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Filing date: **03/15/2023**

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

Proceeding no.	91281414
Party	Defendant Treedefi Ltd
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Submission	Stipulated/Consent Motion to Extend
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Date	03/15/2023
Attachments	Second Stipulation Extending Time 03.15.2023.pdf(255355 bytes)

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

In the Matter of Application Serial Number 90881203

Filed: August 13, 2021

Published in the Official Gazette on June 28, 2022

Mark: **TREDEFI** (International Classes 009 and 042)

NICCOLÒ MASCARO,

Opposer,

~ *versus* ~

TREDEFI LTD.,

Applicant.

Opposition No. ESTTA1244091

**MOTION TO EXTEND TIME FOR APPLICANT TO ANSWER
OR OTHERWISE MOVE WITH RESPECT TO THE
OPPOSER'S AMENDED NOTICE OF OPPOSITION**

ON CONSENT OF ALL PARTIES

WITH THE CONSENT OF ALL PARTIES, the Applicant respectfully moves pursuant to TBMP § 509.01(a) and TBMP § 502.02(b) and other relevant rules, laws and procedures for an extension of time for the Applicant to Answer or otherwise Move with respect to the Opposer's Amended Notice of Opposition.

The current deadline for the Applicant to file its Answer or its Motion to Dismiss the Amended Notice of Opposition is March 9, 2023. The Parties consent to the extension of time for that Answer or Motion to Dismiss until March 20, 2023.

I. Relevant Procedural Background

1. Opposer filed their Amended Notice of Opposition on January 18, 2023 (ESTTA1260532).

2. By Order of TTAB Attorney Mary Beth Myles dated February 9, 2023 the time to answer was extended until March 9, 2023.

3. The time to Answer elapsed on the 9th, but the Undersigned was unexpectedly dealing with family health issues and now move on consent of all parties for an extension of time *nunc pro tunc* for the Applicant to Answer or otherwise Move to Dismiss the Amended Notice of Opposition for one week until March 20, 2023.

II. Good Cause Exists to Grant this Extension of Time

“[T]he Board generally is liberal in granting extensions of time before the period to act has elapsed so long as the moving party has not been guilty of negligence or bad faith and the privilege of extensions is not abused.” Sysco Corp. v. Princess Paper, Inc., 2006 TTAB LEXIS 94, *5 (TTAB 2006). Further, “an application for the enlargement of time under Rule 6(b)(1) normally will be granted in the absence of bad faith on the part of the party seeking relief or prejudice to the adverse party.” Kernisant v. City of New York, 225 F.R.D. 422, 431 (E.D.N.Y. 2005) *quoting* C. Wright, A. Miller, M. Kane, FEDERAL PRACTICE AND PROCEDURE § 1165 (2d ed. 1986).

The Parties do not request this extension for the purposes of delay and the requested extension will not adversely impact any current scheduling because the case is was Stayed pending the original Motion to Dismiss.

Applicant previously made a request for an extension of time which mooted in the February 9, 2023 Order (see footnote 1).

FOR THESE REASONS, and on the consent of all Parties, the Applicant respectfully requests an extension of time for them to Answer or otherwise Move to Dismiss the Amended Opposition until March 20, 2023.

RESPECTFULLY SUBMITTED,

By: 

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