

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: March 5, 2004

Cancellation No. 92029198  
92029207  
92029367

DELUXE ELECTRONIC PAYMENT  
SYSTEMS, INC.

v.

CONNEXT, INC.

**Peter Cataldo, Interlocutory Attorney**

Cancellation Nos. 92029198 and 92029207

On October 18, 2002, the Board issued an order resuming proceedings herein and resetting the close of the discovery and testimony periods.<sup>1</sup> As reset therein, petitioner's testimony period in these consolidated proceedings closed on April 1, 2003. However, the Board is not in receipt of any testimony filed by petitioner herein.

Accordingly, petitioner is allowed until **thirty days** from the mailing date hereof in which to show cause why judgment should not be entered against it under Trademark Rule 2.132 with regard to Cancellation Nos. 92029198 and

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<sup>1</sup> The October 18, 2002 order also reset respondent's time in which to serve an answer to the petition for cancellation in Cancellation No. 92029367. Respondent's failure to submit its answer is addressed below.

92029207 for failure to prosecute those proceedings.

Proceedings are otherwise suspended in Cancellation Nos. 92029198 and 92029207.

Cancellation No. 92029367

On December 2, 2003, the Board sent a notice of default to respondent with regard to Cancellation No. 29,367 because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against respondent, the petition to cancel is granted, and Registration No. 2177823 will be cancelled in due course. See Fed. R. Civ. P. 55, and Trademark Rule 2.114(a).

*By the Trademark Trial  
and Appeal Board*