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

Proceeding	91204507
Party	Defendant Hochschule Fresenius gemeinnützige GmbH
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Date	12/15/2014
Attachments	WSO305US_Request for Amendment and Conditional Withdrawal of Opposition Proceeding With Consent_2014-12-15.pdf(214072 bytes)

Attorney Docket No.
033716.025

TRADEMARK

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

Fresenius SE & Co. KGaA)	
Fresenius Medical Care Deutschland GmbH)	
)	
Opposers,)	
)	
v.)	Opposition No. 91204507
)	
Hochschule Fresenius gemeinnützige GmbH)	
)	
Applicant.)	

**REQUEST FOR AMENDMENT AND CONDITIONAL WITHDRAWAL OF
OPPOSITION PROCEEDING WITH CONSENT**

Applicant, Hochschule Fresenius gemeinnützige GmbH, through its undersigned counsel, requests the identification of goods and services for application Serial No. 79/070,045, be amended to read as follows:

Class 9: Deleted;

Class 16: Deleted;

Class 28: Teaching materials in the form of games, namely, board games, and card games, all the aforementioned goods not for use in the field of health care and medicine.

Class 35: Deleted;

Class 38: Deleted;

Class 41: University educational services, namely conducting university classes, university seminars, university conferences, university training courses and university workshops in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; providing university training in the use of computers and rhetoric; university teaching in the fields of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; university educational services, namely, conducting classes, seminars and training courses for students and professionals in scientific, commercial, medical and social occupations in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; university consultation in the field of education, namely, regarding professional training, educational courses and continued educational training in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; university vocational guidance; sound recording university studio services; university digital photography services; university sign language interpretation; presentation of live university directed show performances; university provision of educational examinations; educational academies, namely, education services in the nature of courses at the university level; education in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media through university correspondence courses; entertainment in the nature of on-going university directed television programs in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; film production; publication of university texts other than publicity texts; on-line publishing of electronic university books and magazines; arranging and conducting educational conferences; arranging and conducting university organized educational congresses, symposia and colloquia in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; university directed radio entertainment production; university arrangement and conducting of seminars, colloquia, conferences and workshops in the field of chemistry, physics, biology, ~~health care, medicine,~~ psychology, economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; university organization of exhibitions for cultural or educational purposes; publication and editing of university books, university newspapers and university periodicals; providing on-line non-downloadable university publications in the nature of e-books, e-zines, e-newsletters, journals and online magazines in the fields of chemistry, physics, biology, psychology,

economics, supply chain logistics, transportation logistics and retail business management, tourism and travel management, law and media; all of the aforementioned services not for use in the field of health care and medicine;

Class 42: Deleted;

Class 44: Deleted;

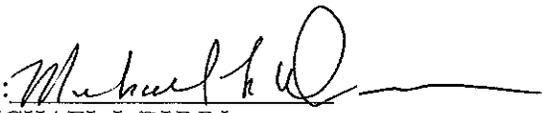
Class 45: Deleted.

The amendments have been underlined and emphasized for the convenience of the Examining Attorney.

Inasmuch as the amended identification of goods and services is more limited than the description as originally published, this amendment should be acceptable. This amendment is requested pursuant to Trademark Rule 2.71.

Opposers hereby agree to the amendments set forth above. Subject to the acceptance of these amendments by the Trademark Trial and Appeal Board, Opposers, Fresenius SE & CO. KGaA and Fresenius Medical Care Deutschland GmbH, hereby withdraw the opposition against this application with the written consent of the Applicant pursuant to Trademark Rules 2.106(c) and 2.133(a).

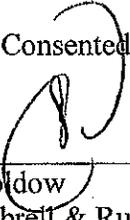
Respectfully submitted,

By: 
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Attorney for Applicant
Hochschule Fresenius gemeinnützige GmbH

Dated: December 15, 2014

Agreed and Consented To:

By: 

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Attorney for Opposers,
Fresenius SE & CO. KGaA and
Fresenius Medical Care Deutschland GmbH

Dated: December 15, 2014

CERTIFICATE OF SERVICE

I hereby certify that the foregoing REQUEST FOR AMENDMENT AND
CONDITIONAL WITHDRAWAL OF OPPOSITION PROCEEDING WITH CONSENT
was deposited with the United States Postal Service with sufficient postage as addressed to:

Scott D. Woldow
Smith, Gambrell & Russell, LLP, Suite 400
1055 Thomas Jefferson St., NW
Washington, D.C. 20007

Dated: 12/15/2014

By: Christina Fawcett