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

Proceeding	85527029
Applicant	World Trade Centers Association, Inc.
Applied for Mark	WTC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Trademark Applications of  
World Trade Centers Association, Inc.

Serial	85/473,613 (WTC, Cl. 18)	)	Evin L. Kozak, Esq.
Nos.:	85/473,617 (WTC, Cl. 16)	)	Trademark Examining Attorney
	85/474,746 (WORLD TRADE CENTER, Cl. 16)	)	
	85/474,748 (WORLD TRADE CENTER, Cl. 18)	)	Trademark Law Office 116
	85/527,008 (WORLD TRADE CENTER, Cl. 9)	)	
	85/527,029 (WTC, Cl. 9)	)	
	85/527,100 (WORLD TRADE CENTER, Cl. 14)	)	
	85/527,119 (WTC, Cl. 14)	)	

**APPLICANT’S MOTION FOR A 60-DAY EXTENSION  
OF TIME TO FILE ITS SUPPLEMENTAL APPEAL BRIEF**

Applicant World Trade Centers Association, Inc. (“Applicant”) hereby moves pursuant to TBMP § 1203.02(d) for a 60-day extension of time to file its supplemental appeal brief, which is currently due on January 28, 2014. Applicant respectfully submits that good cause exists for the requested extension because: (1) Applicant recently appointed new counsel; (2) Applicant needs further time to analyze and respond to the new evidence and legal arguments submitted by the Trademark Examining Attorney following her request for remand; and (3) Applicant needs additional time to develop and gather additional responsive evidence, and as may be deemed appropriate, submit a Request for Remand pursuant to Trademark Rule 2.142(d) when such evidence has been finalized.

This is Applicant’s first request for an extension of time in the consolidated appeal proceeding.<sup>1</sup> While Applicant understands that the Trademark Examining Attorney’s consent is not required for the Board to grant this motion, the Trademark Examining Attorney

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<sup>1</sup> On May 1, 2013, Applicant filed a Motion to Consolidate and Extend Briefing Deadlines based on the schedule of the last filed appeal, but the motion did not include a request for an extension of time beyond dates scheduled for the appeal of Ser. No. 85/527,008.

communicated to Applicant that she does not object to the an extension of time for Applicant.

### **Procedural Status**

Applicant filed its Notice of Appeal on March 4, 2013 and simultaneously filed a Request for Reconsideration.<sup>2</sup> *See* Dkts. 1, 4. The Board immediately instituted the appeal and the case was remanded to the Trademark Examining Attorney for reconsideration. *See* Dkt. 2. On April 11, 2013, the Trademark Examining Attorney denied Applicant's Request for Reconsideration. *See* Dkt. 5. Following Applicant's Motion to Consolidate, Applicant filed its Appeal Brief on July 1, 2013. *See* Dkt. 9. On August 15, 2013, a new Trademark Examining Attorney filed a Motion to Remand pursuant to Trademark Rule 2.142(d) to supplement the evidence of record. *See* Dkts. 11-25; 27-33. The Board granted the motion and the Trademark Examining Attorney issued a new Final Office Action on October 15, 2013. *See* Dkts. 26, 56. In an Order dated November 29, 2013, the consolidated appeal proceeding was resumed and the Board set Applicant's deadline to file its supplemental appeal brief as January 28, 2014. *See* Dkt. 56. By this motion, Applicant moves the Board to extend the deadline to file its supplemental appeal brief until March 29, 2014.

### **Good Cause Exists for the Extension of Time Requested**

As noted above, good cause exists to extend the deadline for Applicant's supplemental appeal brief because Applicant recently appointed new counsel to represent it in the instant consolidated proceeding. The Trademark Trial and Appeal Board Manual of Procedure specifically provides that "good cause has been found when there has been an appointment of a new attorney." TBMP § 1203.02(d). Here, an extension is particularly appropriate because appointment of new counsel was filed on November 19, 2013. *See* Dkt. 53.

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<sup>2</sup> The dates and docket numbers referenced in this motion reflect the records for the leading application in this consolidated appeal proceeding, Ser. No. 85/473,613.

Applicant submits that good cause also exists because Applicant desires further time to analyze and respond to the new evidence and legal arguments submitted by the Trademark Examining Attorney in the Office Action dated October 15, 2013, following her Request for Remand. The Office Action contains 194 new pieces of evidence and additional legal arguments. Applicant respectfully submits that the volume of new evidence and the inclusion of new legal arguments warrant a 60-day extension of time to file its supplemental appeal brief.

Finally, Applicant's request for an extension of time is based on its need for additional time to develop and gather further responsive evidence, and, if appropriate, submit a Request for Remand pursuant to Trademark Rule 2.142(d) when such evidence has been finalized. In conjunction with Applicant's initial review of the new evidence and legal arguments submitted by the Trademark Examining Attorney in the Office Action dated October 15, 2013, Applicant determined that it may be interested in submitting responsive evidence as permitted by TBMP § 1207.02(3) ("When an Examining Attorney's request to suspend and remand for additional evidence is granted . . . applicant will be allowed an opportunity to submit, if it so desires, responsive evidence.") The requested extension will allow Applicant sufficient time to develop and gather any new responsive evidence, and, if it deems appropriate file a Request for Remand pursuant to Trademark Rule 2.142(d), as necessary.

### **Conclusion**

For the foregoing reasons, Applicant requests that the Board grants its motion for a 60-day extension of time to submit its supplemental appeal brief.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: December 5, 2013

By           /Sandra Edelman/            
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