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Subject: Request for an extension of time to file an appeal for Cancellation Number: 92057023
Ref: Cancellation Number: 92057023

From: Jamie Pitts
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Remarks: To the attention of: The Office of the Solicitor At the following address: Office of the Solicitor
Mail Stop 8 U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450

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Monday, September 26, 2016

Sent Via US Mail:
Office of the Solicitor
Mail Stop 8
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
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Re: Request for an extension of time to file an appeal for Cancellation Number: 92057023

Dear Director:

We are counsel to John "Giovanni" Aragona ("Respondent"), and hereby request an extension of time to commence judicial review of the decision of the Trademark Trial and Appeal Board (the "Board") in Cancellation Number: 92057023 (the "Cancellation"). 37 C.F.R. § 2.145(e).

If a written request to extend the time for appeal is filed before the expiration of the appeal period, the Director may grant the request on a showing of good cause. The following constitutes good cause to grant such an extension:

During August and September, Respondent has been in the hospital undergoing a surgical procedure and is currently receiving on-going treatment related to the same. Respondent is also in the process of finding additional or substitute representation to handle the appeal going forward. Respondent's current medical condition has prevented him from taking the steps necessary to finalize retaining new counsel. Further, once hired, new counsel will need sufficient time to review the evidentiary record and the legal conclusions of the Board, determine the appropriate action in respect to judicial review of the Board's decision, and determine what additional facts not reflected in the record and in the Board's decision may be relevant upon such an judicial review.

The Board's decision was mailed on July 25, 2016. A request for extension of time must be filed within two months of a Board decision; that day fell yesterday, which was a Saturday. 37 C.F.R. § 2.145(d), (d)(ii)(2), (e). As this request is filed on September 26, 2016, it is timely filed.

Very truly yours,

Jamie N. Pitts, Esq.