

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

CSG

Opposition No. 124,549

American Multi-Cinema,
Inc.

v.

Hubbard Media Group, LLC

Cheryl Goodman, Interlocutory Attorney:

On June 17, 2002, the Board issued a notice of default since no answer was filed by applicant nor was a request for an extension of time filed by applicant. Applicant never responded to the notice of default as it was required to do.

Subsequently, opposer's consented motion to extend discovery and trial dates, filed on June 14, 2002, was associated with the file. In that motion, opposer indicated that the parties were conducting settlement negotiations. Additionally, on October 16, 2002, opposer filed another consented motion to extend discovery and trial dates so that the parties could continue to conduct settlement negotiations.

In view of the parties' settlement discussions, the notice of default is set aside. However, applicant has **THIRTY DAYS** from the mailing date of this order to file an

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answer or other response to the notice of opposition, failing which a notice of default will be issued. Any requests for extension of time to file an answer must be filed by applicant; opposer's motions to extend discovery and trial dates are insufficient to extend applicant's time to answer.

Opposer's consented motions to extend discovery and testimony periods, filed June 14, 2002 and October 16, 2002, are granted.

Inasmuch as an answer cannot be filed after the close of discovery, discovery and trial dates are reset as follows:

DISCOVERY PERIOD TO CLOSE:	March 14, 2003
30-day testimony period for party in position of plaintiff to close:	June 12, 2003
30-day testimony period for party in position of defendant to close:	August 11, 2003
15-day rebuttal testimony period for party in position of plaintiff to close:	September 25, 2003

If the parties are discussing settlement, a request for suspension may be appropriate. The parties are reminded that they must provide sufficient information to establish good cause when requesting an extension of time as required under Fed. R. Civ. P. 6(b) and the Trademark Rules.