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

Proceeding	88787441
Applicant	B2B TRAINING INC
Applied for Mark	L1FT CYCLE LIVE TO L1FT L1FT TO LIVE
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Submission	To file a main brief - second or subsequent request
Attachments	2021-10-25 - Motion for Extension of Time to File Appeal Brief - B2BT .001T.pdf(124540 bytes)
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Signature	/JAM/
Date	10/25/2021

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

Applicant : B2B Training Inc.

Serial No. : 88/787,441

Filed : February 6, 2020

Mark : 

APPLICANT’S MOTION FOR EXTENSION OF TIME TO FILE APPEAL BRIEF

Applicant respectfully requests an additional 30-day extension of time, up to and including November 24, 2021, within which to file its Appeal Brief. Pursuant to T.B.M.P. §1203.02(d), Applicant submits that good cause exists for this extension request for the reasons set forth below.

Nearly all health and fitness centers were required to be closed at the height of mandated pandemic-related closures in 2020.¹ Countless fitness clubs had to shutter their doors due to the economic impact of the global pandemic. Over \$20 billion in revenue for health and fitness centers had been lost as of December 2020, along with the economic activities that brick and mortar facilities contributed to their local communities.² Indeed, over 70% of gym members are still not exercising at the gym, over 55% of gym members have either cancelled or paused their memberships, and only 48.24% of people said they would return to the gym once they are vaccinated.³ Despite beliefs that the COVID-19 vaccine would bring the world back to normalcy and save the gym industry, this unfortunately has not been the case. Also, some states continue to require that unvaccinated individuals wear masks while indoors, yet many gym members have

¹ <https://www.ihrsa.org/about/media-center/press-releases/15-of-health-fitness-clubs-in-the-u-s-permanently-closed/#>

² <https://www.wsj.com/articles/the-gym-is-open-but-everythings-different-11615887001>

³ <https://runrepeat.com/gyms-post-covid-vaccine>

indicated that they would rather not go to the gym at all if they are required to wear a mask while exercising.⁴

Health and fitness centers are still feeling the unprecedented impact of COVID-19 today, given the uncertainty surrounding when the U.S. will achieve herd immunity.⁵ Even as some states begin re-opening their gyms, many people are still reluctant to return to the gym, with many saying that even after COVID, they may not return to the gym at all.⁶ Unfortunately, gym membership is still down over 47% in the U.S.⁷ Further, the U.S. surpassed over 735,000 Covid-19 related deaths, which is more than the lives lost in World War II, the Korean War, and the Vietnam War combined.⁸ The economic impact of gym closures due to the global pandemic has and continues to be extraordinary across many industries and the fitness industry is no exception.

As a fitness center owner, Applicant has unfortunately been significantly impacted by the global pandemic and resulting gym closures and mask mandates that began in 2020. Given that the economic situation has not improved and because Applicant will need additional time in order to file its appeal brief, Applicant submits that good cause exists for this 30-day extension request. As the extension request will not cause any prejudice to the USPTO, Applicant respectfully requests that the short extension request be granted.

⁴ See <https://www.nytimes.com/interactive/2020/us/states-reopen-map-coronavirus.html>; <https://medicalxpress.com/news/2021-07-masks-gym-uncomfortable-unsafe.html#:~:text=Wearing%20a%20mask%20while%20you,Kampert%2C%20of%20the%20Cleveland%20Clinic.>

⁵ <https://www.mayoclinic.org/diseases-conditions/coronavirus/in-depth/herd-immunity-and-coronavirus/art-20486808>

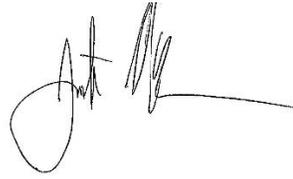
⁶ <https://www.bustle.com/wellness/why-people-arent-going-back-to-the-gym-post-covid>

⁷ See <https://runrepeat.com/gyms-post-covid-vaccine>, stating that 31.63% of gym members cancelled their memberships and 15.80% paused their memberships in the United States as of August 2021.

⁸ See https://en.wikipedia.org/wiki/Template:COVID-19_pandemic_data; <https://abc7news.com/health/us-surpasses-500k-confirmed-covid-19-deaths/10361339/>

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

A handwritten signature in black ink, appearing to read 'S. Nataupsky', with a long horizontal line extending to the right.

Dated: October 25, 2021

By: _____

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