

**UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE DIRECTOR**

Mystery Ranch, Ltd.,

Opposer,

v.

Terminal Moraine, Inc.,

Applicant.

Decision on Request for Extension
of Time under 37 C.F.R. § 2.145(e)

Opposition No. 91250565

MEMORANDUM AND ORDER

On March 3, 2023, the two parties to this opposition proceeding jointly filed a request for an extension of time, through and including April 3, 2023, within which to seek judicial review of the Trademark Trial and Appeal Board's November 30, 2022, final decision in this case. The request, the parties' second, is GRANTED for the reasons set forth below.

Under 37 C.F.R. § 2.145(e)(1)(i), the Director may, for good cause, extend the time to seek judicial review of a Board decision if the request is made in writing before the period for seeking judicial review expires. Under 37 C.F.R. § 2.145(d)(1), the period for seeking judicial review under 15 U.S.C. § 1071 expires sixty-three (63) days from the date of the final decision of the Board. The parties' first extension request was filed on January 28, 2023, less than 63 days from the Board's November 30 decision, and requested to extend the time through and including March 3, 2023. The Directors granted the request based on the parties' representation that they were

trying to settle their dispute. Because the parties filed this second request before the expiration of the extended March 3, 2023, deadline, it too is timely and will be considered under the good cause standard.

The request states that “[w]hile the parties have made good faith efforts to settle the matter expeditiously and are very close to finalizing the written agreement between them, settlement will not be finalized by ... March 3, 2023.” They state that a further extension is needed “to allow for finalization of the settlement ...”

Based on these representations, there is good cause for the requested extension of time. Accordingly, the request is GRANTED. The deadline for seeking judicial review is extended through and including April 3, 2023.

KATHERINE K. VIDAL,
*Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and
Trademark Office,*

Date: March 20, 2023

By: /Thomas W. Krause/
THOMAS W. KRAUSE
Solicitor

Cc (via email): counsel of record as listed in TTABVue