

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: January 13, 2011

Cancellation No. 92052260

Steven Westlake

v.

Edgar Alexander Barrera

Cheryl S. Goodman, Interlocutory Attorney:

A telephone conference was held on January 11, 2011 with counsel for both parties regarding respondent's motion to extend (filed January 7, 2011). The basis for the extension was respondent's medical condition which requires him to avoid unnecessary stress including legal proceedings. Respondent provided supporting documentation of a physician's letter to substantiate his need for an additional 90 day extension of dates in this case. Petitioner opposed the motion.

This written order memorializes the Board's ruling.

The motion to extend is granted. However, the Board has concern about this proceeding not moving forward due to the possibility that additional requests to extend beyond the ninety days could be filed by respondent based on his medical problems. By granting this motion, respondent has now been afforded 6 months to recover (due to the granting

Cancellation No. 92052260

of the earlier 90 day extension). At some point, respondent must decide whether he will defend this proceeding or not. If further requests to extend are sought for respondent's medical condition, the Board may require additional documentation from respondent.

Respondent's counsel confirmed respondent's address change from California to Florida. The Board requests that counsel update respondent's current address in the Office's records. Such updating may be done electronically via TEAS (Change of Owner's Address Form).

Dates in this proceeding are reset in accordance with respondent's motion.