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Filing date: **08/24/2015**

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

Proceeding	86196858
Applicant	Liebert Corporation
Applied for Mark	SMARTAISLE
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Submission	Applicant's Request to Extend
Attachments	Executed Extension of Time to file Appeal Brief.PDF(926569 bytes )
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Signature	/Lisa M. DuRoss/
Date	08/24/2015

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

Applicant: Liebert Corporation  
Serial No.: 86/196,858  
Filing Date: February 18, 2014  
Mark: SMARTAISLE  
Docket: 6499-200096-US-01  
Examiner: KEELEY, ALISON  
Law Office: 113

**REQUEST FOR AN EXTENSION  
OF TIME TO FILE APPEAL BRIEF**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
Post Office Box 1451  
Alexandria, Virginia 22313-1451

Pursuant to TBMP Section 1203.02(d), Applicant Liebert Corporation, by and through its undersigned counsel, respectfully requests that the Trademark Trial and Appeal Board grant it a six-month extension of time to file its Appeal Brief in connection with Application Serial No. 86/196,858 until **February 23, 2016**.

In support of this Request, Applicant states the following:

1. Applicant's mark has been refused registration on the Principal Register under Trademark Act § 2(e)(1).
2. Applicant is considering seeking to amend its application to the Supplemental Register.
3. The instant application is presently based on Trademark Act § 1(b) and, consequently, Applicant is assessing the propriety and feasibility of proving use of the

**Request for Extension of Time**

*In re Liebert Corporation*

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mark in commerce and amending its application to seek registration on the Supplemental Register.

4. An amendment to the Supplemental Register would obviate the descriptiveness refusal and the need for pursuing this *ex parte* appeal.

5. This extension is not requested for purposes of delay, but to give Applicant sufficient time to evaluate the feasibility of proving use in commerce in connection with the goods and amending the application to seek registration on the Supplemental Register. This entails reviewing all manners in which the mark has been used to date in connection with the goods claimed in the §1(b) application and assessing whether such uses constitute the requisite use in commerce and can be deemed acceptable specimens.

6. The foregoing constitutes good cause for the requested extension.

WHEREFORE, Applicant respectfully requests that the Board extend the deadline for filing its Appeal Brief to **February 23, 2016**.

Respectfully submitted,

Dated: 08/24/2015

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