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

Proceeding	78274542
Applicant	Universal Display Corporation
Applied for Mark	PHOLED DOPANTS
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Submission	Request to Revive Appeal and Re-Set Briefing Schedule
Attachments	PHOLED DOPANTS - Request to Revive Appeal.pdf ( 2 pages )(13462 bytes )
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Signature	/susan smith/
Date	08/25/2006

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

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In re Application of: : Law Office 114  
: :  
Universal Display Corporation : Examining Attorney  
: William T. Verhosek  
Serial No.: 78/274,542 :  
: :  
Filed: July 15, 2003 :  
: :  
Trademark: PHOLED DOPANTS :  
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REQUEST TO REVIVE APPEAL AND RE-SET BRIEFING SCHEDULE

This *ex parte* appeal was dismissed in error and should be revived.

On December 7, 2005, the Applicant timely filed a request for an extension to file its appeal brief until Feb. 6, 2006. On February 6, 2006, the Applicant timely filed another extension request to file its appeal brief, this time until April 6, 2006. On April 6, the Board sent an inquiry to Applicant, stating that it had received the February 6 extension request but had no record of the December 7, 2005 request. The Board gave the Applicant 20 days to re-submit the December 7 request, barring which, the Board would not consider the February 6, 2006 request. On April 26, Applicant timely re-submitted a copy of the December 7 request. Applicant then heard nothing from the Board until August 3, 2006 when it belatedly granted the December 7 and February 6 extension requests but dismissed the appeal for failure of the Applicant to file its brief on April 6 – *the same day the Board issued its inquiry*.

The Board's April 6 inquiry should have tolled the proceeding until the Applicant's April 26 response and the Board's decision related thereto. It is unfair to the Applicant for the Board

to grant the requests on August 3 and, in the same decision, blame the Applicant for not acting in accordance with the granted requests. Further, the February 6 extension request had already expired *prior to* the Board's response deadline for its April 6 inquiry. When the Board belatedly granted the December 7 and February 6 extension requests, the Board should have given the Applicant additional time to file its brief, e.g., 60 days as originally requested.

The Applicant should not be penalized for the Board's loss of Applicant's timely filed December 7 extension request. The Applicant diligently filed the response requested by the Board on April 26. Thus, the Applicant respectfully requests that the Board reinstate the appeal and set a new briefing schedule, preferably giving the Applicant 60 days to file its brief as originally requested.

Respectfully submitted,

KENYON & KENYON

Date: August 25, 2006

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