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

Proceeding	91205329
Party	Plaintiff Osprey Packs, Inc.
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Date	10/10/2012
Attachments	91205329 amendment.pdf (3 pages)(116974 bytes)

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

OSPREY PACKS, INC.,

Opposer,

v.

WILTON BRADLEY LIMITED

Applicant.

}
}
}
} Opposition No. 91205329
} Application Serial No. 85/038554
} Mark: OSPREY
}
}

**STIPULATED MOTION TO AMEND APPLICATION AND
STIPULATED WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE**

Please amend the instant application to revise the identification of goods in the application, to add the following wording indicated in bold and underlining, and to delete the words that are struck through:

"Protective helmets **for watersports**; goggles for **watersports**; protective clothing for **watersports**, ~~sun~~glasses; masks for snorkeling and diving" in Class 9;

"Watersports equipments, namely, kayaks; ~~mountain bikes and BMXs~~" in Class 12;

"Waterproof clothing **for watersports**, namely, ~~rain jackets, jackets, coats, shorts, swimming costumes,~~ **wetsuit** gloves, wetsuits, rash vests, wet suit boots; sports shoes **for watersports**; waterproof shoes **for watersports**; ~~clothing for watersports and sports activities, namely, wetsuits, rash vests, wetsuit boots, shoes and gloves~~" in Class 25

"Sports equipment, ~~namely, skateboards~~ **Skateboards**, surfboards, longboards, skimmer boards, mountain boards; watersports equipment (**but not including bags**), namely, surfboards, skimmer boards; skateboards, surfboards, long boards, ~~surfboard bags~~; swimming and scuba flippers; bodyfins, namely, fins, body boards; body boards; knee guards for use with skate boards, longboards, mountain boards; protective padding (**but not including bags**) for playing watersports, skateboarding, surfboarding, longboarding, skimmer boarding, mountain boarding, ~~skiing~~, ice skating and roller skating; ice skates and roller skates; surf skis; play articles for swimming pools, namely, water toys, beach balls and toy balls; waterskis; ~~knee guards for mountain bikes and BMXs~~; protective padding (**but not including bags**) for kayaking, ~~mountain biking and BMX riding~~" in Class 28

The description of goods in the application as amended will therefore read as follows:

"Protective helmets for watersports; goggles for watersports; protective clothing for watersports; masks for snorkeling and diving" in Class 9;

"Watersports equipments, namely, kayaks" in Class 12;

"Waterproof clothing for watersports, namely, wetsuit gloves, wetsuits, rash vests, wet suit boots; shoes for watersports; waterproof shoes for watersports" in Class 25

"Skateboards, surfboards, longboards, skimmer boards, mountain boards; watersports equipment (but not including bags), namely, surfboards, skimmer boards; skateboards, surfboards, long boards; swimming and scuba flippers; bodyfins, namely, fins, body boards; body boards; knee guards for use with skate boards, longboards, mountain boards; protective padding (but not including bags) for playing watersports, skateboarding, surfboarding, longboarding, skimmer boarding, mountain boarding, ice skating and roller skating; ice skates and roller skates; surf skis; play articles for swimming pools, namely, water toys, beach balls and toy balls; waterskis; protective padding (but not including bags) for kayaking" in Class 28

REMARKS

The parties have negotiated a settlement of this matter. Provided the Board approves the requested amendment, this resolves all outstanding issues between the parties relative to Application Serial No. 85/038554. After the entry of the amendment, Opposer withdraws the instant opposition without prejudice.

Applicant requests that the Board enter the amendment, and hereby consents to the withdrawal of the opposition without prejudice. Opposer consents to the request for amendment, and pursuant to the amendment of Application Serial No. 85/038554, withdraws the opposition without prejudice.

Respectfully submitted,

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J.
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Date: October 3, 2012

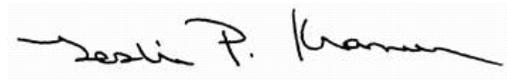
Date: October 1, 2012

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing *Stipulated Motion to Amend Application and Stipulated Withdrawal of Opposition Without Prejudice* upon Applicant by causing a true and correct copy thereof to be sent on by email (per Applicant's stipulation to service by email) to:

Todd J. Braverman, Esq.
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Date: October 10, 2012

A handwritten signature in black ink, appearing to read "Leslie P. Kramer", is written over a light gray rectangular background.