

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: December 17, 2014

Opposition No. 91218362

Shanghai Dim Sum Garden, Inc., d/b/a
Dim Sum Garden

v.

Dajuan Song

Monique Tyson, Paralegal Specialist:

On November 13, 2014, the Board issued a notice of default against applicant for failure to file an answer to the notice of opposition, or a motion to extend time to file said answer. On November 18, 2014, applicant filed a response to the Board's show cause order and a request to accept applicant's late-filed answer to the notice of opposition.

Inasmuch as the record does not indicate that applicant has acted in bad faith, for the purpose of delay or with a lack of diligence, and indicates that applicant seeks to set forth a meritorious defense to the allegations, the Board's November 13, 2014 notice of default is set aside.

Applicant's answer to the notice of opposition is hereby noted and entered. Discovery conference, discovery and trial dates are hereby reset as follows:

Time to Answer
Deadline for Discovery Conference

1/15/2015
2/14/2015

| | |
|---|-------------------|
| Discovery Opens | 2/14/2015 |
| Initial Disclosures Due | 3/16/2015 |
| Expert Disclosures Due | 7/14/2015 |
| Discovery Closes | 8/13/2015 |
| Plaintiff's Pretrial Disclosures | 9/27/2015 |
| Plaintiff's 30-day Trial Period Ends | 11/11/2015 |
| Defendant's Pretrial Disclosures | 11/26/2015 |
| Defendant's 30-day Trial Period Ends | 1/10/2016 |
| Plaintiff's Rebuttal Disclosures | 1/25/2016 |
| Plaintiff's 15-day Rebuttal Period Ends | 2/24/2016 |

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.