

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

Mailed: April 2, 2009

Opposition No. 91188241

Innocent Skin, Inc.

v.

Morgen Bentsen

**Robert H. Coggins,  
Interlocutory Attorney:**

No answer having been timely received, the Board issued notice of default to applicant, on February 27, 2009, allowing it thirty days to show cause why judgment by default should not be entered against it. Now before the Board are applicant's (1) February 27, 2009 motion to extend applicant's time to file an answer and applicant's concurrently-filed answer, and (2) March 26, 2009 consented motion to extend applicant's time to file an answer and to accept the late-filed answer. The motions are granted and applicant's answer is noted. See Fed. R. Civ. P. 55, and Trademark Rule 2.127(a).

Inasmuch as applicant served a timely copy of the answer on opposer, dates remain as set in the Board's January 3, 2009 institution order.

**NEWS FROM THE TTAB:**

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while

most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>  
[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>