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

Proceeding	91207574
Party	Defendant RICOH COMPANY, LTD.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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MasterCard Int'l Inc.)	
)	
Opposer,)	
)	Opposition No.: 91207574
v.)	Serial No.: 79/104,041
)	
Ricoh Company, Ltd.)	
)	
Applicant)	

MOTION ON CONSENT TO REQUEST AN AMENDMENT OF
APPLICATION SERIAL NO. 79/104,041

PLEASE TAKE NOTICE that pursuant to Trademark Rule 2.133, Applicant Ricoh Company, Ltd. and through its undersigned attorney, requests that Application Serial No. 79/104,041 be amended as follows:

Computer software for business management in the nature of computer printing and scanning and facsimile operation and photocopying management; computer software for database management; computer software for educational training in the field of computer printing and scanning and facsimile operation and photocopying management; computer software for educational training in the field of computer printing and scanning and facsimile and photocopying operation; computer software for controlling the operation of computer printers and scanners, facsimile machines and copiers; computer software for document management; communications software used to facilitate computer printing and scanning and facsimile operation and photocopying; computer software used for architectural designing and engineering of buildings and building components; camera operation software used to operate computer cameras; computer database software used to manage input-output storage of data; computer software used to manage retrieval of data from databases; computer software used for data processing; computer security software used for communication authentication, encryption, and decryption of data; computer software used to display printing of data; computer software, namely, printer drivers and printer operational software; computer software for use in communicating detailed printing instructions to printers; printers for use with computers; electronic copying machines; scanners;

electronic copying machines with functions of printer, scanner and facsimile machine; personal computers; server computers; computers; computer peripherals, namely, printer control software, computer monitors, keyboards, and computer mouse; computer printer replacement parts, namely, staple cartridges, transfer belts, charger rollers, transfer rollers, fusers, filters, photoconductors, waste bottles, and oil coating rollers; print head for printers, electric connectors; electric sockets, electric plugs and electric contacts; facsimile machines; excluding from the foregoing payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, calling cards, stored value and/or prepaid cards, Automated Teller Machines (“ATM”), and ATM cards.

Paper; printed publications, namely, instructional manuals, service manuals, user's manuals, product documentation for printers and printer peripherals, newsletters, periodicals, pamphlets, books, catalogs, product and system application notes and technical bulletins, in the field of printers and printing; excluding from the foregoing printed matter and publications, namely, credit, debit and charge cards, travelers cheques, and pamphlets, brochures, newsletters and magazines of a financial nature.

Advertising services; business administration consultancy; consumer marketing research; providing information on commercial sales; providing information on sales of goods in the nature of consumer product information; reproducing documents for others; office functions, namely, filing documents or magnetic-tapes; offering business management assistance in the operation of businesses that repair and maintain computers, typewriters, teletext machines and other similar office machines; rental of typewriters, word processors, printers, and copying machines; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines (“ATM”) and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services.

Computer software design, computer programming, and maintenance of computer software; computer network design; rental of computers; rental of computer software; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines (“ATM”) and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services.

This motion has been discussed and consented to by counsel for MasterCard Int'l Inc., Mr. Paul Reilly.

In support of the forgoing, Applicant submits the following:

1. The amendment of this Application Serial No. 79/104,041 is requested pursuant to a Settlement Agreement entered into between Opposer MasterCard Int'l Inc. and Ricoh Company, Ltd.
2. The requested amendment is in compliance with all applicable rules and statutory provisions. Particularly, the amendment does not result in a material alteration of the mark. The proposed amendment to the identification of goods is narrower in scope than the original description.

WHEREFORE, the parties pray that this amendment to the identification of goods be granted.

Dated: August 15, 2013

By: Peter D. Murray

Peter D. Murray
Cooper & Dunham, LLP
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Attorney for Applicant
Ricoh Company Limited

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current Description: Class 009 for Computer software for business management in the nature of computer printing and scanning and facsimile operation and photocopying management; computer software for database management; computer software for educational training in the field of computer printing and scanning and facsimile operation and photocopying management; computer software for educational training in the field of computer printing and scanning and facsimile and photocopying operation; computer software for controlling the operation of computer printers and scanners, facsimile machines and copiers; computer software for document management; communications software used to facilitate computer printing and scanning and facsimile operation and photocopying; computer software used for architectural designing and engineering of buildings and building components; camera operation software used to operate computer cameras; computer database software used to manage input-output storage of data; computer software used to manage retrieval of data from databases; computer software used for data processing; computer security software used for communication authentication, encryption, and decryption of data; computer software used to display printing of data; computer software, namely, printer drivers and printer operational software; computer software for use in communicating detailed printing instructions to printers; printers for use with computers; electronic copying machines; scanners; electronic copying machines with functions of printer, scanner and facsimile machine; personal computers; server computers; computers; computer peripherals, namely, printer control software, computer monitors, keyboards, and computer mouse; computer printer replacement parts, namely, staple cartridges, transfer belts, charger rollers, transfer rollers, fusers, filters, photoconductors, waste bottles, and oil coating rollers; print head for printers; electric connectors; electric sockets, electric plugs and electric contacts; facsimile machines

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Proposed:

Tracked Text Description: Class 009 for Computer software for business management in the nature of computer printing and scanning and facsimile operation and photocopying management; computer software for database management; computer software for educational training in the field of computer printing and scanning and facsimile operation and photocopying management; computer software for educational training in the field of computer printing and scanning and facsimile and photocopying operation; computer software for controlling the operation of computer printers and scanners, facsimile machines and copiers; computer software for document management; communications software used to facilitate computer printing and scanning and facsimile operation and photocopying; computer software used for architectural designing and engineering of buildings and building components; camera operation software used to operate computer cameras; computer database software used to manage input-output storage of data; computer software used to manage retrieval of data from databases; computer software used for data processing; computer security software used for communication authentication, encryption, and decryption of data; computer software used to display printing of data; computer software, namely, printer drivers and printer operational software; computer software for use in communicating detailed printing instructions to printers; printers for use with computers; electronic copying machines; scanners; electronic copying machines with functions

of printer, scanner and facsimile machine; personal computers; server computers; computers; computer peripherals, namely, printer control software, computer monitors, keyboards, and computer mouse; computer printer replacement parts, namely, staple cartridges, transfer belts, charger rollers, transfer rollers, fusers, filters, photoconductors, waste bottles, and oil coating rollers; ~~print head for printers; electrical connectors~~ print head for printers, electric connectors; electric sockets, electric plugs and electric contacts; facsimile machines; excluding from the foregoing payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, calling cards, stored value and/or prepaid cards, Automated Teller Machines (“ATM”), and ATM cards

Final Description: Class 009 for Computer software for business management in the nature of computer printing and scanning and facsimile operation and photocopying management; computer software for database management; computer software for educational training in the field of computer printing and scanning and facsimile operation and photocopying management; computer software for educational training in the field of computer printing and scanning and facsimile and photocopying operation; computer software for controlling the operation of computer printers and scanners, facsimile machines and copiers; computer software for document management; communications software used to facilitate computer printing and scanning and facsimile operation and photocopying; computer software used for architectural designing and engineering of buildings and building components; camera operation software used to operate computer cameras; computer database software used to manage input-output storage of data; computer software used to manage retrieval of data from databases; computer software used for data processing; computer security software used for communication authentication, encryption, and decryption of data; computer software used to display printing of data; computer software, namely, printer drivers and printer operational software; computer software for use in communicating detailed printing instructions to printers; printers for use with computers; electronic copying machines; scanners; electronic copying machines with functions of printer, scanner and facsimile machine; personal computers; server computers; computers; computer peripherals, namely, printer control software, computer monitors, keyboards, and computer mouse; computer printer replacement parts, namely, staple cartridges, transfer belts, charger rollers, transfer rollers, fusers, filters, photoconductors, waste bottles, and oil coating rollers; print head for printers, electric connectors; electric sockets, electric plugs and electric contacts; facsimile machines; excluding from the foregoing payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, calling cards, stored value and/or prepaid cards, Automated Teller Machines (“ATM”), and ATM cards

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Applicant proposes to amend the following class of goods/services in the application:

Current Description: Class 016 for Paper; printed publications, namely, instructional manuals, service manuals, user's manuals, product documentation for printers and printer peripherals, newsletters, periodicals, pamphlets, books, catalogs, product and system application notes and technical bulletins, in the field of printers and printing

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Proposed:

Tracked Text Description: Class 016 for Paper; printed publications, namely, instructional manuals, service manuals, user's manuals, product documentation for printers and printer peripherals, newsletters, periodicals, pamphlets, books, catalogs, product and system application notes and technical bulletins, in the field of printers and printing; excluding from the foregoing printed matter and publications, namely, credit, debit and charge cards, travelers cheques, and pamphlets, brochures, newsletters and magazines of a financial nature

Final Description: Class 016 for Paper; printed publications, namely, instructional manuals, service manuals, user's manuals, product documentation for printers and printer peripherals, newsletters, periodicals, pamphlets, books, catalogs, product and system application notes and technical bulletins, in the field of printers and printing; excluding from the foregoing printed matter and publications, namely, credit, debit and charge cards, travelers cheques, and pamphlets, brochures, newsletters and magazines of a financial nature

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Applicant proposes to amend the following class of goods/services in the application:

Current Description: Class 035 for Advertising services; business administration consultancy; consumer marketing research; providing information on commercial sales; providing information on sales of goods in the nature of consumer product information; reproducing documents for others; office functions, namely, filing documents or magnetic-tapes; offering business management assistance in the operation of businesses that repair and maintain computers, typewriters, teletext machines and other similar office machines; rental of typewriters, word processors, printers, and copying machines

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Proposed:

Tracked Text Description: Class 035 for Advertising services; business administration consultancy; consumer marketing research; providing information on commercial sales; providing information on sales of goods in the nature of consumer product information; reproducing documents for others; office functions, namely, filing documents or magnetic-tapes; offering business management assistance in the operation of businesses that repair and maintain computers, typewriters, teletext machines and other similar office machines; rental of typewriters, word processors, printers, and copying machines; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines ("ATM") and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services

Final Description: Class 035 for Advertising services; business administration consultancy; consumer marketing research; providing information on commercial sales; providing information on sales of goods in the nature of consumer product information; reproducing documents for others; office functions, namely, filing documents or magnetic-tapes; offering business management assistance in the operation of businesses that repair and maintain computers,

typewriters, teletext machines and other similar office machines; rental of typewriters, word processors, printers, and copying machines; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines (“ATM”) and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Applicant proposes to amend the following class of goods/services in the application:

Current Description: 042 for Computer software design, computer programming, and maintenance of computer software; computer network design; rental of computers; rental of computer software

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Proposed:

Tracked Text Description: Class 042 for Computer software design, computer programming, and maintenance of computer software; computer network design; rental of computers; rental of computer software; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines (“ATM”) and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services

Final Description: Class 042 for Computer software design, computer programming, and maintenance of computer software; computer network design; rental of computers; rental of computer software; excluding from the foregoing financial services, banking services, payment-related services, payment cards, bank cards, debit cards, credit cards, charge cards, magnetic encoded cards, telephone calling cards, stored value and/or prepaid cards and related services, the marketing, distribution, provision and issuance of such cards or services, Automated Teller Machines (“ATM”) and ATM services, cash disbursement services, electronic funds and currency transfer services, electronic payment services, and/or person-to-person payment services

Filing Basis: Section 66(a), Request for Extension of Protection in the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141(f).

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,
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08/15/2013