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

Proceeding	92055269
Party	Defendant Tango Mango, LLC
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Date	11/19/2013
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Mango's Tropical Café, Inc.,)	
)	Cancellation No. 92/055,269
Petitioner,)	
v.)	Registration No. 3,328,822
)	
Tango Mango, LLC,)	Mark: TANGO MANGO
)	
Registrant.)	
_____)	

REGISTRANT'S MOTION FOR LEAVE TO FILE EXCESS PAGE LIMIT FOR BRIEF

Pursuant to 37 C.F.R. § 2.128(b) and TBMP 537 the Registrant moves for leave to file a brief on the case in excess of the page limit. Specifically, the Registrant moves for leave to file an opposition to the Petitioner's pending summary judgment motion that does not exceed 35 pages. The Registrant's motion for leave is timely, as its opposition is currently due on November 21, 2013.

The Registrant contacted the Petitioner on November 19, 2013 to meet and confer regarding this motion. The Petitioner does not consent to the Registrant's motion and expressed its intent to oppose the motion.

The Petitioner's summary judgment motion is a full 25 pages, and there are numerous legal and factual questions that must be addressed to respond properly and fully to the Petitioner's motion. The Petitioner asserts two bases for its petition to cancel the Registrant's registration: likelihood of confusion and abandonment. In regard to the likelihood of confusion basis, the Petitioner asserts seven different registrations, comprised of a combination of four different marks and nine different services or goods. In its summary judgment motion the Petitioner asserts both causes of action, including a likelihood of confusion based on each of its

various registrations. The Registrant requires the additional ten pages to explain clearly and adequately the facts and legal principles at issue with the claim of abandonment and the claims of a likelihood of confusion for each asserted registration, including each of the goods or services in registrations with multiple classes.

The Registrant submits that the requested additional pages are reasonable and necessary in light of the complexity of the likelihood of confusion claims asserted against it and the fact that the Petitioner has sought summary judgment on its claim of abandonment in the same motion. The Registrant will, of course, keep its opposition succinct and, if possible, below 35 pages. However, excess pages are required for the Registrant to present the Board with a full and appropriate opposition to the Petitioner's compact summary judgment motion. The Registrant further requests that the due date for the Registrant's brief be reset as provided for in TBMP 537.

The Registrant requests that the Board grant its motion and permit the Registrant to submit an opposition to the Petitioner's summary judgment motion not to exceed 35 pages.

Respectfully submitted,

November 19, 2013
Date

/ Rebecca J. Stempien Coyle /
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ATTORNEY FOR REGISTRANT

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing REGISTRANT'S MOTION FOR LEAVE TO FILE EXCESS PAGE LIMIT FOR BRIEF was served this date via e-mail on the Petitioner's attorneys as follows:

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November 19, 2013
Date

/ Rebecca J. Stempien Coyle /
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