

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: March 17, 2016

Opposition No. 91224340

*Alpha Industries, Inc.*

*v.*

*Matias Capriz and Elizabeth Capriz*

**Karl Kochersperger, Paralegal Specialist:**

On December 14, 2015, the Board issued a notice of default for failure of Applicant to file an answer. The Board allowed Applicant time to show cause why default judgment should not be entered against it.

On December 28, 2015<sup>1</sup> (confidential) and January 14, 2016 (redacted), Applicant filed its response to the show cause order advising that its failure to answer was not willful and that the parties are attempting to settle the matter. Applicant has also requested a sixty day extension of time to file its answer. Opposer has filed no response thereto.

The Board finds good cause to set aside default. Accordingly, the notice of default is set aside, and Applicant's request to extend is granted as uncontested and

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<sup>1</sup> Applicant's communication filed December 28, 2015 fails to indicate proof of service on Opposer's counsel, as required by Trademark Rule 2.119.

Strict compliance with Trademark Rule 2.119 is required in all future filings. When a party files a document that is required to be served upon every other party to the proceeding, proof that required service has been made must be submitted before the Board will consider the filing.

Applicant allowed until sixty days from the mailing date of this order to file an answer.

Dates in this proceeding are reset as follows:

Time to Answer	<b>5/16/2016</b>
Deadline for Discovery Conference	<b>6/15/2016</b>
Discovery Opens	<b>6/15/2016</b>
Initial Disclosures Due	<b>7/15/2016</b>
Expert Disclosures Due	<b>11/12/2016</b>
Discovery Closes	<b>12/12/2016</b>
Plaintiff's Pretrial Disclosures	<b>1/26/2017</b>
Plaintiff's 30-day Trial Period Ends	<b>3/12/2017</b>
Defendant's Pretrial Disclosures	<b>3/27/2017</b>
Defendant's 30-day Trial Period Ends	<b>5/11/2017</b>
Plaintiff's Rebuttal Disclosures	<b>5/26/2017</b>
Plaintiff's 15-day Rebuttal Period Ends	<b>6/25/2017</b>

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 Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.