

ESTTA Tracking number: **ESTTA998500**

Filing date: **08/29/2019**

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

Proceeding	92071788
Party	Plaintiff The Vermont Teddy Bear Company, Inc.
Correspondence Address	H. JAY SPIEGEL H. JAY SPIEGEL & ASSOCIATES P.O. BOX 11 MOUNT VERNON, VA 22121 UNITED STATES jayspiegel@aol.com 703-619-0101
Submission	Motion for Default Judgment
Filer's Name	H. Jay Spiegel
Filer's email	jayspiegel@aol.com
Signature	/H. Jay Spiegel/
Date	08/29/2019
Attachments	VTBVermontToyMotionDefault082919.pdf(50654 bytes)

The same day, July 19, 2019, the Board issued an Order requiring Defendant to file and serve an Answer by no later than August 28, 2019, and to do so via the ESTTA system. In the Board's Order, Defendant was warned that "Failure to file a timely answer may result in the entry of default judgment and cancellation of the registration."

The electronic record of this proceeding on the USPTO website fails to show the filing of an Answer by Defendant in a timely fashion. As such, Defendant is in default.

Accordingly, Plaintiff moves the Board to enter default judgment in favor of Plaintiff and to cancel Registration No. 5,677,084.

Concurrently with the filing of this Motion, Plaintiff's undersigned Counsel has mailed a copy of this filing to Defendant at their last known address as reflected in the accompanying Certificate of Service.

Respectfully submitted,

THE VERMONT TEDDY BEAR COMPANY, INC.

/s/ H. Jay Spiegel

By H. Jay Spiegel
Attorney for Plaintiff
Registration No. 30,722

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **MOTION FOR ENTRY OF DEFAULT JUDGMENT** was served on Defendant by Certified First Class Mail this 29th day of August, 2019, addressed to:

Ms. Lorna Dill, Registered Agent
C2B, LLC
112 South Main Street
Stowe, VT 05672.

Date: August 29, 2019

By: /s/ *H. Jay Spiegel*
H. Jay Spiegel