

**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 July 21, 2021, Applicant Reebok International Limited (“Applicant”), filed a request for an extension of time to seek judicial review of a final decision of the Trademark Trial and Appeal Board (TTAB) affirming the refusal to register the mark of Applicant’s Application Serial No. 88/172,627. This is Applicant’s second such request. The Director granted Applicant’s first request on June 1, 2021, extending the time within which Applicant could seek judicial review of the TTAB’s March 29, 2021, decision through and including August 2, 2021. Applicant now requests “a second 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.

Because Applicant filed this second request before the expiration of the August 2, 2021, deadline established by the Director's June 1 order, it is timely and will be considered under the good cause standard.

Applicant's first request explained 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." It further explained that "Applicant's senior management and legal department have been consumed with divestiture/acquisition related matters" and for that reason need more time to decide whether to seek judicial review. This second request explains that Applicant's relevant personnel are still consumed with divestiture/acquisition related matters. Specifically, Applicant notes that "adidas has settled on a list of companies that have been asked to submit final bids in August to acquire Applicant" and the additional time is needed not only for that step but also to potentially "afford the ultimate acquirer ... an opportunity to offer its own perspective on the decision concerning the appeal."

Based on these representations, the Director finds that there is good cause for the requested sixty (60) day extension of time. Accordingly, the request is GRANTED. Applicant has an additional sixty (60) days from August 2, 2021, through and including October 1, 2021, within which to seek judicial review. Applicant should not expect any further extensions.

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: July 28, 2021

By: /Thomas W. Krause/

THOMAS W. KRAUSE

Deputy General Counsel for Intellectual
Property Law and Solicitor