

UNITED STATES PATENT
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

kk

Mailed: December 8, 2005

Cancellation No.92044710

International E-Z Up, Inc.

v.

Regency Awnings, LLC

Answer was due on August 17, 2005. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of petitioner's motion, filed September 15, 2005, for default judgment against respondent for failure to file an answer. The motion is uncontested.¹

Inasmuch as respondent failed to file an answer in this case, and failed to respond to petitioner's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby entered against respondent, the petition for cancellation is granted, and Registration No. 2715837 will be cancelled in due course. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

¹ If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.



12-30-2005

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #30

*By the Trademark Trial
and Appeal Board*

United States Patent and Trademark Office

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA 22313-1451

If Undeliverable Return in Ten Days

OFFICIAL BUSINESS

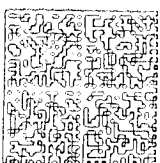
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

for

92044710

REGENCY AWNINGS, LLC
3480 SOUTH CLINTON AVE.
SOUTH PLAINFIELD, NJ 07080



UNITED STATES POSTAGE
U.S. OFFICIAL MAIL
PENALTY FOR PRIVATE USE \$300
FIRST CLASS
02 1A
\$00.370
0004205485 DEC 12 2005
MAILED FROM ZIP CODE 22314



A

C

S

INSUFFICIENT ADDRESS

ATTEMPTED NOT KNOWN

NO SUCH NUMBER/STREET

NOT DELIVERABLE AS ADDRESSED

UNABLE TO FORWARD

OTHER

