

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

Mailed: May 15, 2012

Opposition No. 91201048

Specialty Retailers, Inc.

v.

Fabco International Inc

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

Notice of Default

Answer was due, as last reset, in this case on January 22, 2012. Inasmuch as it appears that no answer has been filed, nor has applicant filed a motion to further extend or reopen its time to answer, notice of default is hereby entered against applicant under Fed. R. Civ. P. 55(a).¹

Applicant is allowed until thirty days from the mailing date of this order to show cause why judgment by default should not be entered against applicant in accordance with Fed. R. Civ. P. 55(b).

¹Although opposer did file, on January 26, 2012, an ESTTA consent motion to extend discovery, that motion did not contemplate a reopening of the time to answer, and the automatically generated order granting that motion did not reset applicant's time in which to file an answer. Moreover, even if it had been the parties' intention with the January 26th motion to reopen for sixty days the time to answer, that sixty-day period would have

Pro Se Information for Applicant

The Board notes applicant is representing itself. Applicant may do so. However, it should be noted that while Patent and Trademark Rule 11.14 permits any company to represent itself, it is generally advisable for a person who is not acquainted with the technicalities of the procedural and substantive law involved in a Board proceeding 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, as the impartial decision maker, the Board may not provide legal advice, though it may provide information as to procedure.

If applicant does not retain counsel, then applicant will have to familiarize itself with the rules governing this proceeding. Applicant may access many useful legal resources such as the Trademark Trial and Appeal Board Manual of Procedure (TBMP) and the Trademark Rules of Practice from the Board's web page at the following URL:

<http://www.uspto.gov/trademarks/process/appeal/index.jsp>.

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.

expired on March 26, 2012, and applicant has still not filed an answer.