

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

Mailed: September 4, 2003

Opposition No. 91156634

TREK BICYCLE CORPORATION

v.

FUJITSU LIMITED

David Mermelstein, Attorney:

No answer having been received, on August 26, 2003, the Board issued notice of default to applicant, and allowed it thirty days in which to show cause why judgment should not be entered against it.

Although it had not been associated with the file prior to the mailing of the notice of default, on August 14, 2003, applicant filed a "request for a copy of notice of opposition" and consent motion to extend. Applicant indicates that it had not received a notice of opposition, although a status check indicated that one had been filed. The Board's records are consistent with applicant's account; on August 27, 2003, applicant's copy of the notice of opposition was returned by the Postal Service as undeliverable.

Accordingly, applicant's default is discharged. Applicant's address has been corrected, and a copy of the

Opposition No. 91156634

notice of opposition and institution order are mailed to applicant herewith.

Applicant is allowed until FORTY DAYS from the mailing date of this order in which to answer the notice of opposition. Trial dates, including the close of discovery, are reset as follows:

DISCOVERY PERIOD TO CLOSE: **March 1, 2004**

Thirty-day testimony period for party in position of plaintiff to close: **May 30, 2004**

Thirty-day testimony period for party in position of defendant to close: **July 29, 2004**

Fifteen-day rebuttal testimony period to close: **September 12, 2004**

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 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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