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Filing date: **02/02/2009**

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

Proceeding	91188130
Party	Defendant Javier Eduardo Peire Martinez
Correspondence Address	BARBARA H. LOEWENTHAL GOTTLIEB, RACKMAN & REISMAN, P.C. 270 MADISON AVE NEW YORK, NY 10016-0601  efiling@grr.com
Submission	Motion to Extend
Filer's Name	Barbara H. Loewenthal
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Signature	/bhl/
Date	02/02/2009
Attachments	motion for 2 week ext to answer BA VICTORY-JAVIER EDUARDO.pdf ( 2 pages )(608379 bytes )

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

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BA VICTORY CORP,	:	
Opposer,	:	Opposition No. 91188130
- v -	:	Serial No. 77275793
JAVIER EDUARDO PEIRE MARTINEZ,	:	
Applicant.	:	
-----X	:	

**MOTION FOR A TWO WEEK EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION**

Applicant, through its undersigned counsel moves that the Trademark Trial and Appeal Board ("TTAB") grant a Two Week Extension of Time to Answer the Notice of Opposition namely, from January 31, 2009 until February 13, 2009.

The background for this proceeding is that Applicant filed an Application to register the trademark BUENOS AIRES and design on September 10, 2007.

On August 13, 2008 the trademark was published for Opposition, and on December 22, 2008, Opposer filed a Notice of Opposition.

The undersigned counsel for Applicant communicated with its client shortly thereafter and presented a settlement proposal to Opposer's counsel. This offer was rejected. The undersigned counsel has continued to correspond with its client to attempt to ascertain how it intends to proceed with this Opposition. Counsel is still awaiting a response from its client.

On February 2, 2009, the undersigned counsel contacted Ralph Cathcart, counsel for Opposer, to obtain a Consent for an Extension of Time To Answer. Mr. Cathcart would not consent to an Extension of Time.

Since the deadline for filing an Answer is today (January 31, 2008), and because the undersigned (a) has not received further instructions from its client, and (b) this is the first Extension Request, Applicant is requesting a further two week Extension of Time to Answer.

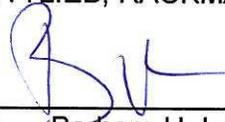
This Request is not being made for the purpose of delay.

In view of the foregoing, it is requested that the Board approve of Applicant's request.

Dated: February 2, 2009

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

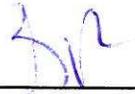


By: Barbara H. Loewenthal  
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CERTIFICATE OF MAILING

I hereby certify that this MOTION FOR A TWO WEEK EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION is being electronically transmitted to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) this 2nd day of February, 2009.

Dated: February 2, 2009



Barbara H. Loewenthal

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION FOR A TWO WEEK EXTENSION OF TIME TO ANSWER NOTICE OF OPPOSITION, has been served on February 2, 2009, upon Opposer's counsel of record via e-mail and via first class mail, postage prepaid, addressed as follows:

Ralph H. Cathcart  
Ladas & Parry LLP  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023  
[rcathcart@ladas.com](mailto:rcathcart@ladas.com)

Dated: February 2, 2009



Barbara H. Loewenthal