

ESTTA Tracking number: **ESTTA437498**

Filing date: **10/24/2011**

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

Proceeding	85026093
Applicant	NCO Holdings, Inc.
Applied for Mark	NRC NATIONAL REVENUE CORPORATION AN NCO COMPANY
Correspondence Address	LISA CASEY SPANIEL BLANK ROME LLP 1 LOGAN SQ FL 8 PHILADELPHIA, PA 19103-6998 UNITED STATES casey@blankrome.com
Submission	Applicant's Request to Extend
Attachments	NRC and Design Request for Extension of Time.pdf (3 pages)(19993 bytes)
Filer's Name	Jennifer L. Stefanski
Filer's e-mail	stefanski@blankrome.com, casey@blankrome.com
Signature	/Jennifer L. Stefanski/
Date	10/24/2011

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

Applicant: NCO Holdings, Inc.

Serial No.: 85/026,093



Mark:

Classes: 35 and 36

Filed: April 29, 2010

To: Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION FOR EXTENSION OF TIME

Applicant, NCO Holdings, Inc., respectfully requests a thirty (30) day extension of the deadline for filing its appeal brief in the instant appeal proceedings, from October 24, 2011, to November 23, 2011.

In her Denial of Applicant's Request for Reconsideration, dated August 1, 2011, the Examining Attorney reinstated the finality of her prior Office Action, refusing registration of Applicant's mark pursuant to Section 2(d) of the Lanham Act. The Examining Attorney maintained and continued her likelihood of confusion refusal with regard to Registration Nos. 3,769,957 and 3,769,958 for the marks NSA NORTH SHORE AGENCY AN NCO

COMPANY and Design and NSAC NORTH SHORE AGENCY CANADA AN NCO COMPANY and Design, respectively.

Applicant is currently seeking a coexistence agreement with the cited registrant, Transworld Systems, Inc. d/b/a North Shore Agency ("Registrant"), to conclude this matter. The Trademark Rules provide that an applicant may request the Board to grant an extension of time for filing an appeal brief in an ex parte appeal and remand the case to the Examining Attorney upon a showing of good cause. T.B.M.P. § 1203.02(d). As Applicant's mark has been refused registration for an alleged likelihood of confusion with Reg. Nos. 3,769,957 and 3,769,958, and Applicant's arguments against such refusal have, to this point, been denied, Applicant respectfully requests that this extension of time be granted to allow Applicant to obtain an executed consent agreement from Registrant and to submit to the Examining Attorney evidence of a consent agreement upon execution. Section 1203.02(d) of the Trademark Board Manual of Procedure specifically lists obtaining a consent agreement as an example of "good cause" for an extension of time.

In this case, where no final decision has been rendered by the Board, and where the consent agreement will establish, among other factors, (i) that Registrant does not object to Applicant's registration of the mark, and (ii) that the parties agree to take all reasonable action necessary to prevent any confusion that may arise from the coexistence of their

respective marks, to notify each other of any incidents of actual confusion of which they become aware and to take reasonable action to try to preclude any such incidents of confusion from reoccurring, the refusal to register stands to be withdrawn by the Examining Attorney.

Once Applicant and Registrant have executed the consent agreement, Applicant will, pursuant to the authority of the Board, request that this application be remanded to the Examining Attorney for review of the executed consent agreement.

HESS NATUR-TEXTILIEN GMBH

Dated: October 24, 2011

By: /Jennifer L. Stefanski/
Lisa Casey Spaniel
Jennifer L. Stefanski
Its Attorneys

BLANK ROME LLP
One Logan Square
Philadelphia, PA 19103-6998
(215) 569-5337

CERTIFICATE OF MAILING

I hereby certify that this correspondence is addressed to the Trademark Trial and Appeal Board, Hon. Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, and is being deposited via the Electronic System for Trademark Trials and Appeals (ESTTA) on October 24, 2011.

/Jennifer L. Stefanski/
Jennifer L. Stefanski