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

Proceeding	92060085
Party	Defendant Port Excel International Limited
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Date	06/27/2016
Attachments	MOMENTO MOTION TO TERMINATE 160627-eFiled.pdf(102798 bytes)

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

Proceeding.	92060085
Applicant	Plaintiff DCore Lifestyle Inc.
Other Party	Defendant Port Excel International Ltd.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	No

**MOTION TO AMEND REGISTRATION WITH CONSENT
AND
MOTION TO TERMINATE CANCELLATION
PROCEEDING 92060085**

Defendant, **Port Excel International Ltd.** (hereinafter “**Port Excel**”), first respectfully notes that the **Parties** to the above-referenced Cancellation Proceeding 92060085 have executed a Confidential Settlement Agreement (hereinafter, “the Agreement”).

The Agreement binds Plaintiff **DCore Lifestyle Inc.** (hereinafter, “**DCore**”) to withdraw Cancellation Proceeding No. 92060085 within seven (7) days of **DCore** receiving confirmation that the following amendments to any Trademark Registration Application or Trademark Registration owned by **Port Excel** have been approved and entered by the respective government entities:

- (a.) deletion of any items outside of International Class 025; and
- (b.) deletion of any items (as specified below) from the Goods & Services Listing of the International Class 024 of US Registration 3589766.

**PORT EXCEL REQUESTS AMENDMENT WITH CONSENT TO THE GOODS
& SERVICES LISTING OF US REGISTRATION 3,589,766
UNDER 37 CFR §2.133**

Port Excel therefore requests under the provisions of 37 CFR §2.133 that the following items be deleted from the Goods & Services Listing of US Registration 3589766:

napkins

table napkins of textile

hand towels

household linen

kitchen towels

table linen

textile napkins

textile place mats

textile tablecloths

table covers

Accordingly, **Port Excel** requests under the provisions of 37 CFR §2.133 that only following items be retained Goods & Services Listing of US Registration 3589766:

(Int'l Class: 24) Bed blankets, baby blankets, bedding, namely, quilts, bedspreads and mattress covers, bed linen, namely, flat sheets, bed canopies, bath linen, bath towels, crib bumpers, curtains, cloth flags, cloth pennants, duvets, duvet covers, eiderdowns, eiderdown covers and coordinated bed accessories, namely, pillowcases, bed sheets, pillow covers, fabric flags, felt pennants; unfitted fabric furniture covers, wall hangings of textile, upholstery fabrics, household and home textile articles, namely, napkins of cloth for removal make-up, golf towels, handkerchiefs, hooded towels, receiving blankets, silk blankets, throws, towels, washcloths, woolen blankets, unfitted fabric bed, and shower curtains.

Port Excel has secured the express consent of all other parties to this proceeding for the aforementioned amendment to the goods & services listing of U.S. Registration No. 3,589,766.

**PORT EXCEL REQUESTS TERMINATION OF THE CANCELLATION
PROCEEDING UPON PERFORMANCE OF THE AMENDMENTS
REQUESTED UNDER SECTION 7**

Port Excel has secured the express consent of all other parties to this proceeding for the Termination of the above-referenced Cancellation Proceeding 92060085 upon notification of the approval and performance of the Amendment to US Registration 3589766 by the Trademark Office. **Port Excel** therefore requests on behalf of the **Parties** that Cancellation Proceeding 92060085 be terminated upon notification by the Trademark Office of the approval and enactment of the requested Amendment to US Registration 3589766 as specified herein.

Port Excel has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

/NING BAO/

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CERTIFICATE OF SERVICE

Registrant **PORT EXCEL INTERNATIONAL, LTD.** hereby certifies that a copy of this **MOTION TO AMEND REGISTRATION WITH CONSENT AND MOTION TO TERMINATE CANCELLATION PROCEEDING 92060085** has been served upon **DCORE LIFESTYLE INCORPORATED** on this Twenty-seventh day of June, 2016, by US Post via first class mail with full postage at the following address:

Richard Y. Kim
McDermott Will & Emery LLP
500 North Capitol Street NW
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/NING BAO/

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