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

Ex Parte Appeal - Serial No.	90177346
Appellant	Apple Inc.
Applied for mark	MUSIC 1
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Submission	To file a main brief - second or subsequent request
Attachments	Request for Extension of Time to File Appeal Brief Mar 2023 - APPLE M USIC 1 90177346.pdf(76956 bytes )
Filer's name	Glenn A. Gundersen
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Date	03/28/2023

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

In re Application of Apple Inc.

Application Serial Nos. 90/177,287 (parent)  
90/177,346

Trademark: APPLE MUSIC 1



**APPLICANT’S REQUEST FOR  
EXTENSION OF TIME TO FILE A BRIEF ON APPEAL**

Pursuant to TBMP § 1203.02(d), Applicant Apple Inc. (“Applicant”) hereby respectfully requests a thirty (30) day extension of time in which to file its appeal brief in this matter.

Applicant’s appeal brief is currently due on March 28, 2023. As grounds for its request for an extension of time, Applicant states as follows:

Under TBMP 1203.02(d), “[a]n extension of time for filing an appeal brief in an ex parte appeal to the Board may be granted by the Board upon written request showing good cause for the requested extension.” *See, e.g., In re Football Northwest, LLC*, App. Serial No. 86353936, 2017 WL 5885603, at \*1 n.3 (T.T.A.B. Nov. 3, 2017) (noting that “Applicant requested and was granted several requests for extensions of time to file its appeal brief”). “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).” TBMP 1203.02(d).

“Depending on the totality of the circumstances, good cause has been found when... attempting to negotiate a consent agreement.” TBMP 1203.02(d).

Here, Applicant is in the process of negotiating a consent agreement with the registrant whose registration has been cited under Section 2(d) against the pending applications. Applicant requests a further thirty (30) day of extension of time in order to complete the negotiation. Applicant respectfully submits that under the applicable circumstances, Applicant has shown good cause for the requested extension. Accordingly, Applicant requests that its request for an extension of time be granted and the deadline by which Applicant must file its appeal brief extended through and including April 27, 2023.

Dated: March 28, 2023

By:           /Glenn A. Gundersen/            
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