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Filing date: **04/17/2015**

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

Proceeding	91218964
Party	Defendant Atotech Deutschland GmbH
Correspondence Address	Marilyn Matthes Brogan FROMMER LAWRENCE & HAUG LLP 745 5TH AVE NEW YORK, NY 10151-0099 UNITED STATES mbrogan@flhlaw.com, docket@flhlaw.com
Submission	Other Motions/Papers
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Date	04/17/2015
Attachments	20150417115052933.pdf(248522 bytes )

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

In re Application Serial No. 86/181,133  
Filed: January 31, 2014  
For Mark: TELOTECH

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Henkel AG & Co. KGaA,	:		
Opposer	:	Opposition No. 91218964	
v.	:	Application No. 86/181,133	
Atotech Deutschland GmbH,	:		
Applicant	:		
	:		
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Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**JOINT MOTION ON CONSENT TO AMEND APPLICATION AND,  
IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that goods in International Class 1 of U.S. Application No. 86/181,133 be amended by replacing the description of goods in International Class 1 with the following:

CHEMICAL PREPARATIONS FOR SURFACE TREATMENT OF METALS,  
NON-CONDUCTIVE SUBSTRATES AND SEMICONDUCTOR  
SUBSTRATES, FOR ELECTROPLATING, USED IN THE ELECTRONICS  
INDUSTRY TO OBTAIN METAL COATINGS, in International Class 1

It is respectfully submitted that this amendment does not require reexamination or republication because the amendment narrows rather than broadens the scope of the application.

This amendment is made with the consent of Opposer and pursuant to an Agreement between Henkel AG & Co. KGaA ("Opposer") and Atotech Deutschland GmbH ("Applicant"). If the amendment is approved by the Board, Opposer, with Applicant's consent, requests that the opposition be withdrawn without prejudice.

This Joint Motion has been signed by the Opposer and the Applicant in accordance with Trademark Rule 2.133 and includes the following Declaration under Trademark 2.20:

*The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.*

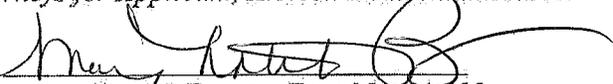
No fee is believed to be due for consideration and entry of this amendment and Joint Motion. However, if any fee is determined to be due to enter and consider this Motion and to amend the application, the TTAB is authorized to charge Applicant's Deposit Account No. 50-0320.

**CONCLUSION**

Applicant respectfully requests that this motion to amend the identification of goods in class 1 of U.S. Application No. 86/181,133 be granted in its entirety. Once the amendment is accepted, the parties respectfully request withdrawal of the opposition.

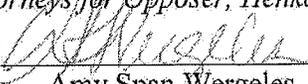
Dated: April 17, 2015

Respectfully submitted,  
FRÖMMER LAWRENCE & HAUG LLP  
*Attorneys for Applicant, Atotech Deutschland GmbH*

By: 

Marilyn M. Brogan, Reg. No. 31,223  
745 Fifth Avenue  
New York, New York 10151-0099  
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Amy Span Wergeles  
*Attorneys for Opposer, Henkel AG & Co. KGaA*

By: 

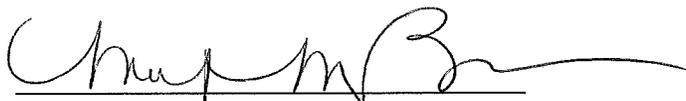
Amy Span Wergeles

Henkel Corporation  
One Henkel Way  
Law Department-Trademarks  
Rocky Hill, CT 06067

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on April 17, 2015, I caused a true and complete copy of the foregoing *Joint Motion on Consent to Amend Application and, if Accepted, to Withdraw the Opposition on Consent* to be sent via email and First Class Mail postage paid, to Opposer's attorney, Amy Span Wergeles, Henkel Corporation, One Henkel Way, Law Department-Trademarks, Rocky Hill, CT 06067 (amy.wergeles@henkel.com)

Dated: New York, NY  
April 17, 2015

A handwritten signature in black ink, appearing to read 'Marilyn M. Brogan', written over a horizontal line.

Marilyn M. Brogan, Esq.  
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