

UNITED STATES PATENT AND TRADEMARK OFFICE  
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March 13, 2024

*In re Universal Display Corporation*

Ex Parte Appeal No. 90324739

**Veronica P. White, Lead Paralegal Specialist:**

Now before the Board is Appellant's most recent request, filed February 26, 2024, for an additional one-month extension of time to file a brief on appeal. This is Appellant's fourteenth request to extend time to file a brief. As grounds, Appellant states:

Both the Examining Attorney and Applicant's counsel wish to resolve the case with a mutually agreed upon amendment to the identification of goods/services. Last month before the pending extension was filed, the Examining Attorney requested time to speak to his supervisors in order to ascertain an acceptable amendment. As of this request, the Examining Attorney has not yet contacted Applicant's counsel about a final plan to amend the identification of services. However, Applicant's counsel believes that once the Examining Attorney finally confers about the proposed amendment, the amendment will resolve all of the outstanding issues in the case and obviate the need for any briefing.

As background, this appeal has been pending for almost two years. In the January 30, 2024 Board order granting Appellant's most recent (thirteenth) request to extend time to file a brief, the Board warned Appellant that the Board will not entertain any further requests for an extension of time except for

extraordinary circumstances. Insofar as Appellant did not provide a proposed amendment with its request, and is simply waiting for the Examining Attorney to contact Appellant concerning an acceptable amendment, Appellant has failed to show extraordinary circumstances.

In view thereof, the February 26, 2024 request to extend time to file a brief is **denied**. Accordingly, the appeal is resumed. Appellant is allowed until **April 4, 2024** in which to file its brief accompanied by the required fee.<sup>1</sup> Trademark Rules 2.142(b)(1) and 2.6(a)(18). Failure to file the brief with the required fee may result in dismissal of the appeal. Trademark Rules 2.142(b)(1) and 2.6(a)(18); TBMP § 1203.02(a).

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<sup>1</sup> If Appellant wants the Examining Attorney to consider an amendment, Appellant may promptly file with the Board a written request for remand with the proposed amendment. *See* TBMP § 1209.04 (2023). Before filing any such request for remand, Appellant is encouraged to contact the Trademark Examining Attorney directly to work out a proposed amendment if the Examining Attorney has not reached out to Appellant.