracking number: **ESTTA45210**

Filing date: **09/15/2005**

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

<b>Proceeding</b>	92044710
<b>Party</b>	Plaintiff International E-Z Up, Inc. International E-Z Up, Inc. 1601 Iowa Ave., Suite 240 Riverside, CA 92507
<b>Correspondence Address</b>	James W. Paul FULWIDER PATTON LEE & UTECHT, LLP 6060 Center Drive, 10th Fl. Los Angeles, CA 90045
<b>Submission</b>	Motion for Default Judgment
<b>Filer's Name</b>	Leonard D. Messinger
<b>Filer's e-mail</b>	docketla@fulpat.com
<b>Signature</b>	/Leonard D. Messinger/
<b>Date</b>	09/15/2005
<b>Attachments</b>	EZUP 71498 Petitioner Motion.pdf ( 2 pages )

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

In the matter of Registration No. 2,715,837

International E-Z UP, Inc.

Petitioner,

v.

Regency Awnings, LLC

Registrant.

Cancellation No. 92044710

**PETITIONER'S MOTION FOR ENTRY OF DEFAULT AND DEFAULT  
JUDGMENT PURSUANT TO 37 C.F.R. 2.114(a) AND FED. R. CIV. PRO. 55**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

TO THE TRADEMARK TRIAL AND APPEAL BOARD:

Petitioner, International E-Z UP, Inc., hereby moves the Trademark Trial and Appeal Board to enter Registrant's default and a judgment by default in favor of Petitioner and against Registrant, Regency Awnings, LLC, canceling Trademark Registration No. 2,715,837.

On July 7, 2005 Petitioner filed a Petition for Cancellation of Registration No. 2,715,837. The Trademark Trial and Appeal Board instituted the Cancellation proceedings on July 8, 2005, and an answer was due by August 17, 2005.

The records of the TTAB indicate that no answer to the Cancellation Petition was filed by that due date and no services of the answer has been received by Petitioner's counsel as of the date this Motion was signed. Registrant has not requested, and Petitioner has not agreed to any consent to an extension of time to answer the Cancellation Petition.

Accordingly, Petitioner respectfully requests entry of Registrant's Default, entry of Default Judgment in favor of Petitioner and against Registrant's above identified registration, pursuant to 37 C.F.R. 2.114(a) and Federal Rule of Civil Procedure 55.