

ESTTA Tracking number: **ESTTA276966**

Filing date: **04/08/2009**

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

Applicant:	John Bohrer
Application Serial Number:	77527862
Application Filing Date:	07/22/2008
Mark:	AGE OF STEAM
Date of Publication	12/09/2008

60 Day Request for Extension of Time to Oppose Upon Extraordinary Circumstances

Pursuant to 37 C.F.R. Section 2.102, Mayfair Games, Inc., 8060 St. Louis Ave., Skokie, IL 60076, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for extraordinary circumstances shown .

Potential opposer believes that extraordinary circumstances are established for this request by:

- Pete Fenlon, the CEO of potential opposer, Mayfair Games Inc., has attempted to contact Applicant via telephone on three occasions in an effort to discuss issues involving the subject application. Despite the fact that Mr. Fenlon left messages for Applicant at the end of each call, Applicant has not returned any of the messages. Mayfair Games desires an extension of time in order to pursue communication with Applicant via different communication channels including email and, if such channels are not successful, to obtain adequate time to assess the filing and preparation of a Notice of Opposition. Mayfair Games is also requesting additional time to oppose the subject application in view of the convoluted history of the AGE OF STEAM trademark, which includes Opposition No. 91179055 filed by Applicant against an application for the identical AGE OF STEAM mark covering the same board games identified in the subject application. (That Opposition was sustained in view of the applicant's withdrawal of his application without consent). Based on the issues raised in the foregoing Opposition proceeding, and Mayfair Games' business relationship with the applicant in Opposition No. 91179055, Mayfair Games is attempting to contact Applicant in good faith to ascertain whether the issues, including but not limited to the ownership of the subject trademark, can be resolved without the institution of an opposition proceeding. In addition to the foregoing, Mayfair Games has also conducted investigations in the marketplace related to the Applicant's games. Such investigations have provided additional information concerning products to be introduced to the marketplace under the Applicant's alleged AGE OF STEAM trademark. In view of the foregoing, Mayfair Games is making this request in good faith and not for purposes of delay. It is seeking this further extension of time in view of the extraordinary circumstances set forth above which have complicated its efforts to communicate with Applicant and, to gather the information necessary to determine whether to pursue an opposition against the subject mark and if so, to have sufficient time to adequately prepare an appropriate Notice of Opposition given the convoluted facts surrounding the AGE OF STEAM trademark including a dispute as to the ownership of the mark for the same products, namely, board games.

The time within which to file a notice of opposition is set to expire on 04/08/2009. Mayfair Games, Inc. respectfully requests that the time period within which to file an opposition be extended until 06/07/2009.

Respectfully submitted,
/Linda A. Kuczma/
04/08/2009

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