

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

DMD/COLLOPY

Mailed: July 19, 2013

Opposition No. 91209569

Jeff Volk, Express  
Communications

v.

Inmarsat Global Xpress Limited

A review of the record of application Serial No. 85235142 reveals that the request for an extension of time to oppose, filed October 5, 2012, on behalf of Express Communications, LLC, was untimely filed and is hereby vacated.

Consequently, the subsequent request to extend time, filed December 31, 2012, and the notice of opposition filed on March 4, 2013, should not have been given any consideration.

The record in the application file reveals that the mark, GLOBAL XPRESS, was published for opposition purposes on September 4, 2012.<sup>1</sup> Thus, the time for filing an opposition or request for extension of time expired October

---

<sup>1</sup> Defendant's motion to dismiss, filed April 8, 2013, and plaintiff's response thereto, filed April 23, 2013 are noted and deemed moot. Plaintiff's changes of correspondence address,

4, 2012. Therefore, the request filed October 5, 2012 must be denied as untimely. See Trademark Rule 2.102(c).

In view of the foregoing, the notice of opposition filed March 4, 2013, is dismissed without prejudice as a nullity and the application file is forwarded to issuance of a Notice of Allowance in due course.

If the application matures into a registration, potential opposer's remedy lies in a petition to cancel. The matter will be referred to the Finance Division of the Office for issuance of a refund.

***By the Trademark Trial  
and Appeal Board***

---

filed June 20, 2013 and June 28, 2013, are also noted and entered into the record.