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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	77078496
Applicant	Apple Inc.
Applied for Mark	IPHONE
Correspondence Address	THOMAS R LA PERLE APPLE INC 1 INFINITE LOOP CUPERTINO, CA 95014 UNITED STATES laperle@apple.com
Submission	Applicant's Request to Extend
Attachments	IPHONE - Request for Extension.pdf(107583 bytes )
Filer's Name	Phillip A. Rosenberg
Filer's e-mail	tmadmin@ktslaw.com, jvogel@ktslaw.com, prosenberg@ktslaw.com, brook@ktslaw.com, agarcia@ktslaw.com, ichong@apple.com, aroodzant@apple.com
Signature	/Phillip A. Rosenberg/
Date	03/02/2015

**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re: Apple Inc.

Serial No. 77078496

Filed: January 8, 2007

For: **IPHONE**

**APPELLANT’S REQUEST FOR EXTENSION OF TIME TO FILE BRIEF**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Appellant Apple Inc. (“Apple” or “Appellant”), noticed its appeal from the USPTO’s final refusal to register Serial No. 77078496 (the “Application”) for the IPHONE mark on October 23, 2014. *See* Dkt. No. 6. Concurrent with that notice, Appellant also filed with the USPTO a Request for Reconsideration and a request that jurisdiction over the Application be remanded to the Examining Attorney pending the Examining Attorney’s review of the Request for Reconsideration. *Id.*

The Examining Attorney denied Appellant’s Request for Reconsideration on December 13, 2014. *See* Dkt. No. 8. Under the Board’s January 2, 2015 scheduling order, the deadline for Appellant to file its appeal brief is March 3, 2015.

According to TBMP § 1203.02(d), an extension of time for filing an appeal brief in an ex parte appeal may be granted by the Board upon written request showing good cause for the requested extension. The determination of good cause will be based upon all relevant

circumstances, including the length of time of any previously granted extensions. *Id.* Good cause has been found when there has been illness or a press of other business. *Id.*

This is Appellant's first request for extension of time to file its appeal brief. Appellant submits the present Request for additional time to file its appeal brief in the captioned matter on the ground that the attorney representing Appellant, the undersigned, has recently suffered a death in his immediate family and has had to attend to immediate family needs.

Additionally, Appellant requests additional time to finalize its arguments in the above-captioned appeal of its Application due to the press of other business.

Requiring Appellant to file its appeal brief by the current March 3, 2015 deadline would cause undue a hardship on Appellant's Attorney and as a result, Appellant.

This Request for Extension of Time is timely and appropriate under TBMP §1203.02(d). For good cause shown, Appellant respectfully requests that the deadline to file its appeal brief be extended an additional thirty (30) days up to and including April 2, 2015.

Dated: March 2, 2015

Respectfully submitted,

By: /Phillip A. Rosenberg/  
Phillip A. Rosenberg

Kilpatrick Townsend & Stockton LLP  
The Grace Building  
1114 Avenue of the Americas, 21<sup>st</sup> Floor  
New York, New York 10036

*Attorneys for Appellant Apple Inc.*

**CERTIFICATE OF TRANSMISSION**

I hereby certify that the foregoing paper is being filed electronically with the Trademark Trial & Appeal Board on the date shown below.

/Beth Rook/

Beth Rook

Date: March 2, 2015