

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

EJW

Mailed: February 3, 2014

Opposition No. 91212886

Westridge Laboratories, Inc.

v.

SuperValu Inc.

**ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:**

It has come to the Board's attention that applicant submitted a revocation of attorney and appointment of a new attorney with the Trademark Examining Office on October 10, 2013.<sup>1</sup> In view thereof, opposer's motion for default judgment filed on November 30, 2013, was served on the incorrect representative of applicant.

In order to expedite this matter, a copy of the November 30, 2013 motion is forwarded herewith to applicant's counsel.<sup>2</sup> Applicant is allowed until **THIRTY DAYS** from the mailing date of this order to respond thereto **and** to file an answer in this

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<sup>1</sup> Insofar as the Board has jurisdiction with respect to the opposed application, all submissions regarding said application should be filed with the Board.

<sup>2</sup> A copy of opposer's motion may also be viewed at the following URL:  
<http://ttabvue.uspto.gov/ttabvue/v?pno=91212886&pty=OPP&eno=5>.

proceeding, failing which default judgment may be entered against applicant. Additionally, trial dates are reset as set forth in the following schedule:

Time to Respond to Board's order	3/5/2014
Time to Answer	3/5/2014
Deadline for Discovery Conference	4/4/2014
Discovery Opens	4/4/2014
Initial Disclosures Due	5/4/2014
Expert Disclosures Due	9/1/2014
Discovery Closes	10/1/2014
Plaintiff's Pretrial Disclosures Due	11/15/2014
Plaintiff's 30-day Trial Period Ends	12/30/2014
Defendant's Pretrial Disclosures Due	1/14/2015
Defendant's 30-day Trial Period Ends	2/28/2015
Plaintiff's Rebuttal Disclosures Due	3/15/2015
Plaintiff's 15-day Rebuttal Period Ends	4/14/2015

**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. See Trademark Rule 2.125, 37 C.F.R. § 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b), 37 C.F.R. §§ 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129, 37 C.F.R. § 2.129.

Trademark Trial and Appeal Board Electronic Filing System. <http://estta.uspto.gov>

ESTTA Tracking number: **ESTTA573852**

Filing date: **11/30/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212886
Party	Plaintiff Westridge Laboratories, Inc.
Correspondence Address	Jay Geller 12100 Wilshire Bl., Suite 500 Los Angeles, CA 90025 UNITED STATES jhgeller@aol.com
Submission	Motion for Default Judgment
Filer's Name	Jay H. Geller
Filer's e-mail	jhgeller@aol.com
Signature	/jhgeller/
Date	11/30/2013
Attachments	IDOPPDefReq.pdf(50618 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Westridge Laboratories, Inc. )  
 ) Opp. No. 91212886  
Opposer, )  
 ) Request for Entry of Default  
v. )  
 )  
SuperValu, Inc. )  
 )  
Applicant. )  
\_\_\_\_\_ )

To The Commissioner of Patents and Trademarks:

Response to the Notice of Opposition was due on November 18, 2013. To date, no response has been filed and the time for filing a response is well past. Opposer respectfully requests that a Notice of Default be sent in this matter to prepare for entry of a Default Judgment and sustaining the Opposition.

Dated: November 30, 2013

/jhgeller/  
Jay H. Geller  
Jay H. Geller, A Prof. Corp.  
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I certify that the foregoing is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Richard J. Polley, Esq., Klarquist Sparkman, LLP, One World Trade Center, Suite 1600 121 SW Salmon Street Portland, OR 97204 and to ptotmdocket@klarquist.com on November 30, 2013.

/jhgeller/

Opposition No. 91212886

Jay H. Geller