

ESTTA Tracking number: **ESTTA1308860**Filing date: **09/08/2023**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91281414
Party	Defendant Treedefi Ltd
Correspondence address	BARUCH S. GOTTESMAN LAW OFFICE OF BARUCH S. GOTTESMAN 185-12 UNION TURNPIKE FRESH MEADOWS, NY 11366 UNITED STATES Primary email: bg@gottesmanlegal.com 212-401-6910
Submission	Motion to Extend
Filer's name	Baruch Gottesman
Filer's email	baruchgottesman@gmail.com, bg@gottesmanlegal.com
Signature	/Baruch Gottesman/
Date	09/08/2023
Attachments	Request to Extend Time by Applicant 09.08.2023.pdf(197086 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 SECOND AMENDED NOTICE OF OPPOSITION**

**ON CONSENT OF ALL PARTIES**

**WITHOUT OBJECTION BY THE OPPOSER,** 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 Second 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 apparently 20 days from the filing which I calculate as today. The Opposer takes no position on this request to extend the time to Answer or Move to Dismiss until October 2, 2023.

## **I. Relevant Procedural Background**

1. Opposer filed their Second Amended Notice of Opposition on August, 2023 (ESTTA1304670).

2. Applicant has until today, September 8, 2023 to Answer or otherwise Motion to Dismiss the Second Amended Notice of Opposition.

3. The time to Answer having not elapsed, the Applicant hereby moves without objection of Opposer for an extension of time for the Applicant to Answer or otherwise Move to Dismiss the Amended Notice of Opposition for three weeks until October 2, 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 will be rescheduled in light of the Second Amended Petition.

This is the Applicant’s first request for an extension of time with respect to the

Second Amended Petition.

**FOR THESE REASONS**, without objection of the Opposer, the Applicant respectfully requests an extension of time for them to Answer or otherwise Move to Dismiss the Second Amended Opposition until October 2, 2023.

RESPECTFULLY SUBMITTED,

By:

A handwritten signature in blue ink, appearing to read "Baruch S. Gottesman", is written over a light blue horizontal line.

Baruch S. Gottesman, Esq.  
New York Bar No. 4480539  
GOTTESMAN LEGAL PLLC  
11 Broadway, Suite 615  
New York, NY 10004  
Phone: (212) 401-6910  
Fax: (212) 859-7307  
[bg@gottesmanlegal.com](mailto:bg@gottesmanlegal.com)