

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

**Mailed: April 19, 2004**

Applicant: Women's Secrets, S.A.  
Serial No.: 75792409  
Filed: 09/03/1999  
Mark: WOMEN'S SECRETS

Frank J. Colucci  
Colucci & Umans  
Manhattan Tower, 101 East 52nd Street  
New York, NY 10022

**Tamika Whitsey, Legal Assistant:**

The request for a 1 month extension of time to oppose filed April 8, 2004, on behalf of Victoria's Secret Catalogue, Victoria's Secret Direct, LLC, Victoria's Secret Stores, Inc., and Intimate Beauty Corporation d/b/a Victoria's Secret Beauty, is noted. The requested extension of time is not in accordance with the Trademark Rules as amended. The rules, as amended, specifically provide that an extension will be granted for specific amounts of time. No extension can be granted for times other than those delineated in the rules as indicated below.

Extensions of time to oppose may be granted only as provided in Trademark Rule 2.102:<sup>1</sup>

(c) The time for filing an opposition shall not be extended beyond 180 days from the date of publication. Any request to extend the time for filing an opposition must be filed before thirty days have expired from the date of publication or before the expiration of a previously granted extension of time, as appropriate. Requests to extend the time for filing an opposition must be filed as follows:

---

<sup>1</sup> Trademark Rule 2.102 was recently amended. See, Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. Reg. 55,748 (Sept. 26, 2003). The amended rule applies to any potential opposer which filed its first extension of time against a particular application on or after November 2, 2003. *Id.*

(1) A person may file a first request for either a thirty-day extension of time, which will be granted upon request, or a ninety-day extension of time, which will be granted only for good cause shown.

(2) If a person was granted a thirty-day extension of time, that person may file a request for an additional sixty-day extension of time, which will be granted only for good cause shown.

(3) After receiving one or two extensions of time totaling ninety days, a person may file one final request for an extension of time for an additional sixty days. The Board will grant this request only upon written consent or stipulation signed by the applicant or its authorized representative, or a written request by the potential opposer or its authorized representative stating that the applicant or its authorize representative has consented to the request, or a showing of extraordinary circumstances. No further extensions of time to file an opposition will be granted under any circumstances.

Because potential opposer's extension request includes a showing of good cause, the request is granted to the extent that **Victoria's Secret Direct, LLC; Victoria's Secret Stores, Inc. and Intimate Beauty Corporation d/b/a Victoria's Secret Beauty** is allowed until June 2, 2004 in which to file an opposition herein, or a further request for an extension of time, if appropriate.

**The request for an extension of time in which to oppose filed April 8, 2004, on behalf of Victoria's Secret Catalogue is noted.**

The record in the application file reveals that the mark was published for opposition purposes on February 2, 2004. Thus, the time for filing an opposition or request for extension of time expired March 4, 2004.

**Therefore, the request filed April 8, 2004 on behalf of Victoria's Secret Catalogue must be denied as untimely. See: Section 13 of the Act of 1946 and Trademark Rule 2.102(c), both as amended effective February 27, 1983.**

Note that the Board will not suspend the time for filing a notice of opposition for any reason. TBMP § 209.01 (2d ed. June 2003).

.oOo.