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

Ricks

Mailed: November 8, 2006

Opposition No. **91172487**

Dooney & Bourke, Inc.

v.

Carina International, Inc.

Answer was due on *October 1, 2006*. 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 October 3, 2006, for default judgment against applicant for failure to file an answer. The motion is uncontested.[1]

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 Trademark Rule 2.127(a). Accordingly, judgment is hereby

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[1] 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.

entered against applicant, the notice of opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

By the Trademark Trial and Appeal Board