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

Proceeding	91160944
Party	Defendant Tequila Cuervo La Rojena, S.A. De C.V.
Correspondence Address	Lawrence E. Abelman ABELMAN FRAYNE & SCHWAB 666 Third Avenue New York, NY 10017-5621 UNITED STATES MAMastrovito@lawabel.com
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Date	11/14/2008
Attachments	RED BULL V TEQUILA - STIP TO AMD APPL AND TO DISMISS NOT OF OPPOSITION.pdf (3 pages)(112086 bytes)

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being filed electronically via ESTTA on November 14, 2008.

/Marie Anne Mastrovito/

Marie-Anne Mastrovito

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RED BULL GMBH.

Opposer/Respondent

v.

TEQUILA CUERVO LA ROJENA, S.A. DE C.V.

Applicant/Petitioner.

Opposition No.: 91-160,944

Trademark: MATADOR

Serial No.: 78/152,459

**STIPULATION TO AMEND APPLICATION AND TO DISMISS NOTICE OF
OPPOSITION AND COUNTERCLAIM WITHOUT PREJUDICE AND WITH
CONSENT, UPON ENTRY OF AMENDMENT**

Applicant, **Tequila Cuervo la Rojena, S.A. de C.V.**, with the express consent of Opposer, hereby respectfully requests that the identification of goods in Application Serial No. 78/152,459 be amended as follows:

1. The goods in Class 32 should be deleted from the application in their entirety.
2. The goods in Class 33 should be amended to read:

Prepared alcoholic cocktails, tequila, and tequila liqueurs, excluding alcoholic energy drinks, alcoholic caffeinated beverages, and premixed alcoholic beverages made with energy or sports drinks or caffeinated beverages

Opposer, Red Bull GmbH, consents to this amendment.

The amendment should be deemed acceptable because it narrows, rather than broadens, the scope of the application. Further, the amendment is being made pursuant to a Settlement Agreement between the parties which will resolve the instant Opposition proceeding.

The parties further stipulate to and request that the Board, upon approval and entry of the above amendments for Application Serial No. 78/152,459, dismiss without prejudice and with consent both Opposition No. 91-160,944 and the respective Counterclaim.

Wherefore, the parties jointly request that the Board enter the requested amendments, and upon entry, dismiss without prejudice and with consent both the Opposition and the Counterclaim.

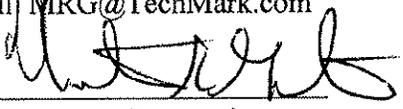
Pending the Board's consideration of this request, the entry of the amendments and the dismissal without prejudice and with consent of the Opposition and the Counterclaim, the parties jointly request the suspension of the proceeding.

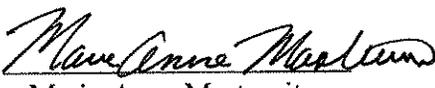
Dated: November 12, 2008

Respectfully Submitted,

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Attorney for Opposer/Respondent

By: 
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Attorney for Applicant/Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing STIPULATION TO AMEND APPLICATION AND TO DISMISS NOTICE OF OPPOSITION AND COUNTERCLAIM WITHOUT PREJUDICE AND WITH CONSENT, UPON ENTRY OF AMENDMENT was served on Opposer/Respondent by first class mail, postage prepaid, this 14th day of November, 2008 upon the following:

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