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Filing date: **12/05/2014**

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

Proceeding	91211397
Party	Defendant Motorola Trademark Holdings, LLC
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Submission	Other Motions/Papers
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Signature	/Thomas M. Williams/
Date	12/05/2014
Attachments	Applicant's Stipulated Motion to Amend Application and Opposer's Withdrawal of Opposition.pdf(11954 bytes )

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

Application Serial No. 85/792,653	)	
Filed: December 3, 2012	)	
Published: March 5, 2013, in the <i>Official Gazette</i>	)	
For: MAXXCHARGE	)	
	)	
Mag Instrument, Inc.	)	
	)	
Opposer,	)	Opposition No. 91/211,397
	)	
vs.	)	
	)	
Motorola Trademark Holdings, LLC	)	
	)	
Applicant.	)	
	)	

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**APPLICANT’S STIPULATED MOTION TO AMEND  
APPLICATION AND OPPOSER’S WITHDRAWAL OF OPPOSITION**

Applicant Motorola Trademark Holdings, LLC (“Applicant”) and Opposer Mag Instrument, Inc. (“Opposer”), by and through their undersigned counsel, hereby submit Applicant’s Stipulated Motion to Amend Application and Opposer’s Withdrawal of Opposition.

1. Pursuant to 37 C.F.R. § 2.133(a), Applicant and Opposer Mag Instrument, Inc. (“Opposer”) hereby stipulate to Applicant’s amendment to the identification of goods in the application as follows:

**Proposed amended identification:**

**Mobile phones, smartphones and accessories therefor, namely, power adapters, but not for use in connection with flashlights, headlamps or portable illumination devices other than phones and smart phones.**

**Original identification:**

**Mobile phones, smartphones and accessories therefor, namely, power adapters.**

The proposed amendment serves to clarify or limit the identification of goods in accordance with 37 C.F.R. § 2.71(a). Opposer consents to this amendment.

2. Upon approval and entry of this amendment by the Board, the parties stipulate that the opposition proceeding shall be dismissed with prejudice.

3. Applicant and Opposer hereby stipulate to suspension of these proceedings pursuant to T.B.M.P. § 605.02 while the Board considers the proposed amendment.

**BY THE PARTIES:**

For Applicant:

Date: December 5, 2014

Respectfully submitted,

/s/ Thomas M. Williams  
Thomas M. Williams  
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*Attorney for Applicant*  
*Motorola Trademark Holdings, LLC*

For Opposer:

Date: December 5, 2014

Respectfully submitted,

/s/ Robert Dickerson

Robert Dickerson

Manatt, Phelps & Phillips, LLP

11355 West Olympic Blvd

Los Angeles, CA 90064

*Attorney for Opposer*

*Mag Instrument, Inc.*

**CERTIFICATE OF SERVICE**

On December 5, 2014, I served the foregoing **APPLICANT'S STIPULATED MOTION TO AMEND APPLICATION AND OPPOSER'S WITHDRAWAL OF OPPOSITION** on the party in said action by depositing a true and correct copy thereof with the United States Postal Service as first class mail, postage prepaid, at Chicago, Illinois, enclosed in a sealed envelope addressed to counsel of record for Opposer as follows:

Robert Dickerson  
Manatt, Phelps & Phillips, LLP  
11355 West Olympic Blvd  
Los Angeles, CA 90064

Dated: December 5, 2014

By: /s/ Thomas M. Williams  
Thomas M. Williams

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