

ESTTA Tracking number: **ESTTA631113**

Filing date: **10/06/2014**

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

| | |
|---------------------------|--|
| Proceeding | 91218372 |
| Party | Defendant Cocotique, LLC. |
| Correspondence Address | LOWELL ANDERSON STETINA BRUNDA GARRED & BRUCKER 75 ENTERPRISE STE 250 ALISO VIEJO, CA 92656-2681 UNITED STATES |
| Submission | Motion to Amend Application |
| Filer's Name | Lowell Anderson |
| Filer's e-mail | opposition@stetinalaw.com, landerson@stetinalaw.com |
| Signature | /Lowell Anderson/ |
| Date | 10/06/2014 |
| Attachments | Consent Motion.pdf(114414 bytes) |

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

In the Matter of Application Serial No. 85/876,565

Opposition Filed: September 15, 2014

Mark: COCOTIQUE

| | | |
|----------------|---|-------------------------|
| -----X | : | |
| CHANEL, INC., | : | |
| | : | |
| Opposer, | : | |
| | : | Opposition No. 91218372 |
| - against - | : | |
| | : | |
| COCOTIQUE, LLC | : | |
| | : | |
| Applicant. | : | |
| -----X | : | |

**CONSENTED MOTION (1) TO AMEND APPLICATION IN ACCORDANCE WITH 37
C.F.R. §2.133(a); (2) TO SUSPEND OPPOSITION; and (3) FOR CONDITIONAL
DISMISSAL OF OPPOSITION WITHOUT PREJUDICE**

Applicant Cocotique, LLC (“Applicant”) with the consent of Opposer Chanel, Inc., (“Opposer”) makes this motion to amend by post-publication amendment Application Ser. No. 85/876,565 (“Application”) which is subject of the above referenced proceeding; to suspend the opposition pending the Board’s review of the amendment submitted September 15, 2014 withdrawing the Class 3 goods; and to dismiss Opposition No. 91/218,372 without prejudice conditioned upon acceptance of the previously submitted amendment to withdraw all of the Class 3 goods designated under the Application.

Because the proposed amendment narrows the description of goods and because no re-publication would be required, the parties submit that the amendment is permissible. The proposed amendment is believed to comply with all other rules and statutory provisions, including those set forth in 37 C.F.R. §§2.71-2.75. The TBMP provides that when a request to amend an

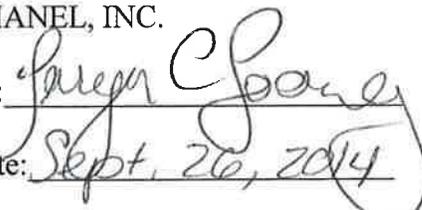
application which is the subject of a Board *inter partes* proceeding is made with the consent of the other party, and the proposed amendment is in accordance with the applicable rules and statutory provisions, the request should be approved by the Board. TBMP §514.02. Thus, the Board's approval is respectfully requested.

Opposer and Applicant also jointly move to suspend the opposition pending review of the proposed amendment. The parties further consent that upon approval and entry of the proposed amendment to Application Ser. No. 85/876,565 the opposition be dismissed on consent and without prejudice.

Each of the Applicant's and Opposer's consent to the amendment and to the withdrawal of the opposition without prejudice is made of record by the signatures of Applicant's counsel and Opposer's attorney-of-record below.

Respectfully submitted,

CHANEL, INC.

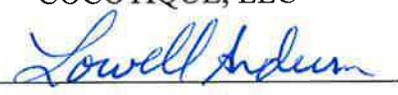
By: 

Date: Sept. 26, 2014

Taryn C. Looney
Director – Counsel
Chanel, Inc.
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New York, NY 10019
Taryn.Looney@ChanelUSA.com

Attorney of Record for Opposer Chanel, Inc.

COCOTIQUE, LLC

By: 

Date: Sept 25, 2014

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Attorneys for Applicant Cocotique, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 25 day of September, 2014 a true and correct copy of the foregoing CONSENTED MOTION TO AMEND APPLICATION was served by Electronic Mail and U.S. First Class Mail upon:

Taryn C. Looney
Director-Counsel
Chanel, Inc.
9 W. 57th St. 44th Fl.
New York, NY 10019

By: Lowell Anderson
Lowell Anderson
Stetina Brunda Garred & Brucker
Attorneys for the Applicant