

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

September 12, 2023

Cancellation No. 92082553

ALDI Inc.

v.

Factoria Exclusiva de Mexico, S.A. de C.V.

Rochelle Adams, Paralegal Specialist:

On August 4, 2023, the Board issued a notice of default against Respondent for its failure to file an answer to the petition to cancel.

On August 31, 2023, Petitioner filed a consented motion to suspend proceedings to allow the parties to continue their settlement efforts. Inasmuch as all deadlines, including the discovery conference, are stayed, the request to suspend is moot. To the extent that Petitioner's consented motion may have been an attempt to respond to the notice of default, the Board notes that Respondent failed to inform the Board why it did not file a timely answer or seek a timely request to extend its time to answer.

See TBMP § 312.02. In view thereof, Respondent remains in default.

Accordingly, proceedings are suspended. **Respondent is allowed until thirty days** from the 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)(2).