

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

PWC

Mailed: March 28, 2002

Opposition No. 91-121,759

HEWLETT-PACKARD COMPANY

v.

HOPONE INTERNET CORPORATION

**Peter Cataldo, Interlocutory Attorney**

Answer was due, as last reset in the Board order issued on November 2, 2001, on December 12, 2001. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed February 11, 2002, for, *inter alia*, default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See

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<sup>1</sup> If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.

**Opposition No.** Error! Reference source not found.

Trademark Rule 2.127(a). Accordingly, judgment is hereby entered against applicant, the notice of opposition is sustained, and registration to applicant is refused.<sup>2</sup> See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

***By the Trademark Trial  
and Appeal Board***

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<sup>2</sup> All outstanding motions and matters herein are moot.