

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: June 15, 2016

Cancellation No. 92063349

Accumetric, LLC

v.

GlueBoss Adhesive Company LLC

Amy Matelski, Paralegal Specialist:

Registrant's answer to the petition to cancel was due in this case on April 27, 2016. Registrant did not file an answer to the petition to cancel by such date nor did it file a timely motion to further extend its time to answer. In view thereof, the Board issued a notice of default on May 9, 2016 requiring Registrant to show cause why judgment should not be entered against it. On May 11, 2016, Registrant filed its answer to the petition to cancel contemporaneously with its response to the Board's May 9, 2016, default notice. Registrant also filed, on May 11, 2016, a motion to dismiss for failure to state a claim.

On May 26, 2016, Petitioner filed its response to the motion to dismiss and its first amended petition to cancel. Petitioner also filed on May 26, 2016 a response to Registrant's response to the Board's default notice indicating its consent to set aside the Board's May 9, 2016 default notice.

In view thereof, Petitioner's amended notice of opposition is accepted as a matter of course and is now the operative complaint herein.¹ See Fed. R. Civ. P. 15(a); TBMP Section 507.02. The Board's May 9, 2016, default notice is hereby set aside.

In view thereof, proceedings herein are resumed and trial dates are reset as follows:

Time to Answer Amended Opposition	7/15/2016
Deadline for Discovery Conference	8/14/2016
Discovery Opens	8/14/2016
Initial Disclosures Due	9/13/2016
Expert Disclosures Due	1/11/2017
Discovery Closes	2/10/2017
Plaintiff's Pretrial Disclosures	3/27/2017
Plaintiff's 30-day Trial Period Ends	5/11/2017
Defendant's Pretrial Disclosures	5/26/2017
Defendant's 30-day Trial Period Ends	7/10/2017
Plaintiff's Rebuttal Disclosures	7/25/2017
Plaintiff's 15-day Rebuttal Period Ends	8/24/2017

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.

¹ Petitioner's filing of the amended pleading renders the motion to dismiss as moot.