

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

Mailed: June 3, 2010

Cancellation No. 92049726

Alliant Techsystems Inc.

v.

James G. Bonis,
dba Pyramont, NA

**Robert H. Coggins,
Interlocutory Attorney:**

On April 29, 2010, respondent was allowed time in which to show cause why the cancellation under Section 8 of the Trademark Act of the registration involved in this proceeding should not be deemed to be the equivalent of a cancellation by request of respondent without the consent of the adverse party and should not result in entry of judgment against respondent as provided by Trademark Rule 2.134(a). Now before the Board is respondent's response (filed May 19, 2010) to the show cause order.

By way of his response, respondent states that his failure to file a Section 8 affidavit was "due to inadvertence and/or mistake occasioned by" his counsel's medical condition, clerical errors, miscommunications, and misunderstandings.

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Respondent's statements amount to an acceptable showing of good and sufficient cause. See Trademark Rule 2.134(b); *C. H. Guenther & Son Inc. v. Whitewing Ranch Co.*, 8 USPQ2d 1450 (TTAB 1988); and TBMP § 602.02(b) (2d ed. rev. 2004). In view thereof, judgment is not entered against respondent for his failure to file a Section 8 affidavit.

Petitioner is allowed until twenty days from the mailing date of this order in which to inform the Board whether petitioner wishes to go forward with the cancellation proceeding or to have the cancellation proceeding dismissed without prejudice as moot, failing which this cancellation proceeding will be dismissed as moot.