

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

DH

Mailed: January 17, 2014

In re Dillard's Inc.

Serial No. 77367998

Filed: 1/9/2008

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Eric McWilliams, Supervisory Paralegal:

Applicant's request for an extension of time filed January 6, 2014 is noted.

The record indicates that applicant filed a notice of appeal on **May 10, 2012** and applicant has sought and been granted multiple extensions of time to file its appeal brief. On May 12, 2013, the Board informed applicant that no further extensions of time would be granted in the absence of a showing of extraordinary circumstances.

Upon, reviewing the record, it revealed, on the dates of November 2013 and January 2014, counsel has relied on essentially the same reasons for wanting the requested extensions of time, that **"counsel has approached the owner of the cited registration and the parties have been**

discussing and negotiating a Trademark Consent and Coexistence Agreement. Assuming that the draft Agreement can be finalized and executed shortly" along with "counsel for Applicant changed law firms as of August 1, 2013. Since that date, Applicant's counsel has been involved in various and numerous transition details relating to transfer of thousands of files, and client account details, and various other matters distracting from his daily practice, and thus impacting upon his ability to interface with counsel for the cited Registrant regarding the proposed Trademark Consent and Coexistence Agreement. Counsel advises the Board of his sense that the majority of such transitional distractions have been dealt with, resulting in a return to normalcy going forward."

While the Board finds good cause to grant the requested extension of time, the instant request is granted to the extent that applicant is allowed until March 7, 2014 in which to file a request for remand with its consent agreement or its brief herein. However, **the Board will not consider or grant any further request for extension of time.**