

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

In re Rainier Enterprises, LLC

Applicant,

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

Appl. Ser. No. 87/384,516

MEMORANDUM AND ORDER

On January 31, 2020, Applicant Rainer Enterprises, LLC (“Applicant”), filed a request for “30-day extension of time to file Applicant’s Notice of Appeal” of the Trademark Trial and Appeal Board’s December 3, 2019, decision affirming the refusal to register the mark of Applicant’s Application Serial No. 87/384,516. The request 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 appeal of a Board decision if the request is made in writing before the period for filing an appeal expires. Under 37 C.F.R. § 2.145(d)(1), the period for filing a notice of appeal expires sixty-three (63) days from the date of the final decision of the Board. The Board’s final decision was mailed on December 3, 2019, making the filing of any appeal challenging such decision due no later than February 4, 2020.

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


Applicant’s attorney avers that he in in the process not only of considering an appeal to the Federal Circuit, but also “is further examining all options for the

pending trademark and the associated brand.” Applicant’s attorney states that he needs the additional time to complete these evaluations.

The Director finds that there is good cause for the requested thirty (30) day extension of time to file a Notice of Appeal to the Federal Circuit. Accordingly, the request for extension of time is GRANTED. Applicant has an additional thirty (30) days from February 4, 2020 (*i.e.*, through and including March 5, 2020), within which to file such Notice.

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

Date: February 4, 2020

By: 
THOMAS W. KRAUSE
Deputy General Counsel for Intellectual
Property Law and Solicitor