

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: April 19, 2017

Opposition No. 91233101

Little Hooligans

v.

Sheree Epps

Ellen Yowell, Paralegal Specialist:

An answer to the notice of opposition was due in this proceeding on April 8, 2017. Inasmuch as it appears that no answer has been filed, nor has Applicant filed a motion to extend the time to file an answer, notice of default is hereby entered against Applicant pursuant to Fed. R. Civ. P. 55(a).

Accordingly, proceedings are suspended. Applicant is allowed until thirty days from the mailing date of this order to show cause why judgment by default should not be entered against Applicant in accordance with Fed. R. Civ. P. 55(b)(2).

The failure to file a timely answer tolls all deadlines, including the discovery conference, until the issue of default is resolved. *See* Trademark Rule 2.106(a).

The schedule for the discovery conference, initial disclosures, discovery, and trial will be reset in the event that the Board resumes proceedings.

Motion for Default Judgment

Opposer's motion for default judgment filed April 17, 2017 does not include proof of service. Trademark Rule 2.119(a) states that every submission filed in an *inter partes* proceeding must be served upon the other party or parties, and proof of such service must be made before the submission will be considered. *See* TBMP § 113.02. Accordingly, the Board will give the motion for default judgment no consideration.

The Board informed the parties of the rules governing service and the service requirement in the notice of institution. Trademark Rule 2.119(b) sets forth the manner of service. *See also* TBMP § 113.04. The parties may access the record of this proceeding via TTABVUE at: <http://ttabvue.uspto.gov/ttabvue/>.