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Filing date: **12/30/2013**

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

Proceeding	91213451
Party	Defendant MONSTER VAPE, LLC
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Signature	/John A. Tang/
Date	12/30/2013
Attachments	MotionToDivide.pdf(8976 bytes)

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

Monster Energy Company,

Opposer,

v.

Monster Vape, LLC,

Applicant.

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Opposition No. 91213451

MOTION TO DIVIDE APPLICATION WITH CONSENT

Applicant Monster Vape, LLC's Time to Answer is currently set to close on January 21, 2014. Pursuant to TBMP 516, Applicant requests the subject application be divided into two applications. The subject application includes two (2) classes of goods/services, under class 30 and class 35. In the present proceeding, Opposer Monster Energy Company opposes registration of Applicant's mark in class 30. Applicant's class 35 services are unopposed. Applicant respectfully requests the Office to divide the subject application into two (2) applications, one for the class 30 opposed goods and the other for the class 35 unopposed services.

Applicant's counsel discussed this Motion with Opposer's counsel Brigette B. Chaput who indicated that Opposer would not oppose this Motion.

Applicant authorizes the Office to debit Applicant Attorney's deposit account (No. 19-4547) for the fee necessary to divide the subject application into 2 applications.

Respectfully submitted,

/John A. Tang/

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was served upon all counsel of record via U.S. Mail in accordance with the Rules of the Trademark Trial and Appeal Board this 30th day of December 2013 to:

Brigette B. Chaput
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614

/John A. Tang/
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