

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
TTAB Assistance Center: 571-272-8500
General Email: TTABInfo@uspto.gov

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December 6, 2022

In re Sunflora, Inc.

Ex Parte Appeal No. 88498433

By the Trademark Trial and Appeal Board:

On December 1, 2022, Appellant filed its appeal brief. Appellant's brief was due on November 18, 2022. Accordingly, Appellant's brief is untimely.

In view of the foregoing, Appellant is allowed until ten days from the date of this order in which to provide an explanation as to why its brief was filed late.

In the absence of an adequate explanation, the appeal will be dismissed for failure to file a timely brief. *See* Trademark Rule 2.142(b)(1) and TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 1203.02(a).

A review of the record finds that Applicant's appeal brief, dated December 1, 2022, also was not accompanied by the statutory fee. The statutory fee for filing a main brief (i.e., appeal brief) is \$200 per class, which is required before the appeal can move forward.

In view thereof, Applicant is allowed TEN DAYS from the mailing date of this order in which to refile the December 1, 2022 appeal brief with the required fee, or provide the Board with a deposit account number so the required fee may be charged.

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Accordingly, the consideration of Applicant's December 1, 2022 appeal brief is deferred pending resolution of the fee discrepancy and an explanation for its untimely filing and Board hereby suspends action on this appeal.