

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: April 5, 2016

Cancellation No. 92061981

*Kosher Supervision Service, Inc.*

v.

*Yoel Steinberg*

George C. Pologeorgis,  
Administrative Trademark Judge:

Pursuant to the Board's March 30, 2016, order, Respondent requested a telephone conference with the Board to obtain approval to file an unconsented motion(s) in this proceeding. The teleconference was held on Tuesday, April 5, 2016 at 11 a.m. EDT between Michael R. Friscia, counsel for Petitioner, Mr. Yoel Steinberg, *pro se* Respondent, and the above-signed administrative trademark judge.

During the telephone conference, Respondent requested permission to file a motion for reconsideration of the Board's March 30, 2016, order. The request was approved to the extent that Respondent is allowed until **Monday, May 2, 2016** in which to file and serve his motion for reconsideration.<sup>1</sup> The Board recommends that

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<sup>1</sup> A motion for reconsideration of an order or decision issued on a motion must be filed within one month from the date of the order or decision. Trademark Rule 2.127(b). In this instance, the deadline for filing such a motion in regard to the Board's March 30, 2016, order would be April 30, 2016. However, since April 30<sup>th</sup> falls on a Saturday, Respondent is allowed until the next business day, i.e., Monday, May 2, 2016, in which to file and serve his motion for reconsideration.

Respondent review § 518 of the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) that concerns motions for reconsideration before filing his motion.<sup>2</sup>

During the telephone conference, Respondent also requested permission to file a motion to extend his time to file his answer to the petition to cancel. Although the Board would have allowed Respondent to file his motion to extend, the Board instead asked Petitioner if it would provide its oral consent to the extension request in order to avoid the filing of another motion in this matter. Petitioner’s counsel stated that Petitioner would consent to the extension request. Accordingly, Respondent is allowed until **May 9, 2016**<sup>3</sup> in which to file his answer to the petition to cancel, which may include affirmative defenses, as well as a counterclaim against Petitioner’s pleaded Registration No. 3830599.<sup>4</sup>

All other trial dates remain as reset by Board order dated March 30, 2016.

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<sup>2</sup> The TMBP may be found online at the following URL address:

<http://www.uspto.gov/trademarks-application-process/appealing-trademark-decisions/tbmp-preface>

<sup>3</sup> During the telephone conference, the Board suggested an extension of time until May 7, 2016 in which to file an answer in this matter to take into consideration the upcoming Jewish holidays in late April. Petitioner consented to this extended date. However, following the telephone conference, the Board realized that May 7<sup>th</sup> falls on a Saturday. Accordingly, Respondent is allowed until **Monday, May 9, 2016** in which to file and serve his answer to the petition to cancel, as well as any counterclaim. The Board contacted Petitioner’s counsel after the telephone conference for the sole purpose of obtaining Petitioner’s consent to this revised extension of time which was provided by Petitioner’s counsel.

<sup>4</sup> Respondent also asked permission to file (1) a motion to dismiss regarding (i) Petitioner’s alleged defective service of its pleading, and (ii) the merits of Petitioner’s claims, and (2) a motion to suspend this proceeding pending the disposition of an outstanding motion to dismiss in a related Board case, i.e., Cancellation No. 92062710, which the Board declined to approve.