

ESTTA Tracking number: **ESTTA134357**

Filing date: **04/09/2007**

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

Proceeding	91171891
Party	Defendant Kashi Company Kashi Company 4250 Executive Square, Suite 600 La Jolla, CA 92037
Correspondence Address	Lisabeth H. Coakley Harness, Dickey & Pierce, P.L.C. 5445 Corporate Dr., Ste. 200 Troy, MI 48098 UNITED STATES coakley@hdp.com
Submission	Motion to Amend Application
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Signature	/lhc/
Date	04/09/2007
Attachments	91171891.pdf ( 3 pages )(66609 bytes )

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

Kids Need Us Now, LLC,	)	
	)	
Opposer,	)	Opposition No. 91171891
	)	Application Serial No. 78/719203
v.	)	Mark: KASHI MIGHTY BITES
	)	
Kashi Company,	)	
	)	
Applicant.	)	
_____	)	

**REQUEST TO AMEND APPLICATION  
WITH CONSENT OF OPPOSER**

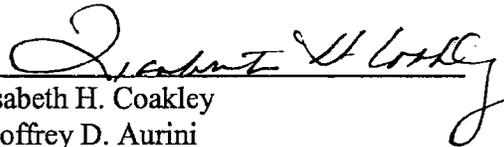
Applicant, Kashi Company, hereby requests pursuant to 37 CFR §2.133(a) that the Trademark Trial and Appeal Board approve the amendment of its application, Serial No. 78/719203 so that the description of goods shall read as follows:

“Processed cereal-derived food product to be used as a breakfast cereal, snack food, or ingredient for making food; ready-to-eat cereal; rolled oats; oatmeal; grain based snack foods; ready-to-eat oat based snack food; oat flakes; processed cereals; frozen waffles; excluding candy.”

Opposer, Kids Need Us Now, LLC, has consented to this amendment which is made pursuant to an agreement between the parties. Once the Board approves the amendment, the parties have further agreed that the Notice of Opposition be dismissed with prejudice.

Respectfully submitted,

Dated: April 4, 2007

By:   
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Attorneys for Kashi Company

Kids Need Us Now, LLC, Opposer in the above-referenced matter, hereby consents to the amendment of Application Serial No. 78/241597.

Date: April 6, 2007

By:   
Joshua P. Grey  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Kids Need Us Now, LLC,	)	
	)	
Opposer,	)	Opposition No. 91171891
	)	Application Serial No. 78/719203
v.	)	Mark: KASHI MIGHTY BITES
	)	
Kashi Company,	)	
	)	
Applicant.	)	
_____	)	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **Request to Amend Application with Consent of the Opposer** has been served on the following counsel for Opposer, Kids Need Us Now, LLC, by mailing said copy on April 9, 2007, via First Class Mail, postage prepaid to:

Joshua P. Grey  
Bulkley, Richardson and Gelinas, LLP  
1500 Main Street, Suite 2700  
Springfield, MA 01115

  
Timothy J. Comparoni