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Filing date: **06/25/2014**

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

Proceeding	91214851
Party	Plaintiff MSC Services Corp., Sid Tool Co., Inc. (d/b/a MSC Industrial Supply Co.)
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Date	06/25/2014
Attachments	DAP Amendment on Consent.pdf(12650 bytes)

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

In re Application Serial Nos. : 86046036
Marks : WORK SMARTER
International Classes : 017 and 035
Applicant : DAP Brands Company
Filed : August 23, 2013
Published : December 10, 2013

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MSC SERVICES CORP.; SID TOOL CO., INC. :
(D/B/A MSC INDUSTRIAL SUPPLY CO.) :
: :
Opposers, :
: :
against : Opposition No. 91214851
: :
DAP BRANDS COMPANY, :
: :
Applicant. :
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**AMENDMENT ON CONSENT AND CONTINGENT
WITHDRAWAL OF OPPOSITION**

Honorable Commissioner for Trademarks

Applicant, by its undersigned counsel, with the consent of Opposers hereby amends its application, Serial No. 86/046,036, with prejudice, as follows:

International Class 017: Adhesive sealants and caulking compounds; Aerosol foam sealants for use in connection with residential and commercial construction projects manufactured by or at the direction of Applicant.

International Class 035: Providing consumer product news, information, and technical data in the field of caulks, sealants, adhesives, aerosol foam sealants; Customer service, namely, providing an advisory service and assistance to consumers regarding the selection of products and items to be purchased in the field of caulks, sealants, adhesives, aerosol foam sealants; Providing information and advice for consumers regarding the selection of products and items to be purchased in the field of caulks, sealants, adhesives, aerosol foam sealants; Retail stores and on-line retail store services featuring caulks,

sealants, adhesives, aerosol foam sealants manufactured by or at the direction of Applicant.

As the amendment is limiting, Applicant submits that the amendment is proper.

Opposers, with the consent of Applicant and contingent on the acceptance of the above-stated amendment, hereby withdraw their opposition to registration of the mark of application serial no. 86/046,036 as amended.

Respectfully submitted,

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