

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

tlc

Mailed: June 14, 2013

Opposition No. 91208311

Joe Wells Enterprises, Inc.

v.

Swole Sports Nutrition, LLC

By the Board:

On March 5, 2013, the Board issued a notice of default to applicant because no answer was of record. On April 5, 2013 applicant filed a response and its answer.

In view of the reasons stated in the response, and a finding of a lack of willful conduct on applicant's part, and minimal prejudice to opposer, the Board finds that applicant has shown good cause why default judgment should not be entered against it.

Accordingly, the notice of default is hereby set aside.

Applicant's answer is accepted and made of record.

Conferencing, disclosure, discovery and trial dates are reset as follows:

| | |
|-----------------------------------|-----------|
| Deadline for Discovery Conference | 7/14/2013 |
| Discovery Opens | 7/14/2013 |
| Initial Disclosures Due | 8/13/2013 |

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| Expert Disclosures Due | 12/11/2013 |
| Discovery Closes | 1/10/2014 |
| Plaintiff's Pretrial Disclosures | 2/24/2014 |
| Plaintiff's 30-day Trial Period Ends | 4/10/2014 |
| Defendant's Pretrial Disclosures | 4/25/2014 |
| Defendant's 30-day Trial Period Ends | 6/9/2014 |
| Plaintiff's Rebuttal Disclosures | 6/24/2014 |
| Plaintiff's 15-day Rebuttal Period Ends | 7/24/2014 |

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.