

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

BAXTER S.R.L.,

Opposer,

v.

WHOLESALE INTERIORS, INC.,

Applicant.

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

**Opposition No. 91263387
Serial No. 88381362
Mark: BAXTON STUDIO**

MEMORANDUM AND ORDER

On April 16, 2024, Opposer Baxter S.r.l. (“Opposer”), filed a request for an extension of time to file a Notice of Appeal to the United States Court of Appeals for the Federal Circuit from the February 16, 2024, final decision of the Trademark Trial and Appeal Board (TTAB) dismissing Opposer’s opposition. The request asks for an extension of sixty (60) days, through and including June 18, 2024 to allow the parties to finalize settlement. 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 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 filing a notice of appeal under 15 U.S.C. § 1071(a) expires sixty-three (63) days from the date of the final decision of the Board. The Board decision issued on February 16, 2024, and therefore any request for extension

of time is due on or before April 19, 2024. Thus, Opposer’s April 16, 2024 request for extension of time is timely and considered under the good cause standard.

Opposer’s request states that “the parties have reached an agreement in principle to settle the matter and are in the process of memorializing the agreement” and need the additional time to finalize the settlement. *See* Req. at 1. Opposer further notes that “Opposing Counsel has consented to the extension.” *Id.*

Based on these representations, there is good cause for the requested sixty (60) day extension of time. Accordingly, the request is GRANTED. The deadline for filing a Notice of Appeal to the Federal Circuit is extended through and including June 18, 2024.

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

Date: April 18, 2024

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

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