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Filing date: **05/20/2011**

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

Proceeding	91195424
Party	Defendant AMERICAN NATURAVIT, INC.
Correspondence Address	MICHAEL TSCHUPP ESPINOSA TRUEBA PL 3001 SW 3RD AVENUE MIAMI, FL 33129 UNITED STATES mtschupp@etlaw.com
Submission	Other Motions/Papers
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Date	05/20/2011
Attachments	Motion to Amend re Settlement - American Naturavit.pdf (3 pages)(177308 bytes)

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

In the Matter of:

Application Serial No.: 77/869,057
Filed: November 10, 2009
Trademark: SUNSHINE NATURALS and Design

Nature's Sunshine Products, Inc.,

Opposition No. 91195424

Opposer,

vs.

American Naturavit, Inc.

Applicant.

**CONSENT MOTION TO UNSUSPEND AND
FOR SETTLEMENT WITH AMENDMENT OF SUBJECT APPLICATION**

Applicant, American Naturavit, Inc. ("Applicant"), by and through undersigned counsel, and pursuant to TBMP §§ 510.03(b), 514 and 605.03(b), and 37 § CFR 2.133, hereby moves the Board for resumption of the above-captioned proceeding, and for settlement of same with the amendment of the subject application, and states as follows:

1. On January 27, 2011 the above-captioned proceeding was suspended for settlement negotiations at the request of the parties, and remains in suspension.
2. The parties have reached a settlement of the above-captioned proceeding.
3. The parties' settlement provides, in pertinent part, that Applicant will amend the drawing of the subject application to the drawing shown below:



4. Opposer has agreed to withdraw the above-captioned proceeding upon the Board's acceptance of the proposed amendment.

5. The proposed amendment does not materially alter the character of the subject mark.

6. Opposer consents to the amendment of the drawing and the other relief sought herein.

WHEREFORE, Applicant respectfully requests that the Board unsuspended the above-captioned proceeding, amend the subject application as indicated above, and, if it accepts the amendment, then dismiss the instant proceeding.

Respectfully submitted,

ESPINOSA | TRUEBA PL
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Dated: May 20, 2011

By: /s/ Michael Tschupp
Jorge Espinosa
Michael Tschupp (Reg. No. 55,895)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing is being served by delivering a true and correct copy of same via First Class Mail delivery to attorney for Opposer, Michael E. Mangelson, Esq. at Stoel Rives LLP, One Utah Center, 201 South Main Street, Suite 1100, Salt Lake City, Utah 84111 on this 20th day of May, 2011.

/s/ Michael Tschupp
Michael Tschupp