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Filing date: **01/15/2016**

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

Proceeding	91220827
Party	Defendant Covidien LP
Correspondence Address	JOHN L. WELCH WOLF GREENFIELD & SACKS, P.C. 600 ATLANTIC AVENUE BOSTON, MA 02210 UNITED STATES jlwtrademarks@wolfgreenfield.com
Submission	Other Motions/Papers
Filer's Name	John L. Welch
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Date	01/15/2016
Attachments	91220827 Motion to Amend 929 Application.pdf(17800 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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_____)	
Masimo Corporation,)	
)	
Opposer,)	
)	
v.)	Opposition No.
)	91220827
)	
Covidien LP,)	
)	
Applicant.)	Application S.N.
)	86273929
_____)	

CONSENTED-TO MOTION TO AMEND APPLICATION

In accordance with an agreement between the parties resolving this dispute, Applicant Covidien LP moves for an Order amending its application Serial No. 86273929 as follows:

Delete the current “Identification of Goods” and substitute the following: “disposable medical devices and supplies, namely, ECG connectors.”

Delete the current “Description of the Mark” and substitute the following: “The color(s) HOT PINK (Pantone PMS 806) and navy blue (Pantone PMS 281) is/are claimed as a feature of the mark. The mark consists of the three-dimensional configuration of ECG connectors in the color hot pink (Pantone PMS 806) with a small heart design in the color navy blue (Pantone PMS 281) at the end of the ECG connector. The shape shown in broken lines is not a part of the mark and the broken lines are intended to show the position of the mark on the goods.”

Opposer's consent to the granting of this motion is confirmed below. Upon the granting of this motion, Opposer Masimo Corp. will withdraw this opposition.

Covidien LP

Masimo Corp.

_____/John L. Welch/
John L. Welch.
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon Respondent this 15th day of January, 2016, by mailing a copy thereof via first-class mail, postage pre-paid, to Opposer's counsel:

Diane M. Read, Esq.
Knobbe, Martens, et al.
2040 Main Street, 14th Floor
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/John L. Welch/

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