

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE DIRECTOR

In re iNuron NV

Applicant

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

Application Serial No. 79/142,092
Mark: OPEN VSTORAGE

MEMORANDUM AND ORDER

On May 30, 2017, Applicant iNuron NV filed a request for an extension of time of thirty (30) days to appeal the March 27, 2017, decision of the Trademark Trial and Appeal Board affirming the refusal to register the mark in the above-referenced application. Applicant states that it needs the additional time to consult with counsel and review its legal basis for appeal and appeal options.

Under 37 C.F.R. § 2.145(e), the Director may, for good cause, extend the time to appeal, if the request is made in writing before the time for filing such appeal expires. Under 37 C.F.R. § 2.145(d), the time to appeal expires sixty-three days after the date of the Board's decision.


The extension request is timely. The Board's decision was mailed on March 27, 2017. Sixty-three days from that date was May 29, 2017, which was a federal holiday, making the last day to appeal May 30, 2017.

Further, Applicant has explained that it needs the additional time to consult with counsel and consider its appeal options. It therefore appears that there is good cause for the requested thirty-day extension.

Accordingly, the request is GRANTED. Applicant has an additional thirty days, through and including **June 29, 2017**, to seek judicial review of the Board's decision.

MICHELLE K. LEE,
UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Date: June 2, 2017

By: 
Nathan K. Kelley
Solicitor

cc (via email) to:

Clifford D. Hyra
Symbus Law Group, LLC
11710 Plaza America Drive, Suite 2000
Reston, VA 20190
Email: chyra@symbus.com