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

Proceeding	91217379
Party	Plaintiff CytoSport, Inc.
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Signature	/Laura Miller/
Date	09/18/2015
Attachments	MonkeyMilkAmendment.pdf(10210 bytes)

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

CYTOSPORT, INC.,)	
)	
Opposer,)	Opposition No. 91217379
)	
vs.)	
)	
SHARP NEW FOODS CO.,)	Mark: MONKEY MILK
)	
Applicant.)	
)	

**CONSENTED MOTION TO AMEND APPLICATION
AND CONTINGENT DISMISSAL OF OPPOSITION WITHOUT PREJUDICE**

Applicant Sharp New Foods Co. (“Applicant”), pursuant to 37 C.F.R. § 2.133(a), and with the consent of Opposer CytoSport, Inc. (“Opposer”), hereby moves to amend the identification of goods currently listed in Application Serial No. 86/083,810 to read as follows: “flavored milk; dairy milk.” This amendment does not require republication of the instant application because the amendment to the identification of goods narrows rather than broadens its scope.

Contingent upon approval by the Trademark Trial and Appeal Board of the amendment requested herein, and pursuant to 37 C.F.R. § 2.106(c), Opposer hereby withdraws its Notice of Opposition with the consent of Applicant and without prejudice.

SO STIPULATED AND AGREED, this 18th day of September, 2015.

By: /s/ Eve Brown
Eve J. Brown, Esq.
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Attorney for Applicant
Sharp New Foods Co.

By: /s/ Laura Miller
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Attorneys for Opposer
CytoSport, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this date a true and correct copy of the foregoing
**CONSENTED MOTION TO AMEND APPLICATION AND CONTINGENT
DISMISSAL OF OPPOSITION WITHOUT PREJUDICE** was served on the attorney of
record for Applicant Sharp New Foods Co., by mailing said copy via First Class Mail,
postage prepaid, and addressed as follows:

Eve J. Brown, Esq.
1103 Village Road East
Norwood, MA 02062

This the 18th day of September, 2015.

By: /s/ Laura Miller