

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

May 25, 2023

In re Tomica Woods-Wright

Ex Parte Appeal No. 90027339

Karl Kochersperger, Paralegal Specialist:

On May 25, 2023, Appellant filed a subsequent request for an extension of 60 days to file its appeal brief. Appellant submitted the required fee. *See* Trademark Rule 2.6(a)(18)(iv)-(v), 37 C.F.R. § 2.6(a)(18)(iv)-(v). In its request, Appellant argues that there is good cause for an extension 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.

Section 1203.02(d) of the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) provides the following explanation about good cause and requests for extensions of time:

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.

Ex Parte Appeal - Serial No. 90027339

Insofar as Appellant has demonstrated good cause based on the totality of the circumstances, Appellant's request is approved and Appellant is allowed until July 30, 2023 to file its appeal brief. *See* TBMP § 1203.02(d).