

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: February 28, 2008

Cancellation No. 92047860

Huneeus Vintners LLC

v.

New Albertson's, Inc.

Andrew P. Baxley, Interlocutory Attorney:

Respondent's consented motion (filed February 26, 2008) to extend its time to file an answer by three days, from February 26, 2008 to February 29, 2008, is granted to the extent modified by this order.¹ Respondent is allowed until March 7, 2008 to file an answer or other response to the petition to cancel.

Discovery and testimony periods remain as last reset in the Board's December 27, 2007 order.

¹ Respondent's motion was essentially unnecessary. The Board, being reluctant to decide cases by way of default judgment for failure to timely file an answer, routinely accepts answers that were filed three days late without requiring a showing of good cause. Cf TBMP Section 312.02 (2d ed. rev. 2004).

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