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

Proceeding	91196249
Party	Defendant NANO-X GmbH
Correspondence Address	STEWART J BELLUS COLLARD & ROE PC 1077 NORTHERN BLVD ROSLYN, NY 11576 UNITED STATES sbellus@collardroe.com
Submission	Other Motions/Papers
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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NANO-TEX, INC.,)
)
)
 Opposer,) Opposition No: 91196249
)
 v.) Application S.N. 79/019,859
) (Classes 1 and 42 only)
NANO-X GMBH,)
)
 Applicant.)
)
-----X

**STIPULATED MOTION TO AMEND
APPLICATION AND TO DISMISS OPPOSITION**

Pursuant to a settlement reached by the parties, Applicant NANO-X GMBH requests that the identification of goods in its Application No. 79/019,869 for the mark NANO-X be amended to the following:

Class 1: Industrial chemicals for use in the manufacture of surface coatings; unprocessed artificial resins; all of the above excluding goods for use in the textile industry.

Class 42: Scientific and technological services and research and design relating thereto; industrial analysis and research services; all the aforesaid services exclusively for the fields of chemical product manufacture and use as well as the field of surface coating development and manufacture; all of the above excluding services for use in the textile industry.

The remaining identification of goods in Classes 2 and 4 is unchanged.

Contingent upon the acceptance and entry of the amendment to the opposed application described above, Opposer dismisses the Opposition without prejudice.

The parties' consent to each other's requests set forth above is reflected by the signatures of the parties' counsel below:

By: Aimee L. Kaplan
Aimee L. Kaplan, Esq.
Stewart J. Bellus, Esq.
Frederick J. Dorchak, Esq.
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1077 Northern Boulevard
Roslyn, NY 11576

Counsel for Applicant

Date: March 18, 2011

By: Julia C. Archer
Julia C. Archer, Esq.
ENNS & ARCHER LLP
939 Burke Street
Winston-Salem, NC 27101

Counsel for Opposer

Date: March 17, 2011

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the forgoing
STIPULATED MOTION TO AMEND APPLICATION AND TO DISMISS OPPOSITION has
this 18th day of March 2011 been sent by prepaid First Class Mail to:

Julia C. Archer, Esq.
ENNS & ARCHER LLP
939 Burke Street
Winston-Salem, NC 27101



Aimee L. Kaplan