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Filing date: **12/08/2014**

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

Proceeding	91218397
Party	Defendant GRANNY'S BAKERY, LLC
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Submission	Motion to Amend Application
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Signature	/michael e robinson/
Date	12/08/2014
Attachments	00351-20141208-tottab-consent_motion_to_amend_application.pdf(104126 bytes )

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

**CHATTANOOGA BAKERY, INC.,**

Opposer;

v.

**GRANNY’S BAKERY, LLC,**

Applicant.

Opposition No. 91218397

**CONSENTED MOTION TO AMEND APPLICANT’S LISTING OF GOODS**

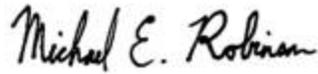
Pursuant to TBMP § 514.02(a), by and through their respective counsel, GRANNY’S BAKERY, LLC (“Applicant”) hereby moves this honorable Board and opposer CHATTANOOGA BAKERY, INC. (“Opposer”) hereby consents thereto, for (1) the listing of goods listed in Applicant’s application serial number 86/081,842 in class 030 for “pies” to be amended from its current text to the text as follows: “pies made from a recipe including moonshine, excluding marshmallow pies”; and (2) application serial number 86/081,851 to be expressly abandoned.

The amendment and abandonment requested herein, respectively, are in accordance with the applicable rules and statutory provisions, and such amendment would not broaden the scope of the goods listed in Applicant’s application.

The parties to this proceeding have entered into a settlement agreement wherein the Board’s action in accordance with this motion are conditions precedent. To the extent that the Board accepts this motion and orders (1) an amendment of the listing of goods for application serial number 86/081,842 as requested herein as well as the express

abandonment of application serial number 86/081,851 as requested herein, Applicant and Opposer then further respectfully and conditionally move that this matter be dismissed with prejudice.

Respectfully submitted this 8<sup>th</sup> day of December 2014.



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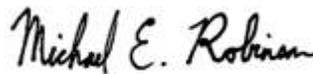
/MichaelJBradford/ (w/ permission)  
Michael J. Bradford  
Luedeka Neely Group, P.C.  
P.O. Box 1871  
Knoxville, TN 37901  
ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is one of the attorneys for Applicant GRANNY'S BAKERY, LLC, in the above-captioned Opposition proceeding and that on the date which appears below, he caused a copy of the foregoing CONSENTED MOTION TO AMEND APPLICANT'S LISTING OF GOODS to be served on the following with the United States Postal Service with fully pre-paid postage by first class mail service:

Opposer's Attorneys of Record:  
Luedeka Neely Group, P.C.  
P.O. Box 1871  
Knoxville, TN 37901

Dated: December 8<sup>th</sup>, 2014  
Knoxville, Tennessee



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Michael E. Robinson