

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: February 8, 2016

Opposition No. 91224252

*University of Southern California*

*v.*

*Fogcutter Industries, Inc. dba Smuggler's  
Cove*

**Amy Matelski, Paralegal Specialist:**

On December 3, 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 January 4, 2016 Applicant filed its answer to the notice of opposition, and a response to the Board's show cause order.

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 December 3, 2015 default is set aside. Applicant's answer to the notice of opposition is accepted.

Discovery and trial dates are hereby reset as follows:

Deadline for Discovery Conference	<b>3/9/2016</b>
Discovery Opens	<b>3/9/2016</b>
Initial Disclosures Due	<b>4/8/2016</b>
Expert Disclosures Due	<b>8/6/2016</b>
Discovery Closes	<b>9/5/2016</b>
Plaintiff's Pretrial Disclosures	<b>10/20/2016</b>

Plaintiff's 30-day Trial Period Ends	<b>12/4/2016</b>
Defendant's Pretrial Disclosures	<b>12/19/2016</b>
Defendant's 30-day Trial Period Ends	<b>2/2/2017</b>
Plaintiff's Rebuttal Disclosures	<b>2/17/2017</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>3/19/2017</b>

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.