

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

**SONY MOBILE
COMMUNICATIONS INC.,**

Petitioner,

v.

VIZIO, INC.,

Respondent.

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

Cancellation No. 92070572

MEMORANDUM AND ORDER

On September 15, 2021, Petitioner Sony Mobile Communications Inc. (“Petitioner”), filed a request for an extension of time of thirty (30) days within which to file a notice of appeal or commence a civil action seeking review of the Trademark Trial and Appeal Board’s July 20, 2021, final decision in this case. 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 institute judicial review, under 15 U.S.C. § 1071, of a Board decision if the request is made in writing before the period for instituting judicial review expires. Under 37 C.F.R. § 2.145(d)(1), the period for filing a notice of appeal or civil action under 15 U.S.C. § 1071 expires sixty-three (63) days from the date of the final decision of the Board. The Board’s final decision was mailed on July 20, 2021, and 63 days

from July 20 is September 21, 2021. Because Petitioner filed this request before the expiration of the September 21, 2021, deadline, it is timely and will be considered under the good cause standard.

The request states that “the Parties are engaged in potential settlement discussions following the issuance of the Final Decision and need additional time for those discussions.” Additionally, Respondent, VIZIO, Inc., has consented to the request.

Based on these representations, the Director finds that there is good cause for the requested thirty (30) day extension of time. Accordingly, the request is GRANTED. Petitioner has an additional thirty (30) days from September 21, 2021, through and including October 21, 2021, within which to seek judicial review.

ANDREW HIRSHFELD,
*Performing the Duties and Functions of Under Secretary
of Commerce for Intellectual Property and Director of
The United States Patent and Trademark Office,*

Date: September 16, 2021

By: /Thomas W. Krause/
THOMAS W. KRAUSE
Deputy General Counsel for Intellectual
Property Law and Solicitor