

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: September 29, 2014

Cancellation No. 92057326

Sushil Sadh

v.

My Taxes, LLC

**Karl Kochersperger, Paralegal Specialist:**

On July 15, 2014, petitioner filed a motion to compel discovery. Respondent did not file a brief in response thereto within the time provided under Trademark Rule 2.127(a).

Petitioner seeks an order directing respondent to respond to petitioner's discovery requests.

The motion to compel discovery is hereby granted as conceded. *See* Trademark Rule 2.127(a); TBMP § 502.04.

A party that fails to respond to interrogatories or document requests during the time allowed therefor, and that is unable to show that its failure was the result of excusable neglect, may be found, upon motion to compel filed by the propounding party, to have forfeited its right to object to the discovery request on its merits. *See No Fear Inc. v. Rule*, 54 USPQ2d 1551 (TTAB 2000); TBMP § 403.03.

Accordingly, respondent is directed to serve, within 20 days of the mailing date of this order, responses to petitioner's written discovery requests. Respondent must respond in full and without objection on the merits thereof inasmuch as respondent failed either to timely respond or to object to said discovery requests. *Id.*

In the event that respondent fails to serve full responses as ordered herein, petitioner's remedy may lie in a motion for sanctions, as appropriate. *See* Trademark Rule 2.120(g)(1); TBMP § 411.05.

Proceedings are resumed. Discovery, disclosure and trial dates are reset as indicated below:

Plaintiff's Pretrial Disclosures	<b>11/28/2014</b>
Plaintiff's 30-day Trial Period Ends	<b>1/12/2015</b>
Defendant's Pretrial Disclosures	<b>1/27/2015</b>
Defendant's 30-day Trial Period Ends	<b>3/13/2015</b>
Plaintiff's Rebuttal Disclosures	<b>3/28/2015</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>4/27/2015</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.