

**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 November 17, 2021, Petitioner Sony Mobile Communications Inc. (“Petitioner”), filed a request, with Respondent’s consent, 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 third 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. The Director then granted Petitioner’s second consented request on October 20, 2021, extending the period through and including November 20, 2021. Petitioner now, again with Respondent’s consent, 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 third request before the expiration of the November 20, 2021, deadline established by the Director's October 20 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." The second request, and now this third request, re-affirmed that the parties are continuing to discuss settlement and need more time to complete those discussions. And, as noted above, Petitioner indicates that Respondent, VIZIO, Inc., has consented to this third 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 November 20, 2021, through and including December 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: November 18, 2021

By: /Thomas W. Krause/

THOMAS W. KRAUSE

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