

ESTTA Tracking number: **ESTTA360652**

Filing date: **07/29/2010**

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

Proceeding	91195109
Party	Defendant PowerPact Holdings LLC
Correspondence Address	TAMARA F. CARMICHAEL LOEB & LOEB LLP 345 PARK AVE FL 18 NEW YORK, NY 10154-1895 UNITED STATES nytrademark@loeb.com
Submission	Motion to Reopen
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Date	07/29/2010
Attachments	91195109 Motion to Reopen and Motion for EOT.pdf ( 6 pages )(14502 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In The Matter of Application Serial No. 77893346: VOOT  
Published in the *Official Gazette* of May 4, 2010 in International Class 42

Woot, Inc., )  
                  Opposer, )  
                                  )           Opposition No. 91195109  
v. )  
                                  )  
PowerPact Holdings LLC, )  
                  Applicant. )

**APPLICANT’S MOTION TO REOPEN TIME  
TO FILE ANSWER TO NOTICE OF OPPOSITION**

Applicant, PowerPact Holdings LLC, hereby moves the Trademark Trial and Appeal Board in accordance with TBMP § 509.01(b), to re-open the time for filing their answer to the Notice of Opposition to allow the filing of Applicant’s Motion for an Extension of Answer With Consent, which was due on July 11, 2010.

Applicant and Opposer are engaged in settlement discussions. Applicant obtained consent from Opposer to file a Motion for an Extension of Answer With Consent prior to the July 11, 2010 deadline. Applicant filed a Motion for an Extension of Answer With Consent in a related case, Opposition No. 91195107. However, due to an inadvertent docketing error, Applicant did not file an extension for the present case, Opposition No. 91195109.

Attached is Applicant’s Motion for an Extension of Answer With Consent. This request is made in good faith and not merely for delay. Further, this delay in filing does not prejudice any of the parties.

Given the foregoing, Applicant respectfully requests that the Board re-open the time to file the answer and grant Applicant's Motion for an Extension of Answer With Consent to August 10, 2010.

Date: July 29, 2010

Respectfully submitted,  
LOEB & LOEB LLP

By: /s/ Tamara F. Carmichael  
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **APPLICANT'S MOTION TO REOPEN TIME TO FILE ANSWER TO NOTICE OF OPPOSITION** has been served upon:

P. Weston Musselman, Jr.  
Fish & Richardson P.C.  
P.O. Box 1022  
Minneapolis, MN 55440-1022

On July 29, 2010, via first class mail, postage prepaid.

/s/ Angela O. Provencio



Date: July 29, 2010 Respectfully submitted,

LOEB & LOEB LLP

By: /s/ Tamara F. Carmichael  
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **MOTION FOR AN EXTENSION OF ANSWER WITH CONSENT** has been served upon:

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/s/ Angela O. Provencio