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Filing date: **11/21/2014**

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

Proceeding	92060157
Party	Defendant Just Push Pay, LLC
Correspondence Address	JUST PUSH PAY LLC 1727 FUNNY CIDE DRIVE WAXHAW, 28173 UNITED KINGDOM
Submission	Motion to Extend
Filer's Name	Louis G. Spencer
Filer's e-mail	louis@alexanderricks.com
Signature	/Louis G. Spencer/
Date	11/21/2014
Attachments	Motion to Extend - Mark 4444457.pdf(38403 bytes)

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

In the Matter of:

In re Registration No. 4,444,457

Mark: JUST PUSH PAY

Date of Registration: December 3, 2013

PUSHPAY IP LIMITED and PUSHPAY
HOLDINGS LIMITED,

Petitioners,

v.

JUST PUSH PAY, LLC

Respondent.

Cancellation No. 92060157

MOTION TO EXTEND

Respondent, Just Push Pay, LLC, by and through undersigned counsel, hereby moves for an extension of time to respond to the Petition to Cancel filed by Petitioners, Pushpay IP Limited and Pushpay Holdings Limited. In support of this motion, Respondent shows the Board that:

1. Petitioners commenced this action by filing a Petition for Cancel the above-identified registration owned by Respondent on October 14, 2014.
2. Currently Respondent's answer or other responsive pleading is due on November 24, 2014. Accordingly, the time within which Respondent must answer or otherwise respond to the Petition to Cancel has not expired.
3. Contemporaneous to this Motion to Extend, Respondent has also filed a Motion to Suspend for Civil Action pursuant to Trademark Rule 2.117(a), 37 C.F.R. § 2.117(a) because the parties are involved in a federal district court action involving the same mark and the same issues advanced by Petitioners in this proceeding.

4. Respondent requests an extension of time sufficient for the Board to address the Motion to Suspend for Civil Action filed by Respondent.
5. No prejudice will result by reason of this extension since this action was only recently commenced.
6. Counsel for Respondent has attempted to contact counsel for Petitioners regarding consent or objection to this Motion to Extend, but as of the time of filing the motion Counsel for Respondent has not been able to reach Counsel for Petitioners.
7. Respondent has appointed Louis G. Spencer, Esq. of the law firm of Alexander Ricks PLLC, to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

Louis G. Spencer, Esq.
Alexander Ricks PLLC
2901 Coltsgate Road, Suite 202
Charlotte, North Carolina 28211
Email: louis@alexanderricks.com

WHEREFORE, Respondent requests that the Board extend the period within which it must file its answer or otherwise respond to the Petition to Cancel until the Board has ruled on the contemporaneously filed Motion to Suspend for Civil Action.

Dated: November 21, 2014.

ALEXANDER RICKS PLLC

/s/ Louis G. Spencer
Louis G. Spencer
N.C. State Bar No.: 36019
louis@alexanderricks.com

2901 Coltsgate Road, Suite 202
Charlotte, North Carolina 28211
Telephone: (980) 335-0711
Facsimile: (704) 365-3676

Counsel for Just Push Pay, LLC

CERTIFICATE OF TRANSMITTAL

I certify that the attached Motion to Extend is being filed electronically with the TTAB via ESTTA
on November 21, 2014.

/s/ Louis G. Spencer
Louis G. Spencer

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **MOTION TO EXTEND** with exhibits was served on November 21, 2014, via first-class mail, postage prepaid, on the following:

David L. May
Nixon Peabody LLP
401 9th Street, N.W., Suite 900
Washington, D.C. 20004

Counsel for Petitioners

Dated: November 21, 2014.

ALEXANDER RICKS PLLC

/s/ Louis G. Spencer
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