

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: September 30, 2013

Applicant: Gerald R. Mollohan
Serial No. 85860533
Filed: 2/26/2013
Mark: BOTWNOMADS.COM

GERALD R MOLLOHAN
PO BOX 507
SAINT ALBANS, WV 25177-0507

Rochelle Adams, Paralegal Specialist:

Attached is a copy of a request by Paul Warner to extend the time to file an opposition. The Board hereby extends the time for filing an opposition until September 21, 2013.

The potential opposer and/or the applicant may contact the undersigned with any questions relating to this extension. The following general information concerning extensions of the opposition period may be of help to those who are unfamiliar with Board practice and procedure.

The Trademark Act allows a potential opposer to request a limited extension of time in which to file an opposition to registration of a trademark. A potential opposer may request an extension of 30, 60, or 90 days. Depending on the extension requested, the potential opposer may be required to show "good cause" for the extension. This showing is fairly easily satisfied. See Trademark Rule 2.102, 37 C.F.R. §2.102. A potential opposer may request extensions aggregating 90 days without obtaining the applicant's consent.

When a given extension period expires, the Board cannot immediately ascertain whether the potential opposer has filed a notice of opposition or an additional request for extension of time to oppose. This is because it can take up to a few weeks for mail to be received at the Patent and Trademark Office Mailroom, delivered to the Board, and then

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processed. Therefore, an applicant should not call the Board immediately or soon after the expiration of an extension period to ask whether an opposition or additional extension request has been filed. The Board will not be able to answer with certainty.

The Board will not extend the opposition period beyond 120 days from the date of publication of the mark in the Official Gazette unless the applicant consents to such an extension or unless the potential opposer shows that extraordinary circumstances exist for granting the extension beyond 120 days. Accordingly, within this 120-day time frame, a potential opposer generally will either file a notice of opposition, or request the applicant's consent to an additional extension, or choose not to file a notice of opposition. If the potential opposer does not file an opposition, or further extension request, the Board will forward the matter for issuance of a registration or notice of allowance in due course. (The Board does not release the application file for further processing until approximately 45 days after the end of the extension period, to be certain that no additional papers have been filed. As noted above, it can take several weeks for the Board to receive papers filed with the Patent and Trademark Office, particularly opposition papers accompanied by fees that must be processed by the Office Finance Branch.)

Attachment copy of the 8/26/13 request enclosed w this order.