

ESTTA Tracking number: **ESTTA316335**

Filing date: **11/11/2009**

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

Applicant:	Exemplis Corp.
Application Serial Number:	77687426
Application Filing Date:	03/10/2009
Mark:	FOCUS
Date of Publication	07/14/2009

60 Day Request for Extension of Time to Oppose Upon Consent and Extraordinary Circumstances

Pursuant to 37 C.F.R. Section 2.102, American Seating Company, 401 American Seating Center, Grand Rapids, MI 49504, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark with applicant's consent and extraordinary circumstances shown .

Potential opposer believes that extraordinary circumstances are established for this request by:

- Potential Opposer American Seating Company, pursuant to 37 CFR Â§ 2.102(c)(3), TBMP 207.01, and TBMP 207.03, respectfully requests a sixty(60) day extension of the time for the filing of a notice of opposition in connection with the above-referenced matter. Applicant, through its counsel Susan Meyer, Esq., has expressly consented to the requested extension in written e-mail communication on November 10, 2009 and, further, there is extraordinary good cause for the requested extension because the parties are actively engaged in settlement discussions and a draft settlement agreement has been prepared, circulated and is being reviewed. This is the third request for extension of time in which to oppose and the prior requests do not exceed 120 days from the date of publication and this request does not result in the time in which to oppose being extended beyond 180 days from the date of publication (i.e., January 10, 2010) and to the extent this request may for any reason be deemed to constitute a request that would extend the time for opposing beyond the 180th day after the date of publication it is requested that this request be deemed limited to request an extension through and including the 180th day after the date of publication). Potential Opposer American Seating Company has secured the express consent of all parties to this proceeding for the requested extension requested herein. American Seating Company has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

The time within which to file a notice of opposition is set to expire on 11/11/2009. American Seating Company respectfully requests that the time period within which to file an opposition be extended until 01/10/2010.

Respectfully submitted,

/tee/

11/11/2009

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