

ESTTA Tracking number: **ESTTA710154**

Filing date: **11/23/2015**

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

Applicant:	Respect Nature, LLC
Application Serial Number:	86384040
Application Filing Date:	09/03/2014
Mark:	FARMACY
Date of Publication	09/29/2015

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Fresh Pharmacy, Inc., 1280 Sydney Court, Altamonte Springs, FL 32714, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good causes are established for this request by:

- The potential opposer is engaged in settlement discussions with applicant
- *Pursuant to 37 CFR Â§ 2.102, Fresh Pharmacy, Inc., a corporation organized and existing under the laws of Florida, with an office at 1280 Sydney Court Altamonte Springs, Florida 32714 (#Fresh Pharmacy#), respectfully requests that it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark. The time within which to file a notice of opposition is set to expire on 11/28/2015. Fresh Pharmacy, Inc. respectfully requests that the time period within which to file an opposition be extended until 1/27/2016. Good cause exists for the requested extension as required by 37 CFR Â§ 2.102. Since the First Request for Extension of Time to Oppose was filed and granted, counsel for potential opposing party Fresh Pharmacy and counsel of the Applicant in the present case (8634040) have been negotiating in good faith to yield a consent agreement. The parties have been in ongoing communication to that end by mail, electronic mail and telephonic conference to achieve that end. The parties have at all times exercised diligence and good faith in negotiating a consent agreement and an extension of time would enable counsel to continue to do the same in the hope of reaching a consent agreement in short course. For additional consideration relating to the good cause supra, the moving party notes that the current expiry date 11/28/2015 falls during the weekend of the national Thanksgiving holiday. In good faith and in an effort not to encumber any interested parties, an extension of time would serve to allow negotiations to take place without duress or haste during a shortened work week. No significant delay of this matter will result from such an extension. Thus, considering the pending deadline to file a notice of opposition which falls on the upcoming shortened holiday week, and most importantly the ongoing discussions and expectations for a successful consent agreement, good cause exists for an additional sixty (60) day extension of time in which to file an opposition. For these reasons, Fresh Pharmacy, Inc. respectfully requests that this request for extension of time to oppose the above-identified mark be granted and that Fresh Pharmacy, Inc. be allowed until and including 01/27/2016 in which to file an opposition. Fees relating to the above action, if any, have been presented concomitantly with this filing. Counsel for Applicant has been provided a copy of the same.*

The time within which to file a notice of opposition is set to expire on 11/28/2015. Fresh Pharmacy, Inc. respectfully requests that the time period within which to file an opposition be extended until 01/27/2016.

Respectfully submitted,
/antonio g tapia/
11/23/2015

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