

ESTTA Tracking number: **ESTTA417235**

Filing date: **06/30/2011**

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

Applicant:	953 Associates, LLC
Application Serial Number:	85212361
Application Filing Date:	01/06/2011
Mark:	E
Date of Publication	05/03/2011

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Walton Street Brewing Corp., 120 Walton Street, Syracuse, NY 13202, 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 for cause shown .

Potential opposer believes that good cause is established for this request by:

- *The parties, namely potential opposer Walton Street Brewing Corp. and applicant 953 Associates LLC, are now involved in trademark litigation, 953 Associates v Walton Street Brew. Corp., 1:11 cv 2606 in the U.S. District Court for the Southern District of New York. That litigation involves the same parties and involves both applicant's trademark application Ser. No. 85/212,361 and potential opposer's trademark registration Reg. No. 3,705,105. The law suit was just commenced in May 2011. The parties have joined issue, but have not yet taken discovery nor have the parties met to discuss ways of possibly resolving the dispute over their respective marks. Two months are needed to take initial discovery and to explore grounds for possible compromise. Potential opposer has requested applicant's consent, but applicant has declined.*

The time within which to file a notice of opposition is set to expire on 07/02/2011. Walton Street Brewing Corp. respectfully requests that the time period within which to file an opposition be extended until 08/31/2011.

Respectfully submitted,
/BMolldrem/
06/30/2011

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