

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: March 19, 2003

Cancellation No. 92032853

CONCHITA FOODS, INC.

v.

FRITAS ENCANTO DE MONTERREY,  
S.A. DE C.V

**Cheryl Goodman, Interlocutory Attorney:**

On February 5, 2003, the Board granted applicant's leave to file a late answer. The Board reset applicant's time to answer to forty days from the mailing date of the order. On March 3, 2003, the Board issued a notice of default, and on March 4, 2003, applicant filed its answer.

Inasmuch as applicant's answer was timely filed in accordance with the February 5<sup>th</sup> Board order, the notice of default was issued in error. In view thereof, notice of default is set aside.

Applicant's answer is accepted and entered.

Discovery and trial dates remain as set in the Board's institution order of February 5, 2003.