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

Proceeding	91215338
Party	Defendant EMIT Technologies, Inc.
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Submission	Motion to Amend Application
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Attachments	2015-08-31 Applicant's Motion to Amend.pdf(217146 bytes)

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

In the matter of application Serial No. 85/912,789 for the mark **EMIT**

Published in the *Official Gazette* on September 10, 2013

EMITEC GESELLSCHAFT FUR
EMISSIONSTECHNOLOGIE MBH,

Opposer,

v.

EMIT TECHNOLOGIES, INC.,

Applicant.

Proceeding No. 91-215,338

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

APPLICANT’S MOTION TO AMEND

Pursuant to Rules 514.02 and 605.03(b) of the Trademark Trial and Appeal Board Manual of Procedure and 37 C.F.R. §§ 2.133, 2.135, Applicant EMIT Technologies, Inc. (“Applicant”) respectfully moves to amend the identifications of goods and services of the application at issue in the subject opposition proceeding.

Applicant and Opposer Continental Emitec GmbH (“Opposer” and together with Applicant, “the parties”) have entered into an agreement whereby the parties have agreed to a settlement subject to Applicant’s amendment of the identifications of goods and services of the subject application. In particular, Applicant requests that the identification of goods and services in Application Ser. No. 85/912,789 be amended as follows (with deletions notated in strikethrough and additions notated in underline):

~~Class 7: Catalyst products, namely, catalytic converters, catalyst housings and combination catalyst/silencers for fuel engines;~~

Class 9: Air-fuel ratio controllers and monitors for use with fuel engines in the natural gas industry;

Class 37: Catalyst installation and maintenance services in the natural gas industry;
and

Class 41: Educational services, namely, providing training programs in the field of emissions mitigation in the natural gas industry.

For the sake of clarity, Applicant reiterates that it seeks to amend the subject application to delete Class 7 in its entirety and to include the phrase “in the natural gas industry” at the end of the identification of goods in Class 9.

Applicant has secured the express consent of Opposer for these proposed amendments.

Dated: August 31, 2015

Respectfully submitted,

By: /Elizabeth E. Brenckman/
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CERTIFICATE OF SERVICE

I hereby certify that, on this 31st day of August, 2015, a true and correct copy of the foregoing document has been served by electronic mail upon Opposer's attorneys of record in this proceeding at radonnelly@ratnerprestia.com and tmde@ratnerprestia.com.

/s/ Elizabeth E. Brenckman

Elizabeth E. Brenckman