UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

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Mailed: June 22, 2005

Opposition No. 91163752

BIOGEN IDEC MA INC.

v.

Galileo Laboratories, Inc.

Answer was due on February 20, 2005. A review of the record shows that an answer has not been filed.

This case now comes up for consideration of opposer's motion, filed March 24, 2005, for default judgment against applicant for failure to file an answer. The motion is uncontested.[1]

Inasmuch as applicant failed to file an answer in this case, and failed to respond to opposer's motion in any manner, the motion for default judgment is granted. See Trademark Rule 2.127(a). Accordingly, judgment is hereby entered against applicant, the notice of opposition is

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[1] If a defendant fails to file an answer to a complaint during the time allowed therefor, the Board, on its own initiative, may issue a notice of default allowing the defendant time to show cause why default judgment should not be entered against it. The issue of whether default judgment should be entered against a defendant for failure to file an answer may also be raised by means of a motion filed by the party in the position of

sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55 and Trademark Rule 2.127(a).

By the Trademark Trial and Appeal Board

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plaintiff. In such cases, the motion may serve as a substitute for the Board's issuance of a notice of default.