

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

Mailed: August 23, 2004

Opposition No. **91154712**

STATEK CORPORATION

v.

Dipl.-Ing Rainer Puls

**Linda Skoro, Interlocutory Attorney**

On August 8, 2004, the Board received a communication from applicant's counsel in Germany. The letter states "Please decide on the record."

By Board order dated June 8, 2004, the parties were advised that applicant did not have an authorized representative and therefore the filings that had been submitted on applicant's behalf could not be considered. This therefore leaves the record without any responsive pleadings on applicant's behalf. While there are presently pending plaintiff's motion to compel and motion for summary judgment, these would be held in abeyance in favor of a notice of default, in that no authorized answer to the notice of opposition is of record.

In that applicant's foreign counsel has requested a decision on the record, and as advised in the Board's July 14, 2004 order, judgment by default is hereby being entered.

Inasmuch as no substantive response to the Board's order has been received, judgment is hereby entered against applicant. The opposition is accordingly sustained and registration to applicant is refused.

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