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

Proceeding	85962104
Applicant	ISBE Brand Owner, LLC
Applied for Mark	CREATE
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Submission	Applicant's Request to Extend
Attachments	ISBE CREATE Motion for Extension of Time to File Appeal Brief.pdf(22797 bytes)
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Date	10/05/2015

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

In re Trademark Application of

ISBE Brand Owner, LLC

Serial No.: 85/962104

Filed: June 17, 2013

Mark: CREATE

Law Office: 111

Trademark Examining Attorney:
Geoffrey A. Fosdick

MOTION TO EXTEND TIME FOR FILING APPEAL BRIEF

Applicant, ISBE Brand Owner, LLC (“**Applicant**”) hereby requests that the time for filing its appeal brief in Application Serial No. 85/962104 (the “**Application**”) for the mark CREATE be extended by ninety (90) days, pursuant 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. *See In re Miller Brewing Co.*, 226 USPQ 666 (TTAB1985). Good cause has been found when, *inter alia*, the applicant is attempting to negotiate a consent agreement. TBMP § 1203.02(d).

Applicant is negotiating with the owner of the cited mark for a consent to register its CREATE mark in association with the services identified in the Application. While the parties have engaged in good faith negotiations, additional time is required. An extension of time will also avoid unnecessary use of the Board’s limited resources if a consent is ultimately reached. Accordingly, Applicant seeks a 90-day extension of time to file its appeal brief. This is Applicant’s first such request.

Applicant contends that the foregoing demonstrates sufficient good cause to satisfy TBMP § 1203.02(d). Therefore, Applicant respectfully requests that the motion be granted and

Applicant's deadline to file its appeal brief be set for January 3, 2016.

October 5, 2015

By  _____
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