

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

Mystery Ranch, Ltd.,

Opposer,

v.

Terminal Moraine, Inc.,

Applicant.

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

Opposition No. 91250565

MEMORANDUM AND ORDER

On April 3, 2023, the two parties to this opposition proceeding jointly filed a request for an extension of time, through and including May 3, 2023, within which to seek judicial review of the Trademark Trial and Appeal Board's November 30, 2022, final decision in this case. The request, the parties' third, 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 seek judicial review 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 parties' first extension request was filed on January 28, 2023, less than 63 days from the Board's November 30 decision, and asked for an extension through and including March 3, 2023. The

Director granted the request based on the parties' representation that they were working to settle their dispute.

The parties' second request was timely filed before the expiration of the extended March 3, 2023, deadline, and it recited that the parties were "very close to finalizing the written agreement between them." The Director granted the request, extending the time through and including April 3, 2023.

This third request was timely-filed before expiration of the April 3, 2023, deadline and therefore will be measured against the good cause standard. In it, the parties indicate that progress towards settlement has continued, reciting that Applicant has executed the settlement documents, but that Opposer and its stakeholders need extra time to review and execute the documents.

Based on these representations, there is good cause for the requested extension of time. Accordingly, the request is GRANTED. The deadline for seeking judicial review is extended through and including May 3, 2023.

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

Date: April 5, 2023

By: /Thomas W. Krause/
THOMAS W. KRAUSE
Solicitor

Cc (via email): counsel of record as listed in TTABVue