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Filing date: **03/07/2014**

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

Proceeding	91213449
Party	Defendant Delta Electronics, Inc.
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Submission	Motion to Amend Application
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Date	03/07/2014
Attachments	14653889_Consented_Motion_to_Amend_Application_DVCS_Opp.pdf(105841 bytes )

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

DIVX, LLC	)	
	)	
Opposer	)	Opposition No. 91213449
	)	
v.	)	App. No. 85/675533
	)	
Delta Electronics, Inc.,	)	
	)	Mark: <b>DVCS</b>
Applicant.	)	

**CONSENTED MOTION TO AMEND APPLICATION**

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Opposer DIVX, LLC and Applicant Delta Electronics, Inc., by their undersigned attorneys and pursuant to Trademark Trial and Appeal Board Rule of Procedure (“TBMP”) §514, hereby jointly move for an order granting amendment of the identification of goods in Application No. 85/675533 for the mark DVCS stylized (the “Application”) as set forth below.

The Application currently identifies the following goods in class 9:

Video graphics display control and management systems comprising Video decoders, Audio decoders, Video and audio processors, Video and audio signal transceivers, Electronic switchers for video and audio signals, Network hubs and switchers, Electronic interconnectors for video and audio signals, Power conversion devices, Flat panel display screens, Multimedia projectors, Matrix distribution controller for video and audio signals, and the Management computer software thereof

Applicant seeks to amend the goods in the Application to read:

Video graphics display control and management systems comprising Video decoders, Audio decoders, Video and audio processors, Video and audio signal transceivers, Electronic switchers for video and audio signals, Network hubs and switchers, Electronic interconnectors for video and audio signals, Power conversion devices, Flat panel display screens, Multimedia projectors, Matrix

distribution controller for video and audio signals, and the Management computer software thereof, all of the foregoing for industrial or professional use and not for consumer use, where the software is adapted exclusively to the foregoing system without separate distribution

Below, for clarification, is a red-lined version of the proposed amendment:

Video graphics display control and management systems comprising Video decoders, Audio decoders, Video and audio processors, Video and audio signal transceivers, Electronic switchers for video and audio signals, Network hubs and switchers, Electronic interconnecters for video and audio signals, Power conversion devices, Flat panel display screens, Multimedia projectors, Matrix distribution controller for video and audio signals, and the Management computer software thereof, all of the foregoing for industrial or professional use and not for consumer use, where the software is adapted exclusively to the foregoing system without separate distribution

The Parties submit that an order granting such an amendment is proper under 15 U.S.C. § 1057(e) because both Opposer and Applicant consent to the amendment and the amendment limits the original identification of goods.

Dated: March 7, 2014

Respectfully submitted,

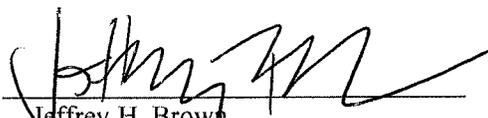
**DIVX, LLC**

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Attorneys for Applicant

**CERTIFICATE OF SERVICE**

The undersigned certifies that on March 7, 2014 the foregoing CONSENTED MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION WITH PREJUDICE was served upon Opposer's attorney by depositing a copy of said document in the U.S. mail in an envelope addressed to:

Charles R. Halloran  
KPPB LLP  
2400 E Katella Ave., Suite 1050  
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and that a copy of the same was filed electronically on the same date with the Trademark Trial and Appeal Board via ESTTA.

s/Jeffrey H. Brown /

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Jeffrey H. Brown  
Attorney for Applicant