

ESTTA Tracking number: **ESTTA438010**

Filing date: **10/26/2011**

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

Proceeding	92052314
Party	Defendant Cafe Mystique Inc.
Correspondence Address	JESS M. COLLEN COLLEN IP THE HOLYOKE-MANHATTAN BUILDING, 80 SOUTH HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES tgulick@collenip.com, docket@collenip.com, egarvey@collenip.com
Submission	Motion to Amend Registration
Filer's Name	Thomas P. Gulick
Filer's e-mail	tgulick@collenip.com
Signature	/Thomas P. Gulick/
Date	10/26/2011
Attachments	K357 motion to amend.pdf (3 pages)(69349 bytes)

Registration Subject to the filing

Registration No	3514570	Registration date	10/14/2008
Registrant	CAFÃ# MYSTIQUE INC. 166, Benjamin Hudon Saint-Laurent (QuÃ©bec), H4N 1H8, CANADA		

Goods/Services Subject to the filing

Class 030. First Use: 1998/04/24 First Use In Commerce: 1998/04/24
All goods and services in the class are requested, namely: Coffees

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

MOTHER PARKER'S TEA & COFFEE,
INC.,

Petitioner,

v.

CAFÉ MYSTIQUE, INC.,

Registrant.

Cancellation No. 92052314
Mark: CAFÉ MYSTIQUE
Reg. No.: 3,514,570
Reg. Date: October 14, 2008

MOTION ON CONSENT TO AMEND REGISTRATION

Pursuant to 37 C.F.R. § 2.173, Registrant respectfully requests the amendment of U.S. Trademark Registration No. 3,514,570 (the "Registration"). Registrant requests that the Registration be amended by deleting the current Identification of Goods for Class 30 and substituting the following:

"coffees, excluding coffees for in-flight airline beverage services."

It is respectfully submitted that this amendment does not require republication as the amendment limits the scope of the Registration.

This amendment is made pursuant to an Agreement between Registrant and Petitioner.

This Motion for Amendment is made with the consent of the Petitioner.

Respectfully submitted,

By: 

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Thomas P. Gulick
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Attorneys for Registrant

Consented to:

By: 
Priscilla L. Dunckel
Baker Botts L.L.P.
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214-953-6818
Attorneys for Petitioner

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Date: October 26, 2011

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CERTIFICATE OF SERVICE

I, Edie Garvey hereby certify that I caused a true and correct copy of the following to be served upon:

Baker Botts L.L.P.
2001 Ross Avenue
Dallas, Texas 75201-2980
Attn: Priscilla L. Dunckel, Esq.

Via first-class mail, postage pre-paid.

Said service having taken place this 26th day of October, 2011

