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

Proceeding	91203266
Party	Defendant TruHealth, LLC
Correspondence Address	KYLE T PETERSON PATTERSON THUENTE CHRISTENSEN PEDERSEN, 80 SOUTH 8TH ST , 4800 IDS CTR MINNEAPOLIS, MN 55402 UNITED STATES trademark@ptslaw.com
Submission	Other Motions/Papers
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Date	08/21/2012
Attachments	Motion to Amend with Consent - Stay Tru To Your Health.pdf (3 pages)(70577 bytes)

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

In the Matter of Application Serial No. 85/363,410
For the mark: STAY TRU TO YOUR HEALTH
Filed: July 5, 2011
Published: December 6, 2011

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BOB’S RED MILL NATURAL FOODS, INC.	:	
Opposer,	:	Opposition No. 91203266
	:	
v.	:	
	:	
TRUHEALTH, LLC.	:	
Applicant.	:	
-----X		

CONSENTED MOTION TO AMEND IDENTIFICATION OF GOODS

Applicant, TruHealth, LLC’s. (TruHealth) Application No. 85/363,410 was published for opposition on December 6, 2011. Opposer, Bob’s Red Mill Natural Foods, Inc., filed an Opposition on January 5, 2012. Proceedings herein are currently under suspension pending settlement negotiations.

The parties have now agreed to settle this Opposition. As part of the consent agreement, the parties have agreed that Applicant will amend its identification of goods in the 85/363,410 application to read: “Biscuits, bread, bread rolls, cakes, confectionary, crackers, noodles, fish sauce, relish, sauces, prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietetic foods adapted for medical use; Food for medically restricted diets; Gluten-free food to accommodate special medical and health conditions; Processed food adapted for medical purposes; Protein reduced and gluten free food for medical purposes.”

(Amendment). This Amendment merely narrows the identification of goods in the 85/363,410 application. Pursuant to the agreement of the parties, Applicant hereby moves and requests, with

the consent of Opposer, that its identification of goods in Application No. 85/363,410 be amended to read as set forth above. This request is made in good faith and not for the purpose of delay.

Dated August 21, 2012

Respectfully submitted,

PATTERSON THUENTE
CHRISTENSEN PEDERSEN, P.A.

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CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing CONSENTED MOTION TO AMEND IDENTIFICATION OF GOODS is being filed electronically with the TTAB via ESTTA on this day, August 21, 2012.

*/s/ Kyle T. Peterson _____
Attorneys for Applicant TruHealth, LLC*