

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Mailed: March 10, 2005

Opposition No. 91159209

CDM NETWORKS, INC.

v.

DreamNet Corporation

**David Mermelstein, Attorney:**

This proceeding was commenced on January 12, 2004. On October 23, 2004, following suspension to allow the parties an opportunity to explore settlement, discovery and trial dates were reset and applicant was allowed thirty days, or until November 22, 2004, in which to file an answer to the notice of opposition. Discovery was set to close on February 18, 2005.

On November 22, 2004, and again on December 21, 2004, applicant filed consent motions to extend its time to answer for 30 days in view of the parties' ongoing settlement negotiations. Both motions specified that the motion to extend applicant's time to answer did not affect the other dates set in the Board's October 23 order.<sup>1</sup> Good cause having been shown, applicant's consent motions are granted,

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<sup>1</sup> Discovery is accordingly closed.

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to the extent that applicant was allowed until January 28, 2005, in which to answer the notice of opposition.

We note, however, that January 28 has come and gone, and no answer has been filed, nor has applicant filed a further extension of time to do so. Accordingly, notice of default is hereby entered against applicant under Fed. R. Civ. P. 55(a). Applicant is allowed until **THIRTY DAYS** from the mailing date of this order in which to show cause<sup>2</sup> why judgment by default should not be entered against applicant in accordance with Fed. R. Civ. P. 55(b).

Proceedings are SUSPENDED pending applicant's response to the notice of default.

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<sup>2</sup> Applicant's response must be accompanied by a proffered answer to the notice of opposition. Inasmuch as applicant has now had more than one year to file an answer, no further extensions of time to answer will be granted.