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

Proceeding	92061475
Party	Plaintiff Kangaroo Manufacturing, Inc.
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Submission	Motion for Default Judgment
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Date	06/25/2015
Attachments	Motion for Entry of Default.pdf(93513 bytes)

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

Kangaroo Manufacturing, Inc., a)	
Florida corporation)	Cancellation No. 92061475
Petitioner,)	Registration No. 3807826
)	
v.)	Mark: little sprouts
)	Reg. Date: 06/22/2010
)	
Lucky Group (H.K.), a Hong)	
Kong Limited Liability)	
Company)	
Registrant.)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Petitioner, Kangaroo Manufacturing, Inc. (“Petitioner”) moves the Board pursuant to 37 C.F.R. § 2.106(a) for entry of default judgment on the grounds that Registrant, Lucky Group (H.K.) Limited (“Registrant”), has failed to file an answer within the time set by the Board. In support of its Motion, Petitioner states:

1. On May 11, 2015, Petitioner filed a Petition to Cancel Registration No. 3807826 for the mark LITTLE SPROUTS in Class 28 for use in connection with “Baby multiple activity toys; Baby rattles; Baby rattles incorporating teething rings; Baby swings; Bath toys; Bathtub toys; Children’s multiple activity toys; Crib toys; Educational toys for teaching math principles to children, namely manipulative blocks for displaying patterns and groupings; Electronic learning toys; Infant action crib toys; Infant development toys; Infant toys; Infant’s rattles; Musical toys; Toy animals; Toy animals and accessories therefor; Toy banks; Toy building

blocks; Toy building blocks capable of interconnection; Water squirting toys” (the “Registration”) on the grounds that Registrant has abandoned that mark.

2. The undersigned served a copy of the Petition for Cancellation on Registrant’s counsel of record on May 11, 2015, by first class mail to Alan D. Kamrath Kamrath & Associates, P.A. 4825 Olson Memorial Hwy., Suite 245 Golden Valley, MN 55422 and served a copy of the Petition for Cancellation on Registrant on May 13, 2015, by first class mail to Lucky Group (H. K.) Limited, 5/F Inter-Cont. Plaza, 94 Granville Rd. Tsimshatsui E. Kowloon, Hong Kong.

3. On May 12, 2015, the Board issued an Order setting June 21, 2015 as the deadline for Registrant to file an Answer to the Petition for Cancellation.

4. As of the date of this Motion for Entry of Default Judgment, or June 25, 2015, Registrant has neither filed an Answer to the Petition for Cancellation nor requested an extension of time to file such an answer.

5. “[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, p. 500-37.

6. Because Registrant has failed to file an Answer to the Petition for Cancellation within the time permitted, default judgment should be granted to Petitioner and an order entered granting the Petition for Cancellation and ordering that the Registration be cancelled.

WHEREFORE, Kangaroo Manufacturing, Inc. respectfully requests that its Motion for Entry of Default Judgment be granted.

Respectfully submitted,



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Attorney for Petitioner
Kangaroo Manufacturing, Inc.

Dated: May 11, 2015

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Petition for Cancellation has been served by mailing said copy on June 25, 2015 via U.S. Mail, postage pre-paid to Registrant and Registrant's Domestic Representative of record pursuant to 37 CFR § 2.111(b), at the following addresses:

Alan D. Kamrath
Kamrath & Associates, P.A.
4825 Olson Memorial Hwy., Suite 245
Golden Valley, MN 55422
alan@thelawfirm.cc
(763) 746-1599

Lucky Group (H. K.) Limited
5/F Inter-Cont. Plaza
94 Granville Rd.
Tsimshatsui E. Kowloon
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Kangaroo Manufacturing, Inc.