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

Proceeding	91218377
Party	Plaintiff Disney Enterprises, Inc.
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Attachments	Stipulation.pdf(14053 bytes)

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

<p>DISNEY ENTERPRISES, INC.,</p> <p align="center">Opposer,</p> <p align="center">v.</p> <p>TOMORROWLAND CO., LTD.,</p> <p align="center">Applicant.</p>	<p>Consolidated Opposition No.: 91218377</p> <p>Mark: LAND OF TOMORROW Serial No.: 79140899 Filed: August 20, 2013</p> <p>Mark: TOMORROWLAND Serial No.: 79144969 Filed: December 26, 2013</p>
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**STIPULATED MOTION TO AMEND APPLICATION
AND TO DISMISS OPPOSITION WITHOUT PREJUDICE**

Pursuant to 37 C.F.R. Section 2.133(a) and TBMP Sections 514, 514.02 and 605.03(b), Opposer Disney Enterprises, Inc. and Applicant Tomorrowland Co., Ltd. (together, the “Parties”), hereby request the Board’s approval of the following amendment to Application Serial No. 79140899 (adding the language in bold/underline and deleting the language shown in strikethrough):

Mark	Amended Goods and Services IDs
Serial No. 79140899 LAND OF TOMORROW	<p>IC 018. US 001 002 003 022 041. G & S: Folding briefcases; shoulder bags; Gladstone bags; Japanese kori wicker trunks; briefcases; suitcases; carry-on bags; trunks; handbags; Boston bags; rucksacks; charm bags; business card cases; shopping bags, namely, wheeled shopping bags; purses; key cases; money pouches of leather and textile; wallets; wallets including card holders; business card cases; unfitted vanity cases; umbrellas; unworked or semi-worked leather and fur; handbag frames; purse frames; clothing for domestic pets; walking sticks; canes; metal parts of canes and walking-sticks; handles for canes and walking-sticks <u>all of the foregoing goods are high-end and luxury items offered and sold in high-end and luxury retail stores.</u></p> <p>IC 025. US 022 039. G & S: Evening dresses; children's</p>

wear, namely, skirts, trousers, and shirts; jackets; jogging pants; sweat pants; suits; skirts; trousers; formalwear, namely, tuxedos; coats; overcoats; topcoats; mantles; raincoats; cardigans; sweaters; vests and waistcoats; open-necked shirts; cuffs; collars for clothing; sport shirts; blouses; polo shirts; shirts for suits; night gowns; negligees; Japanese sleeping robes; pajamas; bath robes; undershirts; foundation underclothing, namely, corsets; clothing, namely, combinations; chemises; drawers and underpants; slippers; panties, shorts and briefs; brassieres; petticoats; camisoles; tee-shirts; Japanese traditional clothing, namely, kimonos; sleep masks; clothing, namely, aprons; collar protectors; socks and stockings; puttees and gaiters; fur stoles; shawls; scarves; Japanese style socks (tabi); Japanese style socks covers (tabi covers); clothing, namely, gloves and mittens; neckties; neckerchiefs, namely, bandannas; thermal underwear; mufflers; clothing, namely, ear muffs; nightcaps; headgear for wear, namely, caps and hats; garters; sock suspenders; braces, namely, suspenders; waistbands; belts for clothing; footwear, other than special footwear for sports; masquerade costumes; clothes for sports, namely, shirts and pants; special footwear for sports, namely, shoes **all of the foregoing goods are high-end and luxury clothing items offered and sold in high-end and luxury retail stores.**

IC 035. US 100 101 102. G & S: **High-end and luxury** retail store and wholesale distributorship services for **high-end and luxury products, namely,** fabrics, namely cotton fabrics, silk fabrics, wool yarn fabrics, chemical fiber fabrics, mixed fiber fabrics; retail store and wholesale distributorship services featuring pillows, mattresses, futon quilts, futon and quilt cases in the nature of linen, bedsheets, blankets, textile sheets; **High-end and luxury** retail store and wholesale distributorship services featuring towels of textile, Japanese cotton towels (tenugui), handkerchiefs, Japanese ceremonial wrapping cloth (fukusa), Japanese general wrapping cloth (furoshiki); **High-end and luxury** retail store and wholesale distributorship services featuring clothing; **High-end and luxury** retail store and wholesale distributorship services featuring **high-end and luxury** footwear other than special footwear for sports; **High-end and luxury** retail store and wholesale distributorship services featuring **high-end and luxury** bags and

	pouches
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The proposed amendments to the goods and services in the applications are limiting in nature and, therefore, comply with the applicable rules and statutory provisions, namely, 37 C.F.R. Section 2.71(a). Further, Application Serial No. 79144969 has already been amended.

The Parties further stipulate that, after the entry and acceptance of these amendments, this opposition shall be dismissed **without prejudice**.

Respectfully submitted,

Disney Enterprises, Inc.

Tomorrowland Co., Ltd.

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Dated: October 13, 2015

Dated: October 9, 2015

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing STIPULATED MOTION TO AMEND APPLICATION AND TO DISMISS OPPOSITION WITHOUT PREJUDICE was served by first class mail, postage prepaid, on October 13, 2015, upon Applicant's counsel at the following correspondence address of record:

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