

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

Mailed: April 1, 2003

Opposition No. 91/152,929

INTERNATIONAL DATA GROUP, INC.

v.

VULCAN, INC. (by name change  
from Vulcan Northwest, Inc.)<sup>1</sup>

**Andrew P. Baxley, Interlocutory Attorney:**

On March 3, 2003, the Board issued a notice of default under Fed. R. Civ. P. 55(a) inasmuch as no answer is of record.

In response, applicant contends that it failed to file an answer because the parties had been engaged in extensive settlement negotiations which lasted longer than the parties had expected. Accordingly, applicant asks that the notice of default be set aside.

Whether default judgment should be entered against a party is determined in accordance with Fed. R. Civ. P. 55(c), which reads in pertinent part: "for good cause shown the court may set aside an entry of default."

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<sup>1</sup> A document reflecting the name change of applicant from Vulcan Northwest, Inc. to Vulcan, Inc. was filed with the Board on September 25, 2002. Accordingly, the caption of this proceeding has been amended to reflect such name change. See TBMP Section 512.02.

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The Board finds that applicant has shown good cause to set aside the notice of default. In view thereof, the notice of default is hereby set aside.

In its response, applicant indicated that the parties have settled this. Accordingly, the parties are allowed until thirty days from the mailing date of this order to inform the Board how they want to dispose of this case, failing which all relevant dates, including applicant's time to answer, will be reset.

Proceedings herein are otherwise suspended.