

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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March 7, 2024

In re Thermo Fisher Scientific Inc.

Ex Parte Appeal No. 90343095

LaTricia Harrison, Paralegal Specialist:

On March 5, 2024, Appellant filed a subsequent request for an extension of **30 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 to confer with internal and external stakeholders to obtain a new Letter of Consent.

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.

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Insofar as Appellant has demonstrated good cause based on the totality of the circumstances, Appellant's request is approved and Appellant is allowed until **April 4, 2024** to file its appeal brief. *See* TBMP § 1203.02(d).