

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3514

Mailed: August 13, 2004

Opposition No. **91160262**

UMAC, INC.

v.

UPSIDE SOFTWARE INC.

Frances S. Wolfson, Interlocutory Attorney:

On July 22, 2004, the Board granted applicant's motion to strike the notice of opposition on the ground that it was unsigned. Opposer was given time to submit a signed copy of the notice of opposition.¹

By the same order, applicant was allowed time to file an answer, calculated from the date opposer would file a signed copy of the notice of opposition. However, opposer had already filed a signed copy of the notice of opposition, but it had not been associated with the file before the order issued.

In view thereof, applicant's time to file an answer to the signed notice of opposition is hereby reset. Applicant

¹ Applicant's motion was granted as conceded because at the time the order issued, opposer's response to applicant's motion had not been associated with the file. Opposer's response to applicant's motion has now been associated with the file, but it has not been considered because it was untimely filed. See Trademark Rule 2.127(a).

is allowed until TWENTY DAYS from the mailing date of this order to file its answer to the notice of opposition.

Trial dates, including the closing date for discovery, remain as set in the Board's July 22, 2004 order.

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