

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

Jockey International, Inc.,

Opposer,

v.

Lamont D. Cooper,

Applicant.

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

Opposition No. 91248336

Serial No. 87863113

Mark:



MEMORANDUM AND ORDER

On November 20, 2024, Applicant Lamont D. Cooper (“Applicant”), filed a request for an extension of time to seek judicial review of the September 19, 2024 final decision of the Trademark Trial and Appeal Board. That decision sustained Opposer Jockey International, Inc.’s opposition to Application Ser. No. 87863113, granted several of Applicant’s counterclaims for cancellation of specified registrations, and denied Applicant’s remaining counterclaims. The request seeks an extension to allow the parties time to conduct settlement negotiations. The request is **GRANTED** for the reasons below.

Under 37 C.F.R. § 2.145(e)(1)(i), the Director may, for good cause, extend the time to seek judicial review under 15 U.S.C. § 1071 of a Board decision if the request is made in writing before the period for seeking judicial review expires. Under 37 C.F.R. § 2.145(d)(1), the period for seeking judicial review under 15 U.S.C. § 1071 expires sixty-three (63) days from the date of the final decision of the Board. The relevant period here runs from September 19, 2024, and therefore any request for extension of time

was due on or before November 21, 2024. Because Applicant’s request for extension of time was filed on November 20, 2024, the request is timely and considered under the good cause standard.

In its request, Applicant explains that the parties “have expressed a willingness to engage in meaningful settlement negotiations” and that granting the extension may allow Applicant “to avoid the unnecessary expenditure of resources associated with initiating litigation, which may become moot if the parties reach a settlement.” *See* Req. at 2. Applicant submitted with its request confidential correspondence indicating that settlement negotiations may ultimately succeed.

Based on the explanation and evidence submitted by Applicant, there is good cause for an extension of time. Although the initial request was unclear as to the length of additional time sought, Applicant clarified during a phone call on November 26, 2024, that the requested extension is for sixty (60) days. Under the circumstances, a sixty (60) day extension of the deadline is reasonable. Accordingly, the deadline to seek judicial review under 15 U.S.C. § 1071 of the Board’s decision is extended by sixty (60) days, through and including January 20, 2025.

KATHERINE K. VIDAL,
Under Secretary of Commerce for Intellectual
Property and Director of the United States
Patent and Trademark Office

Date: December 3, 2024

By: /s/ Farheena Y. Rasheed
Farheena Y. Rasheed
Solicitor

cc (via e-mail) to: Counsel of record as listed in TTABVUE