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

Proceeding	91209556
Party	Defendant ABC Home Furnishings, Inc.
Correspondence Address	THOMAS H CURTIN LATHROP GAGE LLP 230 PARK AVE RM 2400 NEW YORK, NY 10169 2402 UNITED STATES tcurtin@lathropgage.com
Submission	Other Motions/Papers
Filer's Name	Thomas H. Curtin
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Date	06/11/2013
Attachments	Amendment to Application '953.pdf(780038 bytes)

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

In the matter of

U.S. Trademark Application 85/405,953
For the mark ABC KITCHEN and Design
Published in the Official Gazette on September 11, 2012

Horizon U.A.E. FZCO, Opposer, -against- ABC Home Furnishings, Inc., Applicant.	Opposition No. 91209556

AMENDMENT OF APPLICATION

Pursuant to 37 C.F.R. §2.133 and the terms of the June 11, 2013 Settlement Agreement by and between the Applicant ABC Home Furnishings, Inc. ("Applicant") and Opposer Horizon U.A.E. FZCO ("Opposer") resolving the above-captioned Opposition Proceeding 91209556, Applicant respectfully requests, with Opposer's consent, that its Application Serial Number 85/405,953 for the mark ABC KITCHEN and Design be amended as follows:

That both the description of goods in International Class 30 and the recitation of services in International Class 35 of Application Serial No. 85/405,953 be amended (i) to delete the references to "hot chili oil" and "chili paste" from the description of goods and the recitation of services; and (ii) to add the following language "and specifically excluding soy sauce and chili sauce" which is to be inserted after the word "mole" in both the description of goods and the

recitation of services.

As the deletion of "hot chili oil" and "chili paste" and the addition of the specific restriction to the description of goods and recitation of services of the subject application are made with the Opposer's consent and serve to narrow the scope of Application Serial No. 85/405,953, Applicant respectfully submits that the proposed Amendment is proper and should be granted by the Board. 37 C.F.R. §§ 2.74, 2.133.

WHEREFORE, Applicant respectfully requests that its Application No. 85/405,953 for the mark ABC KITCHEN and Design be amended as set forth above.

Dated: New York, New York
June 11, 2013

Respectfully submitted,

LATHROP & GAGE LLP

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ABC Home Furnishings, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Amendment to Application was served this 11th day of June, 2013 via Federal Express overnight delivery service, upon the attorneys for Opposer at the following address:

Timothy Fraelich, Esq.
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Thomas H. Curtin

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