

ESTTA Tracking number: **ESTTA676489**

Filing date: **06/05/2015**

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

Proceeding	92056509
Party	Defendant 3D Systems, Inc.
Correspondence Address	JASON M SNEED SNEED PLLC 610 JETTON ST STE 120-107 DAVIDSON, NC 28036 9318 UNITED STATES jsneed@sneedlegal.com, clandrum@sneedlegal.com, sarah@sneedlegal.com, litigation@sneedlegal.com
Submission	Other Motions/Papers
Filer's Name	Sarah C. Hsia
Filer's e-mail	sarah@sneedlegal.com, jsneed@sneedlegal.com, giacona@sneedlegal.com
Signature	/sch/
Date	06/05/2015
Attachments	2015-06-05 Respondent Motion to Amend Registration.pdf(78027 bytes )

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

Registrant: 3D Systems, Inc.  
Mark: 3DS & Design  
Reg. No.: 4,125,612 in Classes 1, 7, 9 and 40  
Registered: April 10, 2012

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Autodesk, Inc.	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92056509
	)	
3D Systems, Inc.,	)	
	)	
Respondent	)	

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**RESPONDENT’S MOTION TO AMEND REGISTRATION, WITH CONSENT**

3D Systems, Inc., (“Respondent” or “3D Systems”) moves pursuant to 37 C.F.R. § 2.133(a) to amend its U.S. Reg. No. 4,125,612 (“3DS & Design”), which is the subject of the captioned cancellation proceeding, to delete International Class 009 therefrom. For the avoidance of doubt, the goods and services in the remaining International Classes 1, 7 and 40 shall remain intact, valid and subsisting.

As grounds therefor, Respondent states that Petitioner initiated this cancellation proceeding on November 29, 2012, challenging Respondent’s U.S. Trademark Registration No. 4,125,612 for 3DS & Design on the basis of priority and likelihood of confusion and dilution in favor of Autodesk’s 3DS MAX mark. On June 4, 2015, the parties entered into a Settlement Agreement resolving the captioned cancellation proceeding. Counsel for Petitioner, by email dated June 5, 2015, has consented to this Motion.

Respondent thus respectfully requests that the Board grant Respondent's Motion to Amend Registration, with Consent, in its entirety.

Dated: June 5, 2015

Respectfully Submitted,

/s/ Sarah C. Hsia

Jason M. Sneed, Esq.  
Sarah C. Hsia, Esq.  
Gina R. Iacona, Esq.  
SNEED PLLC  
610 Jetton St., Suite 120-107  
Davidson, NC 28036  
Tel.: 704-779-3611  
Email: [JSneed@SneedLegal.com](mailto:JSneed@SneedLegal.com)

*Attorneys for Respondent 3D Systems, Inc.*

Certificate of Filing / Certificate of Service

The undersigned hereby certifies that the foregoing *Respondent's Motion to Amend Registration, with Consent* was filed via ESTTA, and that a copy was placed in U.S. Mail, postage prepaid, addressed to the following counsel of record:

John L. Slafsky  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304-1050  
*Attorneys for Petitioner Autodesk, Inc.*

This the 5<sup>th</sup> day of June, 2015.

/s/ Sarah C. Hsia

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An Attorney for Respondent