UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

KSK

Mailed: April 26, 2002

Opposition No. 124,177

Compaq Information Technologies Group

v.

Alexander F. Lennings

Karen Kuhlke, Attorney:

The Board, on January 25, 2002, issued an order to show cause in view of applicant's failure to answer the notice of opposition.

Applicant filed a response to the order on February 25, 2002.[1] By this response, applicant states that it had not received service of the notice of opposition.

The standard to apply in order to permit the late filing of an answer is the "good cause" standard of Fed. R. Civ. P. 55(c). We find that applicant's apparent failure to receive a copy of the notice of opposition constitutes good cause not to enter judgment by default. *See, e.g., Perfect Film and Chemical Corporation v. The Society Ordinastral*, 172 USPQ 696 (TTAB 1972).

[1] The Board notes receipt of applicant's certificate of service in response to the April 11, 2002 order.

In view thereof, the notice of default is set aside. Copies of the opposition and the Board's notice instituting the proceeding are forwarded herewith to applicant and, under the circumstances, the time for applicant to file an answer is extended to **SIXTY DAYS** from the mailing date of this order.[2]

Discovery and trial dates are reset as indicated below.

THE PERIOD FOR DISCOVERY TO CLOSE:	10/30/02
30-day testimony period for party in position of plaintiff to close:	1/28/03
30-day testimony period for party in position of defendant to close:	3/29/03
15-day rebuttal testimony period for plaintiff to close:	5/13/03

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within 30 days after completion of the taking of testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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[2] Applicant's request for additional time to answer is granted to the extent indicated above.