

ESTTA Tracking number: **ESTTA698125**

Filing date: **09/24/2015**

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

Proceeding	91222839
Party	Defendant Zuniga, Josh
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY 344 MAPLE AVE W, PMB 151 VIENNA, VA 22180 UNITED STATES mswyers@thetrademarkcompany.com
Submission	Motion to Extend
Filer's Name	Matthew H. Swyers
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Date	09/24/2015
Attachments	MOTION FOR AN EXTENSION OF TIME TO ANSWER_9-24-2015.pdf(86308 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

In the matter of Ser. No. 86/ 332,976
For the mark LVLFF

Randall Pich,	:	
	:	
Opposer,	:	
	:	
vs.	:	Opposition No. 91222839
	:	
Zuniga, Josh,	:	
	:	
Applicant.	:	

MOTION FOR AN EXTENSION OF TIME TO ANSWER

COMES NOW Applicant, Josh Zuniga (hereinafter “Applicant”) by and through counsel, The Trademark Company, PLLC, hereby files the instant Motion for an Extension of Time to Answer the Notice of Opposition filed in the above-referenced matter until October 24, 2015. In support of the instant motion Applicant states as follows:

Statement of Facts

1. The instant opposition proceeding was instituted by Opposer, Randall Pich (hereinafter “Opposer”) on or about July 16, 2015.
2. The deadline for Applicant to file an Answer to the Notice of Opposition was on or about August 25, 2015.
3. On August 25, 2015 Applicant filed a Motion for an Extension of Time to Answer.
4. Applicant’s counsel requires additional time to consider its options, defenses, and otherwise and to contact opposing counsel to determine what, if any, avenue for resolution of the instant matter may be considered.

Motion

The time for filing an answer may be extended on motion granted by the Board for good cause shown. *See* TBMP §§ 310.03(c), 509.01(a). A motion to extend must set forth with particularity the facts said to constitute good cause for the requested extension. *See* TBMP § 509.01(a).

In the instant case, Applicant seeks additional time to file its Answer to permit it to determine its possible defenses, whether they will defend the case on its merits, and to conduct factual research concerning the Opposer's allegations so as to provide a true and accurate Answer to the enumerated contentions contained in the Notice of Opposition filed in this matter.

This request is not being sought to delay the proceedings herein, nor will undue prejudice result to the Opposer as a result of the granting of the same.

While Applicant is aware that Applicant's previous motion for an extension is still pending, Applicant prays that the Board will not only grant the previous extension request but the current request as well.

Conclusion

WHEREFORE for good cause shown Applicant, Josh Zuniga, by counsel, prays that it be granted an extension of time to file their answer in this matter until October 24, 2015.

Respectfully submitted this 24th day of September, 2015.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

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Counsel for Applicant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

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For the mark LVLF

Randall Pich,	:	
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Opposer,	:	
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vs.	:	Opposition No. 91222839
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Zuniga, Josh,	:	
	:	
Applicant.	:	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing this 24th day of September, 2015, to
be served, via first class mail, postage prepaid, upon:

Jimmy Y Kwun
Christie Parker & Hale LLP
PO Box 29001
Glendale, CA 91209

/Matthew H. Swyers/
Matthew H. Swyers