

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

Mailed: January 31, 2008

Opposition No. **91180232**

NKOTB, Inc.

v.

SM Productions

Linda Skoro, Interlocutory Attorney

On December 21, 2007 the Board sent a notice of default to applicant because no answer had been filed, providing applicant until January 20, 2008, to show cause why judgment by default should not be entered.

On January 18, 2008, applicant filed its showing of good cause together with its answer. As grounds for good cause applicant states that its failure to answer was due to the fact that it was out of contact with counsel when the answer was due; that it has a meritorious defense to the opposition and no substantial prejudice has occurred as a result of its delay in answering the notice, given that it has only been a month and a half delay in answering.

As it is the policy of the Board to decide cases on their merits and applicant has made a satisfactory showing of good cause why default judgment should not be entered,

the notice of default is hereby set aside. Fed. R. Civ. P.
55(c).

Applicant's answer is now of record and dates remain as
set in the institution order dated October 23, 2007.

* * * *