

**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 under  
37 C.F.R. § 2.145(e)

Cancellation No. 92070572

**MEMORANDUM AND ORDER**

On October 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. This is Petitioner’s second such request. The Director granted Petitioner’s first request on September 16, 2021, extending the time within which Petitioner could file a notice of appeal or commence a civil action seeking review of the TTAB’s July 20, 2021, decision through and including October 21, 2021. Petitioner now seeks “a further 30-day extension of the deadline.” 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. Because the Petitioner filed this second request before the expiration of the October 21, 2021, deadline established by the Director's September 16 order, it is timely and will be considered under the good cause standard.

Petitioner's first request stated that "the Parties are engaged in potential settlement discussions following the issuance of the Final Decision and need additional time for those discussions." This second request reaffirms that "the Parties are continuing to engage in potential settlement discussions following the issuance of the Final Decision and need additional time for those discussions." Additionally, Petitioner indicates that Respondent, VIZIO, Inc., has consented to this second 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 October 21, 2021, through and including November 20, 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: October 20, 2021

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