

ESTTA Tracking number: **ESTTA689244**

Filing date: **08/12/2015**

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

Proceeding	92061737
Party	Plaintiff FirstPath Autism, Inc.
Correspondence Address	RICHARD J GREENSTONE RICHARD J GREENSTONE ATTORNEYS & COUNSELORS AT LAW 456 MONTGOMERY STREET, SUITE 1300 SAN FRANCISCO, CA 94104 UNITED STATES trademarks@rjg.com
Submission	Motion for Default Judgment
Filer's Name	Richard J. Greenstone
Filer's e-mail	trademarks@rjg.com
Signature	/Richard J. Greenstone/
Date	08/12/2015
Attachments	Motion Default with Ex and Cert Serv 92061737.pdf(463982 bytes)

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

In the Matter of Registration No. 3,811,386
Date of Registration: June 29, 2010

FIRSTPATH AUTISM, INC.,

Petitioner,

vs.

FIRSTSOLUTIONS,

Registrant.

Proceeding No. 92061737

MOTION FOR DEFAULT JUDGMENT FOR FAILURE TO FILE AN ANSWER

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

1. Petitioner, FirstPath Autism, Inc., a Delaware corporation, having its principal place of business at 723 E. Main Street, Turlock, CA 95380, filed a Petition to Cancel Registration No. 3,811,386 on June 25, 2015.

2. The Registrant of Registration No. 3,811,386 is FirstSolutions, a Minnesota corporation having its principal place of business and last known address at 525 S. Lake Street, Duluth, MN 55802.

3. Petitioner served a copy of the Petition for Cancellation by placing a copy of the Petition for Cancellation in first class mail addressed to Registrant on June 25, 2015.

4. An answer to the Petition for Cancellation was due on August 8, 2015.

5. A supporting Declaration of John Pickerill, attorney with Frederickson & Byron, P.A., the law firm listed as Attorney of Record for FirstSolutions, is presented at Exhibit "A" to this Motion for Default Judgment for Failure to File an Answer.

6. Registrant has failed to appear, plead, or otherwise defend within the time allowed, and is now in default.

WHEREFORE, Petitioner prays that Registration No. 3,811,386 be cancelled and that this Motion for Default Judgment for Failure to File an Answer be sustained in favor of the Petitioner.

Respectfully submitted,
FirstPath Autism, Inc.

By: 

RICHARD J. GREENSTONE
Attorney at Law
Attorney for Petitioner
456 Montgomery Street
Suite 1300
San Francisco, CA 94104
(415) 438-1890
trademarks@rjg.com

August 12, 2015
Date

Exhibit “A”

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

In the Matter of Registration No. 3,811,386
Date of Registration: June 29, 2010

FIRSTPATH AUTISM, INC.,

Petitioner,

vs.

Proceeding No. 92061737

FIRSTSOLUTIONS,

Registrant.

DECLARATION OF JOHN C. PICKERILL

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

I, John C. Pickerill, declare and state as follows:

1. The Registrant of Registration No. 3,811,386 is FirstSolutions, a Minnesota corporation having its principal place of business and last known address at 525 S. Lake Street, Duluth, MN 55802, according to the United States Patent and Trademark Office Trademark Status & Document Retrieval (TSDR) database.

2. My firm, Fredrikson & Byron, P.A., represented Registrant in trademark and corporate law matters.

3. Mr. Stephen R. Bergerson, Registrant's listed attorney and former partner of Fredrikson & Byron, P.A., has retired.

4. I am Mr. Bergerson's successor in intellectual property matters for Fredrikson & Byron, P.A.

5. The Executive Director for the Registrant Kathy Heimbach instructed Fredrikson & Byron, P.A. on June 17, 2013 that the Registrant was no longer in operation and ongoing trademark efforts should cease.

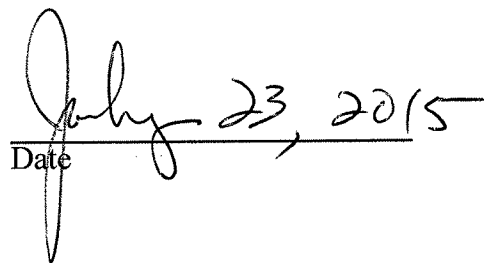
6. Attempts were made to reach someone that might have some knowledge of the company, but attempts to make contact were unsuccessful.

7. All statements made herein of my own knowledge are true, and all statements made herein on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document and the proceeding which it relates to.

Respectfully submitted,



JOHN C. PICKERILL
Declarant
Attorney at Law
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200 Sixth Street
Suite 400
Minneapolis, MN
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(612) 492-7306
jpickerill@fredlaw.com



Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Petition for Cancellation for Failure to File an Answer has been served on FirstSolutions by mailing said copy on August 12, 2015, via First Class Mail, postage prepaid, to FirstSolutions, 525 S. Lake Street, Duluth, MN 55802.


RICHARD J. GREENSTONE