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

Proceeding	92050054
Party	Defendant M/s Pachranga Syndicate Pvt. Ltd.
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Submission	Other Motions/Papers
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Date	02/02/2012
Attachments	7.5408-3 - Motion for Extension of Time.pdf (3 pages)(81070 bytes)

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

<u>PACHRANGA INTERNATIONAL PRIVATE LIMITED,</u>)	
)	
Petitioner,)	
)	Cancellation No. 92050054
vs.)	Cancellation. No. 92050064
)	
M/s PACHRANGA SYNDICATE PVT. LTD.)	
)	
Respondent.)	
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MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR RECONSIDERATION

Respondent, M/s PACHRANGA SYNDICATE PVT. LTD., hereby moves for a thirty (30) day extension of time to file a Motion for Reconsideration in the above consolidated cancellation proceedings.

By an Order dated January 4, 2012, the Board dismissed the above cancellation proceedings without prejudice based upon Petitioner’s correspondence received at the U.S. Patent and Trademark Office on November 10, 2011 (“Petitioner’s November 10, 2011 correspondence”). As noted in the Board’s Order dated January 4, 2012, Respondent was not served with a copy of Petitioner’s November 10, 2011 correspondence. Counsel for Respondent only became aware of said correspondence as a result of the Board’s January 4, 2012 Order.

Although the parties may have entered into a Memorandum of Settlement of their disputes in the United States and elsewhere, it is unclear whether there was an understanding as to whether the proceedings in the United States were to be withdrawn with or without prejudice. Respondent’s undersigned counsel has communicated with Respondent’s Indian counsel on this issue, but has not yet received a response. In view of the fact that Respondent was only notified

of Petitioner's November 10, 2011 correspondence as a result of the Board's January 4, 2012 Order, additional time is needed for counsel to confer with Respondent to determine whether dismissal of the proceedings without prejudice is appropriate. Furthermore, in view of the fact that both Petitioner and Respondent are located in India, and to allow for sufficient time for service of this Motion to take place upon Petitioner's Indian address, Respondent respectfully requests a thirty (30) day extension of its time to file a Motion for Reconsideration. Please note that extensions of time to file a Motion for Reconsideration of a final decision of the Board is authorized by T.B.M.P. §§902.02 and 903.04 which provide respectively that the time for filing an appeal of a final decision of the Board to the Court of Appeals for the Federal Circuit or to a U.S. District Court shall be two months after action by the Board on a Motion for Reconsideration or any extension of time granted in connection therewith.

Dated: New York, New York
February 2, 2012

Respectfully submitted,



Charles P. LaPolla
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Attorneys for Respondent
M/s PACHRANGA SYNDICATE PVT. LTD.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February, 2012, a true copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR RECONSIDERATION was served on Petitioner via Airmail with sufficient postage addressed to:

Pachranga International Private Limited
45 Huda, Sector 25 PH II Panipat
Haryana 132103
INDIA



Sean P. McMahon