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

Proceeding	91201089
Party	Defendant Companion Corporation
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Submission	Other Motions/Papers
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Date	03/15/2012
Attachments	Joint Motion to Amend with Contingent Withdrawal (With Cert. of Service).pdf (4 pages)(77601 bytes)

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

In the matter of trademark application Serial No. 85/179,382
For the mark **KEEPNTRACK**
Published in the Official Gazette on April 12, 2011

TeleTracking Technologies, Inc.,)	
)	Opposition No. 91201089
Opposer,)	
)	
vs.)	
)	
Companion Corporation,)	
)	
Applicant.)	
_____)	

JOINT MOTION TO AMEND WITH CONTINGENT WITHDRAWAL

Pursuant to Section 514.02 of the Trademark Trial and Appeal Board Manual of Procedure, Applicant hereby moves to amend the recitation of goods in the above-referenced Application Serial No. 85/179,382. This Motion is made with the consent of the other party in the proceeding, TeleTracking Technologies, Inc. (“Opposer”), who has agreed to a withdrawal without prejudice of the above referenced Opposition contingent upon the entry of the amendment. Accordingly, the undersigned counsel hereby consent to the Board’s entry of an Order (1) approving this Amendment, and (2) dismissing the Opposition without prejudice.

Pursuant to 37 C.F.R. §2.133(a), Applicant hereby requests to amend its Application Serial No. 85/179,382 as follows:

For International Class 009:

Delete the identification of goods in International Class 009 in its entirety and substitute therefor the following:

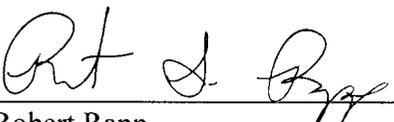
"Providing on-line non-downloadable software for monitoring, analyzing and reporting facility entry and exit of individuals, excluding software for providing operational efficiencies for the monitoring within hospitals of (i) patient placement, (ii) patient transport, (iii) procedure status, and (iv) management of hospital professionals and staff."

The amendment is submitted in connection with Opposition No. 91201089.

Applicant respectfully submits that the proposed amendment merely limits the scope of the identification of goods. Applicant further submits that the identification of goods, as amended, is sufficiently definite to allow others to understand the nature of the Applicant's goods, to allow proper classification of such goods, and to adequately define the parameters of the goods offered by Applicant pursuant to T.M.E.P. §§805 and 1402. Opposer has consented to Applicant's proposed amendment.

For the foregoing reasons, Applicant respectfully requests that the Board approve the Proposed Amendment.

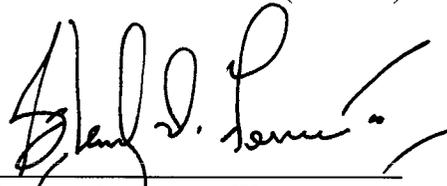
Dated: 3/13/12

By: 

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Dated: 3-14-2012

(569.163)
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Attorneys for Opposer
TeleTracking Technologies, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Joint Motion to Amend with Contingent Withdrawal has been served on Opposer TeleTracking Technologies, Inc., by transmitting said copy on March 15, 2012 via e-mail (with consent of counsel for TeleTracking Technologies, Inc.) to:

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