

ESTTA Tracking number: **ESTTA574814**

Filing date: **12/05/2013**

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

Proceeding	85318060
Applicant	Monster Cable Products, Inc.
Correspondence Address	DAVID M KELLY KELLY IP LLP 1330 CONNECTICUT AVE NW, SUITE 300 WASHINGTON, DC 20036 UNITED STATES linda.mcleod@kelly-ip.com, docketing@kelly-ip.com, david.kelly@kelly-ip.com, stephanie.bald@kelly-ip.com
Submission	Applicant's Request to Extend
Attachments	Extension of Appeal for Monster (163214).pdf(25940 bytes)
Filer's Name	Linda K. McLeod
Filer's e-mail	docketing@kelly-ip.com, linda.mcleod@kelly-ip.com, david.kelly@kelly-ip.com, robert.litowitz@kelly-ip.com, cheryl.suh@kelly-ip.com
Signature	/Linda K. McLeod/
Date	12/05/2013

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

Applicant: Monster Cable Products, Inc.
Serial No: 85318060
Filing Date: 05/11/2011
Mark: Design

Examining Atty: Kim Teresa Moninghoff,
Esq. Law Office: 113

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

EXTENSION OF APPEAL BRIEF DEADLINE

Pursuant to TBMP Section 1203.02(d), and for good cause shown, Applicant respectfully requests that the Trademark Trial and Appeal Board (“Board”) extend its time to file an appeal brief for thirty (30) days, up to and including **January 7, 2014**.

This request is not filed for purposes of delay. Rather, this appeal involves multiple complex issues, including various design and utility patents, and a significant evidentiary record. Following a telephone conference with the Examining Attorney to discuss the involved patents and possible amendments to the description of the mark, Applicant is preparing a request for reconsideration. As part of the request for reconsideration, Applicant is finalizing a declaration from a technical expert to help articulate and explain to the PTO the nature of the mark versus what is covered by the referenced patent. Because this is a specialized field, it took some time for Applicant to find an expert with knowledge and familiarity with the subject matter of the application and involved patents.

Further, since filing the last extension, counsel for Applicant has been diligently working with an industry expert to complete his declaration. Applicant believes that this additional information and expert declaration will better inform the PTO of the issues, and possibly render the appeal moot. It will also better inform the TTAB of the issues, so that the tribunal can fully understand the complex issues on appeal and make an informed decision.

For the above reasons, Applicant respectfully requests that the Board grant the requested extension.

Monster Cable Products, Inc.

Dated: December 5, 2013

By: /Linda K. McLeod/
David M. Kelly
david.kelly@kelly-ip.com
Robert Litowitz
rob.litowitz@kelly-ip.com
Linda K. McLeod
linda.mcleod@kelly-ip.com
KELLY IP, LLP
1330 Connecticut Ave., N.W.
Suite 300
Washington, D.C. 20036
(202) 808-3574
Attorneys for Applicant