

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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January 8, 2021

Opposition No. 91264018

*Stan Tatkin, Psy.D., M.F.T., A Professional
Corporation*

v.

Orit Krug, Inc.

Veronica P. White, Lead Paralegal Specialist:

This case comes before the Board for consideration of Applicant's motion (filed November 30, 2020) to accept its late answer.

Answer was due in this proceeding by November 12, 2020. Nonetheless, Applicant's answer is untimely and, therefore, although the Board did not yet issue a notice of default, the Board must consider whether to accept Applicant's late-filed answer. In that regard, the record clearly shows that Applicant's failure to timely file an answer in this proceeding was neither willful or unduly prejudicial to Opposer. In view of the foregoing, the Board is persuaded that good cause exists to accept Applicant's answer and to discharge the technical default. *See* Fed. R. Civ. P. 55(c); *Paolo's Associates Limited Partnership v. Paolo Bodo*, 21 USPQ2d 1899, 1902 (Comm'r 1990). *See also* TBMP § 312.02.

In view of the foregoing, Applicant's motion to accept its late-filed answer is granted. Accordingly, Applicant's technical default is hereby discharged; and Applicant's answer is accepted and is now Applicant's operative pleading in this proceeding.

Trial dates remain as previously set in the Board's August 20, 2020 order.