

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

In re GJ & AM, L.L.C.,

Applicant,

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

Appl. Ser. No. 86/858,003

MEMORANDUM AND ORDER

On October 19, 2018, Applicant GJ & AM, L.L.C. (“Applicant”), filed a request for an extension of time of thirty (30) days within which to seek judicial review of the Trademark Trial and Appeal Board’s August 17, 2018, decision affirming the refusal to register the mark of Applicant’s Application Serial No. 86/858,003. The request is GRANTED for the reasons set forth below.

Under 37 C.F.R. § 2.145(e)(1)(i), the Director may extend the time for seeking judicial review of a Board decision for good cause if the request is made in writing before the period for filing an appeal or commencing a civil action expires. Under 37 C.F.R. § 2.145(d), the period for filing a notice of appeal or a civil action expires sixty-three (63) days from the date of the final decision of the Board. The Board’s final decision was mailed on August 17, 2018, making the filing of any appeal or of any civil action challenging such decision due no later than October 19, 2018.*

Accordingly, this request for an extension of time is timely and considered under the good cause standard.

* Applicant’s request states that the 63-day appeal period expires October 20, 2018, but it actually expires October 19, 2018. Because this request was mailed on October 19, it is nevertheless timely.

Applicant avers that his attorney is a solo practitioner who, in the time since the Board's decision, has been working on two patent applications, several responses to Office actions in four patent or trademark matters, and matters related to responding to a cease-and-desist letter concerning potential litigation over a design patent. Applicant avers that his attorney therefore needs additional time to consider monetary and evidentiary issues concerning which avenue of judicial review to seek and to apply for admission to the bar of the U.S. Court of Appeals for the Federal Circuit, in case Applicant ultimately chooses that route of judicial review.

The Director finds that there is good cause for the requested thirty (30) day extension of time to seek judicial review. Accordingly, the request for extension of time is GRANTED. Applicant has an additional thirty (30) days from October 19, 2018 (*i.e.*, through and including November 18, 2018), within which to seek review of the Board's decision.

ANDREI IANCU,
*Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and
Trademark Office*

Date: October 23, 2018

By: Joseph Matal
Joseph Matal
Acting Deputy General Counsel for
Intellectual Property Law and Acting Solicitor