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Filing date: **04/20/2015**

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

Proceeding	91218363
Party	Plaintiff New Wave Innovations, Inc.
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Submission	Motion to Extend
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Date	04/20/2015
Attachments	PDFExtend7days.pdf(120919 bytes ) PhotoEnvelope.pdf(190303 bytes )

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

NEW WAVE INNOVATIONS, INC.  
(A California Corporation)

OPPOSER

vs.

MR. FOAMER, INC.  
(A Florida Corporation)

APPLICANT

In Re: Opposition NO. 91/218,363

***UNOPPOSED REQUEST FOR EXTENSION OF TIME  
TO COMPLY WITH TTAB REQUEST TO SUPPLEMENT RECORDS  
WITH DOCUMENTS & INFORMATION***

On April 3, 2015, the TTAB rendered a decision on the Applicant's motion to dismiss, wherein it held that the New Wave Innovations, Inc. (NWI) Opposition was sufficiently pled, and thereupon denied the Mr. Foamer, Inc. (Foamer) Motion to Dismiss. In its Order denying the Applicant Motion to Dismiss, the TTAB requested that NWI supplement the record (Order @ page 8).

**Prefiling Conference** – Opposer counsel has contacted the attorney for Applicant, by email on April 20, 2015, and advised her of his need for this brief extension, and inquired as to willingness to agree to such extension, or alternatively, refrain from opposition thereto. Opposer counsel has agreed on same day to the requested extension.

Notwithstanding that the decision was issued on April 3, 2015, it was not sent out by the TTAB no earlier than April 8, 2015, and ultimately received either Friday, April 10, 2015, or on the weekend. A copy of the envelope with the August 8, 2015, postmark is annexed hereto.

NWI counsel did not physically have possession of the opinion until the following Monday on April 13, 2015, while he was travelling to his satellite offices in Miami - (NWI counsel primary physical office is on the west coast of Florida in Bonita Springs, Florida). Because of the delay in receipt of the TTAB decision, and the NWI counsel travel commitments, NWI counsel needs additional time to review the TTAB decision, and collect the information requested on Page 8 thereof.

An extension of the period for response an additional seven (7) days from Monday April 20, 2015 (April 18, 2015 being a Saturday) - the 10 day period for response being computed from April 8, 2015, the date of mailing; and, the original date of response, thus, being computed from this mailing date plus 10, or by April 18, 2015, a Saturday. Accordingly, the response was due the following Monday on April 20, 2015. Opposer, thus, requests this additional 7 days run from April 20, 2015, up to and including April 27, 2015.

It is respectfully submitted that good cause having been shown for the requested extension, and in the absence of any opposition by or prejudice to the Applicant, that this brief extension be granted (solely to permit Opposer to supplement the records with documents and information requested by the TTAB).

Respectfully,

/John H. Faro/  
Reg. No. 25,859  
Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that the enclosed pleading entitled:

**SUPPLEMENTAL RESPONSE IN OPPOSITION  
TO THE MOTION TO DISMISS AMENDED  
OPPOSITION**

has been served upon Applicant's Counsel, *via email*, this 20<sup>th</sup> day of April 2015.

Respectfully,

/John H. Faro/  
Reg. No. 25,859

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91218363

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