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

Proceeding	91237294
Party	Defendant JB International Holdings Limited
Correspondence Address	MATTHEW D ASBELL LADAS & PARRY LLP 1040 AVENUE OF THE AMERICAS NEW YORK, NY 10018 UNITED STATES Email: nyustmp@ladas.com
Submission	Motion to Extend
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Date	01/26/2018
Attachments	Notice of Opposition No. 91237294 - LP Ref. C117697985 .pdf(139004 bytes)

Bassike Pty Ltd)	
)	
Opposer,)	Opposition No: 91237294
)	Ser. No. 86883226
)	
JB International Holdings Limited)	Applicant's File No: C117697985
Applicant.)	
)	

Motion for an Extension of Time to Answer Without Consent

The grounds for this request are as follows:


According to the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 509.01(a), a party moving to extend time must set forth with particularity the facts said to constitute good cause for the requested extension and must demonstrate that the requested extension of time is not necessitated by the party’s own lack of diligence or unreasonable delay in taking the required action during the time previously allotted therefor.

Applicant respectfully submits that an extension of time to Answer is warranted based on its ongoing negotiations with Opposer. Prior to issuance of the Notice of Opposition for the subject application in the United States, Canadian counsel for Applicant had been negotiating with Canadian counsel for the Opposer in relation to the parties' respective marks, including a Canadian application for a mark corresponding to the mark in the opposed U.S. application.

Throughout the entirety of the period during which Applicant could have filed an Answer to the Notice of Opposition, negotiations with Canadian counsel were ongoing.

Opposer initially refused to consent to an Extension of Time to Answer. Applicant submits that the Opposer's failure to consent to the extension was intended as a means to gain advantage over the Applicant in the negotiations, for example, by using a favorable outcome of the TTAB proceedings in the United States to threaten similar proceedings in Canada and/or to lower the offering price for the Canadian application to be acquired by Opponent.

Applicant respectfully submits that in view of its ongoing settlement efforts with the Opposer in Canada and Opposer's prior unwillingness to consent to an extension as a means of gaining leverage in such negotiations, good cause exists for an extension of time to file an Answer. Moreover, the requested extension of time is not necessitated by the Applicant's own lack of diligence or unreasonable delay in taking the required action during the time previously allotted therefor. *National Football League v. DNH Management LLC*, 85 USPQ2d 1852, 1854 (TTAB 2008) ("the Board is liberal in granting extensions of time before the period to act has elapsed so long as the moving party has not been guilty of negligence or bad faith and the privilege of extension is not abused").

By:  Date: 1/26/18
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by email to rskoglund@rennerkenner.com and mjudd@rennerkenner.com on this date.

By:



Date: 1/26/18

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