

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

**In re Reebok International
Limited,**

Applicant,

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

Appl. Ser. No. 88/172,627

MEMORANDUM AND ORDER

On May 27, 2021, Applicant Reebok International Limited (“Applicant”), filed a request for an extension of time to seek judicial review of the Trademark Trial and Appeals Board’s March 29, 2021, final decision, which affirmed the refusal to register the mark of Application Serial No. 88/172,627. Specifically, Applicant requests “a sixty (60) day extension of time to file either an appeal of the TTAB’s decision to the Court of Appeals for the Federal Circuit under 15 U.S.C. § 1071(a) or to commence a civil action in the United States District Court for the Eastern District of Virginia under 15 U.S.C. § 1071(b).” 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 institute judicial review, under 15 U.S.C. § 1071, of a Board decision if the request is made in writing before the period for instituting judicial review expires. Under 37 C.F.R. § 2.145(d)(1), the period for filing a notice of appeal or civil action under 15 U.S.C. § 1071 expires sixty-three (63) days from the date of the final decision of the Board. The Board’s final decision was mailed on March 29, 2021, and 63 days

from March 29 was May 31, 2021. But May 31, 2021, was a legal holiday, which made such filing due June 1, 2021. *See* 37 CFR § 2.145(d)(4)(ii). Either way, this May 27, 2021, request is timely and will be considered under the good cause standard.

The request posits that good cause exists, explaining that Applicant is wholly-owned by adidas AG, a German joint stock company, and that adidas AG has “announced its plans to begin a formal process aimed at divesting Applicant.” The request further explains that “Applicant’s senior management and legal department have been consumed with divestiture/acquisition related matters and would benefit greatly from the requested extension in order to give more considered attention to the decision on appealing the TTAB’s affirmance of the refusal to register the above-referenced mark.”

Based on these representations, the Director finds that there is good cause for the requested sixty (60) day extension of time. Accordingly, the request for extension of time is GRANTED. Applicant has an additional sixty (60) days from June 1, 2021, through and including August 2, 2021, (because 60 days from June 1 falls on Saturday, July 31, *see* 37 CFR § 2.145(d)(4)(ii)), within which to seek judicial review.

ANDREW HIRSHFELD,
*Performing the Duties and Functions of Under Secretary
of Commerce for Intellectual Property and Director of
The United States Patent and Trademark Office,*

Date: June 1, 2021

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