



03-10-2003

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U.S. Patent & TMO/c/TM Mail Rcpt Dt. #6.

200-393 and 200-444 GDK/dh

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

TRADEMARK TRIAL AND
APPEAL BOARD
03 MAR 19 AM 9:30

<p>Quaker Oats Company.</p> <p style="text-align: right;">Opposer,</p> <p style="text-align: center;">v.</p> <p>675166 Ontario Limited d/b/a Tritap Food Broker</p> <p style="text-align: right;">Applicant.</p>
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Opposition No. 98,628

**APPLICANT'S MOTION FOR
AMENDMENT OF APPLICATION SERIAL NO. 74/333,231**

Applicant, by its attorney, hereby requests that its application Serial No. 74/333,231 be amended to read as follows:

“Gelatin dessert powders” in International Class 29”.

“Confectionery, namely, puddings, excluding bread puddings, and pasta products, namely, shelf stable macaroni and cheese dinners in International Class 30”.

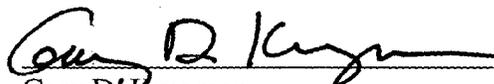
Counsel for Opposer has agreed to this amendment and the amendment is made pursuant to a settlement agreement between the parties. The parties will proceed in due course to file a stipulated request to dismiss the opposition without prejudice.¹

¹ This application is also the subject of an opposition filed by Roush Products Company, Inc. (Consolidated Opposition 97,037 and 99,149). Roush Products Company, Inc. has also consented to this amendment and Roush Products Company, Inc. is a party to the settlement agreement referred to above. Applicant has filed in consolidated Opposition Nos. 97,037 and 99,149 an amendment to the description of goods in Applicant's Application Serial No. 74/333,231, which amendment is identical to the one filed herein.

**APPLICANT'S MOTION FOR AMENDMENT OF APPLICATIONS SERIAL NO. 74/333,231
Quaker Oats Company . v. 975166 Ontario Limited d/b/a Tritap Food Broker
Opposition No. 98,628**

For the foregoing reasons, it is respectfully requested that the amendment to the description of goods in Applicant's application be approved and entered.

Respectfully submitted,



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Date: March 10, 2003

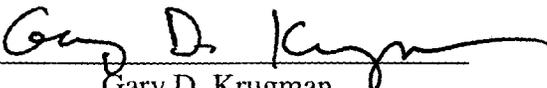
cc: Janice Bereskin, Esq.

CERTIFICATE OF SERVICE

I, Gary D. Krugman, hereby state that on this 10th day of March 2003, a true copy of the foregoing **APPLICANT'S MOTION FOR AMENDMENT OF APPLICATION SERIAL NO. 74/333,231** was sent via first class mail, postage pre-paid to:

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