

UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE DIRECTOR

**adidas America, Inc.,**

Petitioner,

v.

**Michael D. Calmese,**

Respondent

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

Cancellation No. 92048777

MEMORANDUM AND ORDER

On October 25, 2016, Respondent Michael D. Calmese (“Respondent”) filed a request for an unspecified extension of time to seek judicial review of the decision of the Trademark Trial and Appeal Board, dated August 30, 2016. Respondent also lodged a copy of this request with the TTAB.

By complaint dated October 28, 2016, and filed as of October 31, 2016, however, Respondent initiated a civil action the United States District Court for the District of Arizona, No. CV-16-03763-PHX-ESW, seeking review of various TTAB decisions in this matter. It therefore appears that this request is moot.

Accordingly, this request is denied without prejudice.

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

Date: November 10, 2016

By: 

Nathan K. Kelley  
Deputy General Counsel for Intellectual  
Property Law and Solicitor

cc: David K. Friedland (counsel for Petitioner) via email: [dkfriedland@lfiplaw.com](mailto:dkfriedland@lfiplaw.com)