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

Proceeding	85781180
Applicant	Big Apple Performing Arts, Inc.
Applied for Mark	YOUTH PRIDE CHORUS
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Submission	Applicant's Request to Extend
Attachments	Request for an Extension of Time to File Appeal Brief in YOUTH PRIDE CHORUS - SN 85781180.pdf(10647 bytes)
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Signature	/Phillip A. Rosenberg/
Date	02/03/2015

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re application of:

Big Apple Performing Arts, Inc.

Serial No. 85781180

Filed: November 16, 2012

For: **YOUTH PRIDE CHORUS**

APPELLANT’S REQUEST FOR EXTENSION OF TIME TO FILE BRIEF

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Appellant Big Apple Performing Arts, Inc. (“BAPA” or “Appellant”), through its attorneys, appealed the USPTO’s refusal to register Serial No. 85781180 (the “Application”) for the YOUTH PRIDE CHORUS mark by filing a notice of appeal with the Board on November 7, 2014. *See* Dkt. No. 1. Concurrent with the notice of appeal, Appellant also filed with the USPTO a Request for Reconsideration and a request that jurisdiction over the Application be remanded to the Examining Attorney pending the Examining Attorney’s review of the Request for Reconsideration. *See* Dkt. Nos. 1, 4.

On December 4, 2014, the Examining Attorney in the captioned action entered an order denying Appellant’s Request for Reconsideration. *See* Dkt. No. 5. On December 6, 2014, the Board issued a notice allowing Appellant sixty (60) days to file its appeal brief. Appellant’s current deadline to file its brief is February 6, 2015.

According to TBMP § 1203.02(d), an extension of time for filing an appeal brief in an ex parte appeal to the Board may be granted by the Board upon written request showing good cause for the requested extension. The determination of good cause will be based upon all relevant circumstances, including the length of time of any previously granted extensions. *Id.* Good cause has been found when there has been illness. *Id.*

This is Appellant's first request for extension of time to file its appeal brief. Appellant hereby submits the present Request for additional time to file its appeal brief in the captioned matter on the ground that the attorney representing Appellant, the undersigned, has recently suffered a death in his immediate family and has had to, and continues to attend to, immediate family needs. Requiring Appellant to file its appeal brief by the current February 6, 2015 deadline would cause undue a hardship on Mr. Rosenberg and as a result, Appellant.

The present Request for Extension of Time is timely and appropriate under TBMP §1203.02(d). For good cause shown, Appellant hereby respectfully requests that the deadline to file its appeal brief be extended an additional thirty (30) days up to and including March 8, 2015.

Dated: February 3, 2015

Respectfully submitted,

By: /Phillip A. Rosenberg/
Phillip A. Rosenberg

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Attorneys for Appellant
Big Apple Performing Arts, Inc.

CERTIFICATE OF TRANSMISSION

I hereby certify that the foregoing paper is being filed electronically with the Trademark Trial & Appeal Board on the date shown below.

/Alberto Garcia/
Alberto Garcia
Date: February 3, 2015