

ESTTA Tracking number: **ESTTA71815**

Filing date: **03/20/2006**

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

Proceeding	92045296
Party	Plaintiff Griffen USA, Inc.
Correspondence Address	Michael J. Ram Koppel, Jacobs, Patrick & Heybl 555 St. Charles Drive Thousand Oaks, CA 91360  generalmail@koppelpatent.com
Submission	Motion for Default Judgment
Filer's Name	Michael J. Ram
Filer's e-mail	generalmail@koppelpatent.com
Signature	/michael j ram/
Date	03/20/2006
Attachments	defaultevidence.pdf ( 5 pages )



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## TTABVue. Trademark Trial and Appeal Board Inquiry System

### Cancellation

**Number:** 92045296

**Filing Date:** 12/23/2005

**Status:** Pending

**Status Date:** 12/27/2005

**Interlocutory Attorney:** GEORGE POLOGEORGIS

#### Defendant

**Name:** Feuling, James J.

**Correspondence:** Feuling, James J.  
2521 Palma Drive  
Ventura, CA 93003

**Serial #:** 75712337

**Registration #:** 2565666

**Application Status:** Cancellation Pending

**Mark:** GRIFFIN

#### Plaintiff

**Name:** Griffen USA, Inc.

**Correspondence:** Michael J. Ram  
Koppel, Jacobs, Patrick & Heybl  
555 St. Charles Drive  
Thousand Oaks, CA 91360  
generalmail@koppelpatent.com

#### Prosecution History

#	Date	History Text	Due Date
4	01/13/2006	<u>PAPER RECEIVED AT TTAB</u>	
3	12/27/2005	PENDING, INSTITUTED	
2	12/27/2005	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	02/05/2006
1	12/23/2005	<u>FILED AND FEE</u>	

Results as of 03/20/2006 03:59 PM

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Search:

TTAB

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

Mailed: December 27, 2005

Feuling, James J.  
2521 Palma Drive  
Ventura, CA 93003

Cancellation No. 92045296  
Reg. No. 2565666

Michael J. Ram  
Koppel, Jacobs, Patrick & Heybl  
555 St. Charles Drive  
Thousand Oaks, CA 91360

Griffen USA, Inc.

V.

Feuling, James J.

**Torri Rodgers, Legal Assistant**

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

**ANSWER IS DUE FORTY DAYS** after the mailing date hereof.  
(See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the



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Trademark Trial and Appeal Board Manual of Procedure (TBMP), are available at [www.uspto.gov/web/offices/dcom/ttab/](http://www.uspto.gov/web/offices/dcom/ttab/).

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

**Discovery and testimony periods are set as follows:**

Discovery period to open: **January 16, 2006**

Discovery period to close: **July 15, 2006**

30-day testimony period for party  
in position of plaintiff to close: **October 13, 2006**

30-day testimony period for party  
in position of defendant to close: **December 12, 2006**

15-day rebuttal testimony period  
for plaintiff to close: **January 26, 2007**

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

**NOTE:** The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may

be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

**New Developments at the Trademark Trial and Appeal Board**

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

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92045296

FEULING, JAMES J.  
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