

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

DUNN

Mailed: March 27, 2014

Cancellation No. 92054050

Univision Communications  
Inc.

v.

Unimundo Corp dba Unimundotv

**Elizabeth A. Dunn, Attorney (571-272-4267):**

The parties are ordered to appear by phone at a conference with the Board on Thursday, April 10 at 4PM EST.

The parties must contact the Board as follows:

<b>DIAL</b>	<b>571-270-3000</b>
<b>Meeting id:</b>	<b>24267</b>
<b>PASSWORD:</b>	<b>73837</b>

The conference will address respondent's motion filed March 13, 2014 to extend time to obtain legal counsel two years after respondent was advised to obtain legal counsel, and the general problem of the delays to this proceeding caused by respondent's actions.

Respondent is ordered to supplement its motion to extend with a sworn account of its efforts to obtain

counsel. The account must include the date that communications to counsel were made, whether the contact was by phone or email, the name of the counsel contacted, and the reason why counsel was not retained. The account must be filed no later than close of business on Wednesday, April 8, 2014. If respondent wishes, respondent may mark the filing confidential in ESTTA so that it is barred from public view. At the conference respondent will be allowed to explain why further time to obtain counsel is likely to be more successful than its efforts over the past two years.<sup>1</sup> Petitioner may file a written response to the latest motion to extend in the brief time before the conference, or make an oral response during the conference.

Failure to appear for the conference will result in an order to show because why, in the face of continued delays, the Board should not enter judgment for petitioner in this proceeding. See *Patagonia, Inc. v. Joseph Azzolini*, 109 USPQ2d 1859, 1862 (TTAB 2014) (judgment entered for petitioner following pro se respondent's "longstanding pattern of dilatory behavior, cavalier disregard for the

---

<sup>1</sup> If counsel for respondent files an appearance before the scheduled conference and the required explanation of entity, and then notifies the Board by phone of the filing, the motion to extend will be made moot, and the Board will cancel the conference.

time and resources of the Board and opposing counsel, and flouting of Board rules”).

To recount relevant facts, the Board’s second order (issued July 13, 2011) addressed respondent’s failure to follow the Board’s service rules. The Board’s third order (issued March 16, 2012) addressed respondent’s failure to follow page limits and its duplicative filings, and advised respondent to obtain legal representation. The Board’s fourth order (issued May 15, 2012) suspended proceedings pending disposition of respondent’s second motion to dismiss. The Board’s fifth order (issued January 13, 2013) denied the motion to dismiss, noted more duplicative filings, and advised respondent that sanctions could be imposed if respondent continued to ignore Board orders and renew arguments already rejected by the Board. The Board’s sixth order (issued December 6, 2013) suspended proceedings, except for the requirements that respondent explain discrepancies in its corporate name and change its correspondence address, until the issue of default in related Cancellation No. 92057999 is decided.

Respondent then filed duplicative papers, namely three changes of address, and the motions addressed below.

RESPONDENT’S JANUARY 4, 2014 MOTION TO EXTEND GRANTED

The Board's December 6, 2013 order required clarification as to whether the difference between respondent's name in the two proceedings indicates separate legal entities. On January 4, 2014, respondent filed a motion to extend his time to provide the explanation. In support of the motion respondent included multiple pages setting out its past actions (the move of offices in 2012) and the alleged actions of petitioner, both irrelevant to respondent's motion to extend a January 2014 deadline. However, inasmuch as respondent also explains that he had been out of the country from a period before the Board's order issued until December 23, 2013, the Board finds good cause for the requested extension to February 6, 2014 to provide the explanation as to its proper entity designation.

The Board notes that respondent's requested extension expired February 6, 2014, and respondent filed neither its response nor another request for extension.

RESPONDENT'S FEBRUARY 5, 2014 MOTION FOR SANCTIONS DENIED

On February 5, 2014 respondent filed a meritless "motion for sanctions" arguing that petitioner failed to comply with a Board order to serve discovery. Because serving discovery is optional, and the Board issued no

Cancellation No. 92054050

discovery order but merely set a deadline for discovery to end, the motion is denied.

Respondent may not file another motion for sanctions without the express permission of the Board, which may be requested by calling the number listed at the top of the order.