

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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March 22, 2023

In re Tomica Woods-Wright

Ex Parte Appeal No. 90027339

Veronica P. White, Lead Paralegal Specialist:

On March 22, 2023, Appellant filed a first request for an extension of 60-days to file its appeal brief because additional time is needed in order to complete its investigation and prepare its argument on appeal of the refusal of registration under Sections 1, 2, 3, and 45.

As set forth in Trademark Trial and Appeal Board Manual of Procedure (TBMP) § 1203.02(d):

The determination of good cause will be based upon all relevant circumstances, including the length of time of any previously granted extensions and the reason(s) for the requested extension(s). Thus, a reason such as the press of other business, which may be sufficient to show good cause for a first extension of thirty days, may not be sufficient for a second extension of time. Depending on the totality of the circumstances, good cause has been found when there has been an appointment of a new attorney, illness, the need to get instructions from a foreign applicant, and attempting to negotiate a consent agreement. If a request is found not to be sufficient to warrant an extension, the Board may allow applicant a limited period of time, such as ten days, in which to file the appeal brief, or may grant the requested extension, but advise that no further extensions will be granted absent a showing of extraordinary circumstances.

Based on the circumstances, the Board does not find good cause to extend for 60-days. However, the Board finds that a shorter extension of 30-days is appropriate in view of the circumstances. Accordingly, Appellant is allowed until **May 31, 2023** in which to file its appeal brief.¹ *See* TBMP § 1203.02(d).

¹ Pursuant to Trademark Rule 2.6(a)(18)(iii), 37 C.F.R. § 2.6(a)(18)(iii), no fee is required for filing a first request for an extension of time to file an appeal brief. Appellant is advised that a fee is required for filing a second or subsequent request for an extension of time to file an appeal brief. Trademark Rule 2.6(a)(18)(v), 37 C.F.R. § 2.6(a)(18)(v).