

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

mc/gcp

Mailed: March 20, 2008

Opposition No. 91181194

AirTran Holdings, Inc.

v.

Seiko Epson Kabushiki Kaisha  
(also trading as Seiko Epson  
Corporation) ng as Seiko  
Epson Corporation)

Answer was due on January 20, 2008. 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 February 4, 2008, for default judgment against applicant for failure to file an answer. The motion is uncontested.<sup>1</sup>

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

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<sup>1</sup> 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

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

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plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.