

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

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Mailed: June 10, 2010

Cancellation No. **92051990**

Trecco Specialty Products,
Inc.

v.

Wubbies World International
Incorporated

Yong Oh (Richard) Kim, Interlocutory Attorney:

An amended answer was due (as last reset) in this case on May 10, 2010. Inasmuch as it appears that no answer has been filed, nor has respondent filed a motion to further extend its time to answer, notice of default is hereby entered against respondent under Fed. R. Civ. P. 55(a).

Respondent is allowed until **THIRTY DAYS** from the mailing date of this order to show cause why judgment by default should not be entered against respondent in accordance with Fed. R. Civ. P. 55(b).

In submitting an answer, respondent is referred to Rule 8(b) of the Federal Rules of Civil Procedure, made applicable to this proceeding by Trademark Rule 2.116(a). Fed. R. Civ. P. 8(b) provides:

(b) **Defenses; Admissions and Denials**

- (1) **In General.** In responding to a pleading, a party must:
 - (A) state in short and plain terms its defenses to each claim asserted against it; and
 - (B) admit or deny the allegations asserted against it by an opposing party.
- (2) **Denials - Responding to the Substance.** A denial must fairly respond to the substance of the allegation.
- (3) **General and Specific Denials.** A party that intends in good faith to deny all the allegations of a pleading - including the jurisdictional grounds - may do so by a general denial. A party that does not intend to deny all the allegations must either specifically deny designated allegations or generally deny all except those specifically admitted.
- (4) **Denying Part of an Allegation.** A party that intends in good faith to deny only part of an allegation must admit the part that is true and deny the rest.
- (5) **Lacking Knowledge or Information.** A party that lacks knowledge or information sufficient to form a belief about the truth of an allegation must so state, and the statement has the effect of a denial.
- (6) **Effect of Failing to Deny.** An allegation - other than one relating to the amount of damages - is admitted if a responsive pleading is required and the allegation is not denied. If a responsive pleading is not required, an allegation is considered denied or avoided.

The petition for cancellation filed by petitioner herein consists of 10 numbered paragraphs setting forth the basis of petitioner's claim of damage, and a prayer for relief. In accordance with Fed. R. Civ. P. 8(b), it is incumbent on respondent to answer the petition for cancellation by admitting or denying the allegations contained in each paragraph. If respondent is without

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sufficient knowledge or information on which to form a belief as to the truth of any one of the allegations, it should so state and this will have the effect of a denial.

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