


ESTTA Tracking number: **ESTTA1318004**Filing date: **10/25/2023**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	92083220
Party	Defendant Sanno Ltd.
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Submission	Motion to Extend
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Date	10/25/2023
Attachments	SANNO - Motion for 60 Day Extension to file an Answer.pdf(121162 bytes )

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

California Vein Vascular and	]	Cancellation No.: 92083220
Diagnostics, Inc.	]	Registration No.: 6697465
	]	
Petitioner,	]	
	]	
v.	]	Mark:
	]	
Sanno Ltd.	]	
	]	
Registrant.	]	
	]	

**MOTION FOR 60 DAY EXTENSION**  
**TO FILE AN ANSWER**

Registrant, Sanno Ltd., hereby files this Motion for 60 Day Extension to file an Answer in connection with Cancellation No. 92083220, California Vein Vascular and Diagnostics, Inc.’s Petition to Cancel United States Trademark Registration No. 6697465 for the mark



**PROCEDURAL HISTORY**

Registrant only learned of the Petition to Cancel when its United States trademark prosecution counsel happened to notice it and informed Registrant’s outside European Union trademark counsel. The undersigned was only retained to represent Registrant in connection

with the instant proceeding on October 24, 2023 – just one day before the deadline for Registrant to file its Answer. In light of this, the undersigned immediately reached out to Petitioner’s attorney requesting consent for a sixty (60) day extension of time. On October 24, 2023, Brian P. Kinder, Esq., counsel for Petitioner refused to provide that consent. Registrant now files this Motion for 60 Day Extension to file an Answer to afford Registrant sufficient time to review the allegations set forth in the Petition to Cancel and respond accordingly.

### **LEGAL ARGUMENT**

Allowing Registrant sixty (60) days to Answer the Petition to Cancel will not prejudice Petitioner. Specifically, Petitioner may proceed with developing its case after the Answer is filed, the Discovery Conference is conducted and Initial Disclosures are served. As a result, at this very early stage of the Cancellation proceeding, Petitioner will not be prejudiced by a sixty (60) day delay in filing the Answer.

In the present case, the requested sixty (60) day extension is for good cause and not necessitated by Registrant’s lack of diligence or unreasonable delay. As mentioned above, upon learning of the filing of the Petition to Cancel by happenstance, Registrant discussed the matter with its outside European Union trademark counsel, who then reached out to Registrant’s United States trademark prosecution counsel who recommended that Registrant retain the undersigned. Counsel of record for Registrant was only retained on October 24, 2023 and immediately requested consent for a sixty (60) day extension of time, which was refused. The Petition to Cancel contains thirteen (13) numbered paragraphs, the majority of which are either fact specific

and/or involve aspects of United States trademark law that Registrant is unfamiliar with such that counsel must carefully review them with Registrant to allow for Registrant to Answer the allegations. Lastly, counsel notes that Registrant is located in the United Kingdom and Registrant's outside European Union trademark counsel is located in Spain. As a result, the foregoing demonstrate that the request is for good cause and not due to Registrant's lack of diligence or unreasonable delay. See Fed. R. Civ. P. 6(b); 37 C.F.R. § 2.116(a); TMBP 509.01(a); *Am. Vitamin Prods. Inc. v. DowBrands Inc.*, 22 USPQ2d 1313, 1315 (TTAB 1992).

### CONCLUSION

For the reasons set forth above, Registrant asserts that it has demonstrated that his request for a sixty (60) day extension is for good cause and not necessitated by Registrant's lack of diligence or unreasonable delay. Therefore, Registrant respectfully requests that the Board grant this extension request and issue a new schedule setting forth the Answer, conference, discovery, disclosure and trial deadlines.

Respectfully Submitted,

Sanno Ltd

Dated: 10/25/2023

BY:                   /todd a denys/                    
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Attorney for Registrant

**CERTIFICATE OF FILING**

I hereby certify that this Motion for 60 Day Extension to file an Answer is being filed with the United States Patent and Trademark Office via the Trademark Trial and Appeal Board's Electronic System for Trademark Trials and Appeals [ESTTA] on-line filing process.

10/25/2023  
(Date of Deposit)

/todd a denys/  
(Signature)

10/25/2023  
(Date of Signature)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Dated: 10/25/2023

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