

ESTTA Tracking number: **ESTTA1210607**

Filing date: **05/20/2022**

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

Proceeding no.	91275574
Party	Defendant STEMCELL Technologies Canada Inc.
Correspondence address	LISA M. MELANSON MCCARTHY TÄ#TRAULT LLP C/O SUITE 2200, 745 THURLOW STREET VANCOUVER, BC, V6E0C5 CANADA Primary email: van-ipdocketing@mccarthy.ca Secondary email(s): sgallvitz@mccarthy.ca 416-601-7595
Submission	Motion to Extend
Filer's name	Mark Romanish
Filer's email	mark.romanish@stemcell.com, licensing@stemcell.com
Signature	/Mark Romanish/
Date	05/20/2022
Attachments	Abbott v STEMCELL Motion to Extend 20 May 2022.pdf(421016 bytes )

Pursuant to Fed. R. Civ. P. 6(b), made applicable to Board proceedings by [37 C.F.R. § 2.116\(a\)](#), STEMCELL Technologies Canada Inc., 1618 Station Street, Vancouver, BC, V6A 1B6, a corporation organized under the laws of Canada, respectfully requests that it be granted a 90-day extension of time to respond to the notice of opposition against the above-identified mark for cause shown.

Defendant believes that good cause is established for this request by:

- The defendant and opposer need additional time to settle the claim.

The defendant and opposer participated in productive discussions on 21 April 2022 to amicably settle the opposition against the above-identified mark. Potential terms of settlement were discussed, and the parties agreed to consult with internal stakeholders before re-engaging on the potential terms of settlement. The defendant has shared with the opposer an initial draft of the potential terms of settlement, and awaits the opposer's reply.

The time within which to reply to the notice of opposition is set to expire on 22 May 2022. STEMCELL Technologies Canada Inc. respectfully requests that the time period within which to reply to the notice of opposition be extended until 18 August 2022. If a 90-day extension is not available, then defendant hereby requests an extension for the maximum period of time allowable under USPTO opposition procedure.

Please see Appendix A below for the certificate of service in the form suggested in TBMP § 113.03.

Respectfully submitted,

/Mark Romanish/

Mark Romanish

mark.romanish@stemcell.com

20 May 2022

## Appendix A

I hereby certify that a true and complete copy of the foregoing Motion to Extend has been served on Mr. Jordan Heinz and Ms. Jennifer Mikulina by forwarding said copy on 20 May 2022, via email to: Mr. Jordan Heinz, [jordan.heinz@abbott.com](mailto:jordan.heinz@abbott.com); [trademarks@abbott.com](mailto:trademarks@abbott.com); and Ms Jennifer Mikulina, [jmikulina@mwe.com](mailto:jmikulina@mwe.com).

Signature /Mark Romanish/

Date 20 May 2022