

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
TTAB Assistance Center: 571-272-8500
General Email: TTABInfo@uspto.gov

August 22, 2020

Opposition No. 91254921

Republic Technologies (NA), LLC

v.

Don Distro, Inc.

Karl Kochersperger, Paralegal Specialist:

An answer to the notice of opposition was due in this proceeding on May 6, 2020. 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).¹

Accordingly, proceedings are suspended. Applicant is allowed until thirty days from the 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).

¹ On May 5, 2020, Applicant filed an answer but failed to include a certificate of service. On May 8, 2020, Opposer filed a motion to strike Applicant's answer. On July 28, 2020, Opposer's motion to strike was granted as conceded and Applicant was allowed time to submit proof of service of the answer on Opposer's counsel, failing which the answer will not be considered and Applicant may be considered to be in default. There has been no response thereto by Applicant.

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