

ESTTA Tracking number: **ESTTA1135903**

Filing date: **05/24/2021**

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

Proceeding	88726944
Applicant	Birkenstock GmbH & Co. KG
Applied for Mark	ARIZONA
Correspondence Address	CHARLES T. J. WEIGELL FROSS ZELNICK LEHRMAN & ZISSU, P.C. 151 WEST 42ND ST., 17TH FL. NEW YORK, NY 10036 UNITED STATES Primary Email: Weigell-Docket@fzlz.com 212-813-8239
Submission	To file a main brief - first request
Attachments	ARIZONA Extension of Time.pdf(85425 bytes )
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Signature	/ctw/
Date	05/24/2021

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

Applicant:	Birkenstock GmbH & Co. KG	:
		:
Serial No.:	88/726,944	:
		:
Filed:	December 13, 2019	:
		:
Mark:	ARIZONA	:
		:
Our Ref.:	BSCM 1913303	:

**FIRST REQUEST FOR EXTENSION OF TIME TO FILE BRIEF**

Box TTAB  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Pursuant to TBMP Section 1203.02(d), and for good cause as set out below, the above-referenced Applicant requests a 30-day extension to file its main brief on appeal in the above referenced action. The current deadline for filing a brief is June 5<sup>th</sup>, 2021 and Applicant requests extension of the deadline to July 6<sup>th</sup>, 2021 (as July 5<sup>th</sup> is a federal holiday). This is the first extension requested.

Applicant has good cause for this request. The sole issue on appeal is a refusal based on an asserted likelihood of confusion with the marks in U.S. Reg. Nos. 5,993,966 and 5,993,965. Applicant has negotiated with counsel for the owner of these cited registrations and an agreement consenting to registration of Applicant's mark is pending final review and signature. Applicant also seeks additional time in order to prepare and file its Request for Remand and to request suspension of the current ex-parte appeal once Applicant receives the fully executed agreement..

Applicant expects the finalized and executed agreement will obviate the current appeal once it is submitted for consideration by the Examining Attorney with the Request for Remand.

Applicant submits that it has good cause for the extension and that it is seeking this in good faith and not for purposes of delay. Favorable consideration and granting of this request is hereby solicited.

Dated: New York, New York  
May 24, 2021

Respectfully submitted,

FROSS ZELNICK LEHRMAN  
& ZISSU, P.C.

By:

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