

ESTTA Tracking number: **ESTTA990413**

Filing date: **07/25/2019**

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

Proceeding	91249105
Party	Defendant Michael Danny Jean
Correspondence Address	ANDREW A. PHARAR MARK MY BRANDS #506 1142 S. DIAMOND BAR BLVD. DIAMOND BAR, CA 91765 apharar@gmail.com no phone number provided
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Michael Danny Jean
Filer's email	danny.jean@danjos.co
Signature	/MichaelDannyJean/
Date	07/25/2019
Attachments	Danjiosmark72519.pdf(536602 bytes)

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

In the Matter of Serial No.: 88196816

set CertMailSig Karen
Phillips Karen Phillips



For the Mark:
Filed: November 16, 2018
Published: February 26, 2019

_____)	
TARGET BRANDS, INC.)	
)	
Opposer,)	
)	
v.)	Opposition No. 91249105
)	
MICHAEL DANNY JEAN)	
)	
Applicant.)	
_____)	

APPLICANT'S MOTION TO AMEND APPLICATION

Pursuant to 37 C.F.R. § 2.133 and TMEP § 514, and to facilitate a settlement with Opposer consistent with TMEP § 605.03(b), Applicant herein requests amendment to the subject applications as follows:

1. Proposed Amendment

Applicant proposes to amend the mark to claim the colors brown and white. A new drawing is submitted herewith. Applicant believes that the change is a non-material alteration of the mark and is limiting in nature. As part of the amendment, Applicant also proposes the following changes:

a. *Colors Claimed*

Applicant requests entry of the following statement in the application:

The colors brown and white are claimed as a feature of the mark.

b. *Description of the Mark*

Applicant requests amendment of the current mark description as follows

(mark-up):

The mark consists of ~~an~~ a white "O" with a short protrusion on its right side extending rightwardly. A white crescent shape is contained within the "O" on its left side. The area within the "O" and behind the crescent shape is brown.

~~An~~ A brown outer ring encompasses the entire shape, which is meant to appear as a coffee cup from a top-down perspective.

2. *Consent*

Opposer Target Brands, Inc. consented to the above amendment via communication from James R. Steffen, counsel to Opposer, on various dates, including July 21, 2019.

Dated: July 27, 2019

MICHAEL DANNY JEAN

By: _____



Michael Danny Jean
4911 East Chase St
Baytown, Texas 77521

Michael Danny Jean
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Baytown, Texas 77521

App. No.: 88196816

App. Date: November 16, 2018

Int. Class: 30

Goods: Chocolate covered roasted coffee beans; Coffee; Coffee and tea; Coffee beans; Coffee, tea, cocoa and artificial coffee; Coffee-based snack foods; Espresso; Espresso drinks; Pastries; Green coffee; Ground coffee beans; Iced coffee; Macaroons; Roasted coffee beans

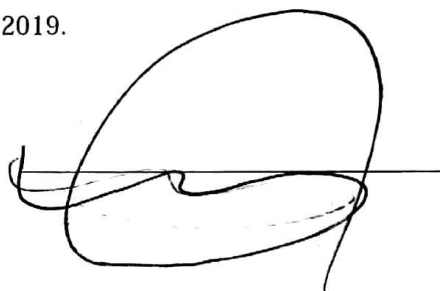


CERTIFICATE OF SERVICE

I, Michael Danny Jean, do hereby certify that a true and correct copy of the above and foregoing **Motion to Amend Application** has been forwarded by electronic mail to:

James R. Steffen
Faegre Baker Daniels LLP
90 South Seventh Street
2200 Wells Fargo Center
Minneapolis, MN 55402

as representative of Opposer, this 25 day of July, 2019.

A handwritten signature in black ink, appearing to be 'James R. Steffen', written over a horizontal line.