

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

Mailed: December 17, 2002

Opposition No. 92040962

APPLIED PRECISION, LLC

v.

SOFTWARES, INC.

David Mermelstein, Attorney:

This proceeding was instituted and the petition to cancel was mailed to respondent on September 4, 2002. Respondent was allowed forty days in which to file an answer to the petition. Now before the Board is respondent's paper, filed November 27, 2002, comprising a combined consent motion to accept its late-filed answer, motion to reset dates, and respondent's answer to the petition.

In light of petitioner's consent to respondent's motion, respondent's default is discharged. Trademark Rule 2.127(a); *Fred Hayman Beverly Hills Inc. v. Jacques Bernier Inc.*, 21 USPQ2d 1556 (TTAB 1991). Respondent's answer is noted.

Dates are reset as set out in respondent's consent motion.

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