

ESTTA Tracking number: **ESTTA731170**

Filing date: **03/03/2016**

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

Proceeding	92062135
Party	Defendant Walrus and Carpenter Oysters, LLC
Correspondence Address	TYLER T RAY COOPER CARGILL CHANT PA 2935 WHITE MOUNTAIN HWY NORTH CONWAY, NH 03860 UNITED STATES tray@coopercargillchant.com
Submission	Other Motions/Papers
Filer's Name	Tyler T. Ray
Filer's e-mail	tray@coopercargillchant.com
Signature	/Tyler T. Ray/
Date	03/03/2016
Attachments	response to notice of default.pdf(436528 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No:

4327632

For the Mark:

WALRUS AND CARPENTER OYSTERS

Registration Date:

April 30, 2013

Huitrerie, LLC Petitioner vs. Walrus and Carpenter Oysters, LLC Registrant	Cancellation No. 92062135
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ATTN: Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

RESPONSE TO NOTICE OF DEFAULT FOR CAUSE

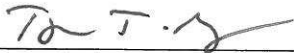
The Defendant failed to file an answer in the above-referenced matter as a result of ongoing settlement negotiations which concluded at or around the time the answer was due. The parties failed to obtain all signatures prior to the response date on the settlement documents and thus missed the deadline. The Plaintiff is not substantially prejudiced by the delay and has stipulated to extend the time to answer despite the notice of default. The Defendant does have a meritorious defense to the case as it is a registered mark and contends it holds the position of priority and as a result will contemporaneously file a stipulated motion to extend the time to answer.

Walrus and Carpenter Oysters, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the

Board.

Date: 3-3-16

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that on March 3, 2016 the foregoing Response to Notice of Default is being deposited with the United States Postal Service, with sufficient postage as first-class mail, in an envelope addressed to:

Zachary A. Wright, Esq.
Wright Law PLLC
601 Union Street, Suite 4200
Seattle, Washington 98101


Tyler T. Ray