

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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December 21, 2022

*In re Pike Brands LLC*

Ex Parte Appeal No. 90319121

**Lalita Webb, Paralegal Specialist:**

On December 20, 2022, Appellant filed a first for an extension of for six (6) months to file its appeal brief. In its request, Appellant argues that there is good cause for extension because Appellant needs adequate time to research and develop the particular legal issues presented in this appeal.

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 six (6) months. However, the Board finds that a shorter extension of 60 days is

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appropriate in view of the circumstances. Accordingly, Appellant is allowed until **February 21, 2023** in which to file its appeal brief.