

ESTTA Tracking number: **ESTTA1346330**Filing date: **03/15/2024**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91285714
Party	Plaintiff Implant Direct Sybron International LLC
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Submission	Stipulated/Consent Motion to Extend
Filer's name	Sean K. Owens
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Signature	/Sean K. Owens/
Date	03/15/2024
Attachments	Unopposed Motion for Extension to File Response to MSJ.pdf(6958 bytes)

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

<u>In re Application Serial No. 97/438,358</u>)	Opposition No. 91285714
Implant Direct Sybron International LLC)	
)	Mark: SIMPLY SMARTER
Opposer,)	Published for Opposition:
v.)	February 28, 2023
)	
Paragon Implant LLC)	
)	
Applicant.)	
_____)	

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
A RESPONSE TO APPLICANT’S MOTION FOR SUMMARY JUDGMENT**

Opposer, Implant Direct Sybron International LLC (“Opposer”), moves the Board for an extension of time to file a response to Applicant’s, Paragon Implant LLC, (“Applicant”), Motion for Summary Judgment. More specifically, Opposer requests that it be given until April 15, 2024 to file its response.

In support of this motion, Applicant states as follows:

1. Applicant filed its motion for summary judgment on February 29, 2024.
2. Under the rules, Opposer has 30 days to file its response. Here, that would be Saturday, March 30. Under the rules, Opposer would then have until Monday, April 1 to file its response.
3. Opposer needs additional time to adequately respond to Applicant’s motion for summary judgment.

4. On March 13, counsel for Opposer emailed counsel for Applicant and asked for a two-week extension until Monday, April 15 to file the response.
5. Counsel for Applicant agreed to the two-week extension provided that counsel for Opposer send counsel for Applicant a draft of the motion before filing it.
6. Counsel for Applicant emailed a draft of the motion to counsel for Opposer on March 14.
7. Counsel for Opposer responded that he would not oppose the motion as drafted.

In view of the above, Opposer respectfully requests that the Board give Opposer until April 15, 2024, to file its response to Applicant's motion for summary judgment.

Date: March 15, 2024

Respectfully submitted,
WOOD HERRON & EVANS LLP

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Implant Direct Sybron International LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE TO APPLICANT’S MOTION FOR SUMMARY JUDGMENT has been served upon counsel for Applicant by email this 15th day of March, 2024, as follows:

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