

TTAB

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

Baxley

Mailed: July 21, 2005

Opposition No. 91163905-76.562,931

Re/Max International, Inc.

v.



Jonathan Kim

08-10-2005

Andrew P. Baxley, Interlocutory Attorney:

U.S. Patent & TMOfc/TM Mail Rcpt Dt #11

The notice instituting this proceeding and a copy of the notice of opposition were forwarded to applicant but were returned by the Postal Service as undeliverable.

This Office contacted applicant's counsel by telephone and was advised that applicant's counsel had moved to the following address: **3645 Wilshire Blvd., Suite 2615, Los Angeles, CA 90010.** See TBMP Section 310.02 (2d ed. rev. 2004).

Accordingly, the above notice, with enclosure, is remailed as indicated above. The notice of default that the Board issued on April 19, 2005 is vacated. Opposer's motion (filed June 7, 2005) for default judgment is moot.

Applicant is allowed until forty days from the mailing date of this order in which to inform this Office of its correct address in order that all records may be amended.

Compliance with Patent and Trademark Rule 1.4(c) and Trademark 2.119(a) is required.

If there has been any transfer of interest in the involved application, applicant must so advise the Board and applicant must submit copies of the appropriate documents. See Section 10 of the Trademark Act and Patent and Trademark Rules 3.71 and 3.73.

In view of the circumstances, the time for filing an answer to the notice of opposition is extended to forty days from the mailing date of this order. Any discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below.

DISCOVERY PERIOD TO CLOSE:	01/20/06
Plaintiff's 30-day testimony period to close:	04/20/06
Defendant's 30-day testimony period to close:	06/19/06
15-day rebuttal testimony period to close:	08/03/06

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.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

United States Patent and Trademark Office

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA, 22313-1451

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