

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

Mailed: October 7, 2011

Opposition No. 91200786

United Global Media Group,
Inc.

v.

Bonnie Tseng

Ann Linnehan, Interlocutory Attorney:

This case now comes up for consideration of applicant's motion (filed August 28, 2011) to extend her time to answer. Opposer has filed a brief in response.

In support of her motion, applicant states that "there were extenuating circumstances that precluded completion of the response to the opposition by the due date." Applicant further states that the extension will allow her "time to gather resources necessary to defend the registration of trademark Serial No. 85155593."

The standard for allowing an extension of a prescribed period prior to the expiration of that period is good cause. Fed. R. Civ. P. 6(b)(1). The Board is generally liberal in granting extensions before the period to act has lapsed, so long as the moving party has not been guilty of negligence or bad faith and the privilege of extensions is not abused.

See, e.g., *American Vitamin Products, Inc. v. Dow Brands Inc.*, 22 USPQ2d 1313 (TTAB 1992).

The Board notes that applicant submitted her answer on October 4, 2011. The Board further notes that because a denial of a motion to extend time to answer would result in our issuance of a notice of default, it tends to be most liberal in granting motions to extend time to answer.

After carefully reviewing the parties' arguments and given the Board's liberal application of the Rule 6(b) standard, the Board finds that the circumstances herein are appropriate for granting applicant's motion to extend her time to file her answer. The Board finds that there is no evidence of negligence or bad faith on the part of applicant and that applicant has not abused the privilege of extensions.

In view thereof, applicant's motion to extend time is granted.¹ Applicant is, nevertheless, advised that any further motions to extend must include a proper showing of good cause and citations to appropriate cases. See TBMP Section 509.01 (3d ed. 2011).

The answer filed on October 4, 2011 is accepted into the record.

Discovery and trial dates are, accordingly, reset as follows:

¹ Accordingly, opposer's motion for default judgment is moot.

Deadline for Discovery Conference	11/11/2011
Discovery Opens	11/11/2011
Initial Disclosures Due	12/11/2011
Expert Disclosures Due	4/9/2012
Discovery Closes	5/9/2012
Plaintiff's Pretrial Disclosures	6/23/2012
Plaintiff's 30-day Trial Period Ends	8/7/2012
Defendant's Pretrial Disclosures	8/22/2012
Defendant's 30-day Trial Period Ends	10/6/2012
Plaintiff's Rebuttal Disclosures	10/21/2012
Plaintiff's 15-day Rebuttal Period Ends	11/20/2012

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.