

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE DIRECTOR

NAIROBI 1932, INC.,  
Opposer

v.

RADIAN GROUP INC.,  
Applicant

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

Opposition No. 91274066  
Serial No. 90847812  
Mark: TITLEGENIUS

MEMORANDUM AND ORDER

On August 4, 2023, Opposer, Nairobi 1932, Inc. (“Nairobi”), filed a request for an extension of time of sixty (60) days to seek judicial review of the June 14, 2023, decision of the Trademark Trial and Appeal Board (Board) dismissing Nairobi’s opposition to registration of application Serial No. 90847812 for the mark TITLEGENIUS owned by Applicant, Radian Group, Inc. Specifically, Nairobi has requested the extension of time “to file a de novo civil action in the Middle District of Florida.” The request is GRANTED for the reasons set forth below.

Under 37 C.F.R. § 2.145(e), 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 time for filing an appeal or civil action expires. Under 37 C.F.R. § 2.145(d)(1), the time to seek judicial review expires sixty-three (63) days from the date of the final decision of the Board. The Board’s decision was issued on June 14, 2023, and therefore any request for extension of time is due on or before August 16, 2023. Thus, Nairobi’s August 4, 2023 request for extension of time is timely and is considered under the good cause standard.

Nairobi's request explains that the civil proceeding it intends to file "encompasses multiple new causes of action and is more complex than the recently concluded TTAB proceeding thus requiring extensive efforts to prepare and file." It therefore appears that there is good cause for the requested sixty (60) day extension.

Accordingly, the request for extension of time is GRANTED. Applicant has an additional sixty (60) days within which to file a civil action in the Middle District of Florida. Because the 60th day falls on a Sunday, the deadline shall be October 16, 2023.

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

Date: August 14, 2023

By: /s/Thomas W. Krause  
Thomas W. Krause  
Solicitor

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