

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: October 5, 2015

Opposition No. 91221256

Form & Matter LLC

v.

Matter and Form Inc.

Monique Tyson, Paralegal Specialist:

On August 27, 2015, 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 September 25, 2015, 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.¹

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 August 27, 2015 notice of default is set aside.

Applicant's answer to the notice of opposition is hereby noted and entered.

Discovery and trial dates are hereby reset as follows:

Deadline for Discovery Conference	11/4/2015
Discovery Opens	11/4/2015
Initial Disclosures Due	12/4/2015

¹ Applicant's change of correspondence filed September 25, 2015 is noted and entered.

Expert Disclosures Due	4/2/2016
Discovery Closes	5/2/2016
Plaintiff's Pretrial Disclosures	6/16/2016
Plaintiff's 30-day Trial Period Ends	7/31/2016
Defendant's Pretrial Disclosures	8/15/2016
Defendant's 30-day Trial Period Ends	9/29/2016
Plaintiff's Rebuttal Disclosures	10/14/2016
Plaintiff's 15-day Rebuttal Period Ends	11/13/2016

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.