

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

Mailed: May 31, 2013

Opposition No. 91206692

Levi Strauss & Co.

v.

Lionell O. Spooner

Nicole Thier, Paralegal Specialist:

No answer having been timely received, the Board issued notice of default to applicant, on October 18, 2012, allowing it thirty days in which to show cause why judgment should not be entered against it. Now before the Board is applicant's November 17, 2012 motion to set aside the notice of default and to extend time for applicant to file an answer to the notice of opposition.

In the motion, applicant states that due to other pressing legal matters applicant was not able to file a timely answer and seeks additional to file its answer. This motion is uncontested. In view thereof, the Board finds good cause to discharge applicant's default. Fed. R. Civ. P. 55; *Fred Hayman Beverly Hills Inc. v. Jacques*

Bernier Inc., 21 USPQ2d 1556 (TTAB 1991). Accordingly, applicant's motion is granted, the notice of default is set aside, and applicant is allowed until June 28, 2013, to file an answer to the notice of opposition (or otherwise extend or suspend its time to answer).

Dates are reset as follows:

Time to Answer	6/28/2013
Deadline for Discovery Conference	7/28/2013
Discovery Opens	7/28/2013
Initial Disclosures Due	8/27/2013
Expert Disclosures Due	12/25/2013
Discovery Closes	1/24/2014
Plaintiff's Pretrial Disclosures	3/10/2014
Plaintiff's 30-day Trial Period Ends	4/24/2014
Defendant's Pretrial Disclosures	5/9/2014
Defendant's 30-day Trial Period Ends	6/23/2014
Plaintiff's Rebuttal Disclosures	7/8/2014
Plaintiff's 15-day Rebuttal Period Ends	8/7/2014

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 after completion of the taking of testimony. Trademark Rule 2.125.

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