

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

Mailed: September 27, 2010

Opposition No. 91193784

The Susan G. Komen Breast
Cancer Foundation, Inc. dba
Susan G. Komen for the Cure

v.

Juggling For A Cure

Ann Linnehan, Interlocutory Attorney

On June 11, 2010, the Board again allowed applicant time to show cause why judgment by default should not be entered against it in accordance with Fed. R. Civ. P. 55(b).

On June 21, 2010, applicant filed its response and an answer to the notice of opposition. It appears applicant's unfamiliarity with Board practice and procedure is related to its not directly addressing the Board's June 11, 2010 order. In the interest of now moving this case forward, the Board sets aside the notice of default judgment.¹

The Board again reminds applicant that while Patent and Trademark Rule 11.14 permits any person to represent itself, it is generally advisable for a person who is not acquainted with the technicalities of the procedural and substantive

¹ In view thereof, opposer's motion for default judgment is moot.

law involved in inter partes proceedings before the Board to secure the services of an attorney who is familiar with such matters. The Patent and Trademark Office cannot aid in the selection of an attorney.

In addition, again, applicant should note that Trademark Rule 2.119(a) and (b) require that every paper filed in the Patent and Trademark Office in a proceeding before the Board must be served upon the attorney for the other party, or on the party if there is no attorney, and proof of such service must be made before the paper will be considered by the Board. Consequently, copies of all papers which applicant may subsequently file in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made. The statement, whether attached to or appearing on the paper when filed, will be accepted as prima facie proof of service.

Once again, it is recommended that applicant obtain a copy of the latest edition of Chapter 37 of the Code of Federal Regulations, which includes the Trademark Rules of Practice, and is available for a fee from U.S. Government Printing Office on the World Wide Web at <http://bookstore.gpo.gov>.

Strict compliance with the Trademark Rules of Practice and where applicable, the Federal Rules of Civil Procedure,

is expected of all parties before the Board, whether or not they are represented by counsel.²

Proceedings herein are resumed. Dates are reset as follows:

Deadline for Discovery Conference	10/29/2010
Discovery Opens	10/29/2010
Initial Disclosures Due	11/28/2010
Expert Disclosures Due	3/28/2011
Discovery Closes	4/27/2011
Plaintiff's Pretrial Disclosures	6/11/2011
Plaintiff's 30-day Trial Period Ends	7/26/2011
Defendant's Pretrial Disclosures	8/10/2011
Defendant's 30-day Trial Period Ends	9/24/2011
Plaintiff's Rebuttal Disclosures	10/9/2011
Plaintiff's 15-day Rebuttal Period Ends	11/8/2011

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days of completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

² The Trademark Trial and Appeal Board Manual of Procedure (TBMP) is also available on the World Wide Web at <http://www.uspto.gov>.