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Filing date: **03/25/2016**

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

Proceeding	91223689
Party	Defendant Nintendo of America Inc.
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Submission	Motion to Amend Application
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Date	03/25/2016
Attachments	53634 Motion Opp 91223689 - 014372-7002 - 2016-03-25.pdf(28715 bytes )

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

Cartamundi Services NV,  
Opposer,

v.

Nintendo of America Inc.,  
Applicant.

Opposition No. 91223689  
Serial No. 86502850

**MOTION ON CONSENT TO AMEND APPLICATION**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended as follows (deletions in strikethrough and additions in underline):

Class 28: Protective carrying cases for hand-held video game systems; toy figures; hand-held video game machines; hand-held units for playing electronic games; plush toys; ~~promotional game cards~~; puzzles; toy action figures; balloons; toy balls; toy key chains; **all of the aforementioned excluding card-related games**

Thus, the final description of goods as amended will be as follows:

Class 28: Protective carrying cases for hand-held video game systems; toy figures; hand-held video game machines; hand-held units for playing electronic games; plush toys; puzzles; toy action figures; balloons; toy balls; toy key chains; all of the aforementioned excluding card-related games

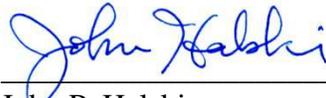
It is respectfully submitted that this amendment complies with all applicable rules and statutory provisions with respect to amendments to applications and does not require republication as the amendment of the description of goods narrows rather than broadens the scope of the application.

This amendment is made pursuant to an Agreement between Applicant and Opposer, who hereby consents to this amendment, and the application is not the subject of any other inter partes proceedings. *See* TMEP § 514.02.

**CONCLUSION**

Applicant respectfully requests that this request to amend the application with consent be granted in its entirety.

Respectfully submitted,



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Attorney for Applicant

Dated: March 25, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served by email and U.S. mail on the 25th day of March, 2016 to:

Clifford D Hyra  
Symbus Law Group  
11710 Plaza America Drive  
Suite 2000  
Reston, VA 20190

Attorney for Opposer