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

Proceeding	92066346
Party	Plaintiff Intellectual Holdings, S.A.
Correspondence Address	MATTHEW D KISSNER BROAD AND CASSEL LLP ONE NORTH CLEMATIS STREET SUITE 500 WEST PALM BEACH, FL 33401 UNITED STATES Email: mkissner@broadandcassel.com
Submission	Motion for Default Judgment
Filer's Name	Matthew D Kissner
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Signature	/Matthew D Kissner/
Date	08/02/2017
Attachments	Ana Belly - Motion for Default.pdf(18838 bytes) Ana Belly - Declaration.pdf(99611 bytes)

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

In the Matter of Registration No.: 5,193,024
Registered: April 25, 2017

INTELLECTUAL HOLDINGS, S.A.,)	
)	
Petitioner,)	
)	Cancellation No. 92066346
v.)	
)	
LISTO, LLC,)	
)	
Registrant.)	
_____)	
)	

MOTION FOR ENTRY OF DEFAULT JUDGMENT

Petitioner, Intellectual Holdings S.A., pursuant to Rule 55 of the Federal Rules of Civil Procedure and Rule 2.114 of the Trademark Rules of Practice, hereby moves for a default judgment in the above-captioned cancellation proceeding against Registrant, Listo, LLC.

Pursuant to a Notice of Institution mailed June 22, 2017, Registrant's Answer to Petitioner's Petition for Cancellation was due on August 1, 2017. *Declaration of Matthew D. Kissner*, ¶ 2. However, Registrant failed to file an Answer or otherwise request an extension of time to do so within the period set by the Trademark Trial and Appeal Board. *Id.*

37 C.F.R. 2.114(a) states, "[i]f no answer is filed within the time initially set...the petition may be decided as in case of default."

WHEREFORE, in light of the above and pursuant to applicable law, Petitioner respectfully requests that the Board grant this Motion for Entry of Default Judgment and enter a final judgment cancelling Registration No. 5,193,024.

Dated: August 2, 2017.

Respectfully submitted,



Matthew D. Kissner

Florida Bar No. 97328

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Attorneys for Petitioner

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)	
Petitioner,)	
)	Cancellation No. 92066346
v.)	
)	
LISTO, LLC,)	
)	
Registrant.)	
_____)	
)	

**DECLARATION OF MATTHEW D. KISSNER IN SUPPORT OF
PETITIONER'S MOTION FOR ENTRY OF DEFAULT JUDGMENT**

I, MATTHEW D. KISSNER, declare as follows:

1. I am an attorney with the law firm of Broad and Cassel LLP and, in such capacity, I represent the Petitioner, Intellectual Holdings S.A., in the above-captioned proceeding. I am licensed to practice law in the State of Florida. I submit this Declaration for the purpose of setting forth certain facts in support of Petitioner's Motion for Entry of Default Judgment.

2. Registrant's Answer to the Petition for Cancellation was due on August 1, 2017. However, Registrant has failed to file an Answer or otherwise request as extension of time to do so within the period set by the Trademark Trial and Appeal Board.

Pursuant to 28 U.S.C. § 1746, I, Matthew D. Kissner, further declare under penalty of perjury that the foregoing is true and correct.

Dated: August 2, 2017.



Matthew D. Kissner