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Filing date: **05/10/2019**

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

Applicants	Snavelly, Colton
Application Serial Number	88154525
Application Filing Date	10/15/2018
Mark	COTO
Date of Publication	03/12/2019
Potential Opposer's Correspondence Information	Henry B. Ward, III Moore & Van Allen PLLC 100 North Tryon Street, Suite 4700 Charlotte, NC 28202 UNITED STATES CLT-TMCorrespondence@mvalaw.com 704-331-1027

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, Cato of Texas L.P., 8100 Denmark Road, Charlotte, NC 28273, 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 cause shown.

Potential opposer believes that good cause is established for this request by:

- The potential opposer needs additional time to investigate the claim

The party filing this request is related to the party filing the previous request as follows: The party filing this request is related to the party filing the previous request as follows: The First 30-Day Request for Extension of Time to Oppose filed on April 11, 2019, was filed by The Cato Corporation ("Cato Corp."). Pursuant to TBMP Section 206.02, this further 60-Day Request for Extension of Time to Oppose for Good Cause is being filed by Cato of Texas L.P. ("Cato of Texas"), on the ground that it is in privity with Cato Corp. based on the fact that Cato of Texas is a wholly-owned subsidiary of Cato Corp. As explained in TBMP Rules, "the concept of privity [] includes ... the relationship of 'related companies' within the meaning of Trademark Act Section 45, 15 USC Section 1055 and 15 USC Section 1127." See TBMP Section 206.02. The meaning of "related companies" within these sections of the Trademark Act includes companies, such as Cato of Texas and Cato Corp., that share a parent-subsiary relationship. See 15 USC Sections 1055, 1127. Indeed, in APW Ltd. and Wright Line LLC v. Fisher Hamilton LLC, 2003 TTAB LEXIS 600 (TTAB Dec. 31, 2003), even though the parent company was granted the extension of time to oppose, the Board allowed the subsidiary company to proceed with the opposition finding that the subsidiary "clearly has privity" with the parent company. Id. at *5; cf. Renaissance Rialto Inc. v. Ky Boyd, 2013 TTAB LEXIS 267, at *13 (TTAB May 31, 2013) (finding no privity where the two parties did not have "a parent-subsiary" relationship). In view of the foregoing, Cato of Texas respectfully requests that the Board grant its request for a further extension of time to oppose. .

The time within which to file a notice of opposition is set to expire on 05/11/2019. Cato of Texas L.P. respectfully requests that the time period within which to file an opposition be extended until 07/10/2019.

Respectfully submitted,

/hbw/

Henry B. Ward, III

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05/10/2019