

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

am

Mailed: January 12, 2006

Opposition No. 91166558

Leiner Health Services Corp.

v.

Health Net, Inc.

Jyll S. Taylor, Attorney:

On December 12, 2005 the Board entered a notice of default against applicant for failure to file an answer or a motion to further extend its time to answer.

On January 10, 2006 applicant filed a response to the notice of default stating that the notice of opposition was never received. Applicant included in its response a consented motion to reset the time to answer.

In view thereof, the notice of default is hereby set aside and applicant is allowed until February 12, 2006 to file its answer.¹ Trademark Rule 2.127(a).

Trial dates remain as set in the Board's institution order.

¹ Applicant's motion does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said motion is forwarded herewith to counsel for opposer.