

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

CME

Mailed: June 6, 2016

Cancellation No. 92062453

*Shanghai QianGu Stationery Co. Ltd.*

*v.*

*EachBit Trade LLC*

By the Trademark Trial and Appeal Board:

The Board issued an order on May 5, 2016, granting Petitioner's motion to compel Respondent's participation in the discovery conference and ordering Respondent to participate in the discovery conference with Board participation on or before May 31, 2016. 14 TTABVue. The Board warned Respondent that it might "be subject to sanctions, including the entry of judgment against it" if it were to fail to participate in the discovery conference as ordered. *Id.*

On May 24, 2016, the assigned Interlocutory Attorney sent an email to the parties using their email addresses of record inquiring as to their availability to participate in the discovery conference. Counsel for Petitioner responded with his availability that same day, but Respondent did not respond to the Board's email. Accordingly, the assigned Interlocutory Attorney sent an email to the parties on May 26, 2016, scheduling the discovery conference for May 31, 2016 at 1:00 pm EDT (10:00 am PDT) – a date and time at which Petitioner's counsel was available.

The assigned Interlocutory Attorney convened the discovery conference via telephone at the scheduled date and time. Counsel for Petitioner timely called into the conference, but Respondent did not do so. Accordingly, the assigned Interlocutory Attorney placed counsel for Petitioner on hold and called Respondent using its telephone number of record. Respondent did not answer the phone and the Board was directed to a voice mail system. The assigned Interlocutory Attorney left Respondent a voice mail message indicating that the Board was attempting to reach Respondent to participate in the required discovery conference and requesting that Respondent contact the assigned Interlocutory Attorney as soon as receiving the message. The assigned Interlocutory Attorney waited twelve minutes for Respondent to join the teleconference, but Respondent did not call in or otherwise attempt to contact the assigned Interlocutory Attorney. Accordingly, the assigned Interlocutory Attorney terminated the teleconference.

In view of the foregoing and pursuant to the Prior Order, judgment is entered against Respondent as a sanction for failing to participate in the discovery conference, the petition for cancellation is granted, and Registration No. 4671640 will be cancelled in due course by the Commissioner for Trademarks. Fed. R. Civ. P. 37(b)(2) and Trademark Rule 2.120(g)(1).

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