

No. _____

In the Supreme Court of the United States

In re: OPENINGS, dba Total Door,

Applicant.

**APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR WRIT OF CERTIORARI**

**Directed to the Honorable John G. Roberts Jr.,
Chief Justice of the United States and Circuit Justice for the
United States Court of Appeals for the Federal Circuit**

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December 22, 2017

To the Honorable John G. Roberts Jr., as Circuit Justice for the United States Court of Appeals for the Federal Circuit:

Openings, Inc. dba Total Door (“Total Door” or “Applicant”) respectfully requests a 30-day extension of the deadline for filing its petition for a writ of certiorari, from January 9, 2018 to February 8, 2018. Applicant intends to ask this Court to review the attached judgment issued by the United States Court of Appeals for the Federal Circuit, issued on October 11, 2017 in Appeal Number 2016-2307. In that judgment, the Federal Circuit affirmed without opinion the decision of the Trademark Trial and Appeal Board of U.S. Patent and Trademark Office to refuse to register Applicant’s proposed mark on the ground that it comprises matter that, as a whole, is functional. The Court will have jurisdiction under 28 U.S.C. § 1254(1).

To adequately address the issues in this case for the Court’s consideration, undersigned counsel needs additional time. Counsel has recently been occupied with a number of other matters, including various matters before the Federal Circuit and several other courts, and has been unable to complete the legal research and analysis necessary for the petition. For example, counsel has oral argument in another appeal before the Federal Circuit on January 11, 2018, and is taking or defendant numerous depositions in other matters during November, December, and January. In addition, counsel has planned vacation over the holidays.

For these reasons, Total Door respectfully requests an extension of time to file its certiorari petition, up to and including February 8, 2018.

Respectfully submitted.

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