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

Proceeding	92061510
Party	Defendant Schlep and Fetch, Inc.DBA Schlep & Fetch
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Signature	/Kimberly A. Warshawsky/
Date	07/12/2016
Attachments	Stipulation to Amend with Declaration.pdf(94678 bytes )

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

Shleppers Holdings, LLC,

*Petitioner,*

v.

Schlep & Fetch. Inc.,

*Registrant.*

Proceeding No. 92061510

Registration No. 4,716,395

Mark: WE SCHLEP WITH ALL  
YOUR FRIENDS

**STIPULATION TO AMEND REGISTRATION, SUSPEND THE PROCEEDING, AND  
TO DISMISS PROCEEDING UPON ENTRY OF AMENDED DESIGNATION OF  
SERVICES**

The parties, by their undersigned attorneys, hereby stipulate that the above application be amended so that the complete identification of services in Class 39 will read as follows:

Class 39: “Laundry pick-up and delivery services. Providing room service delivery services to hotels and condominiums; Expedited messenger and courier delivery services, including personal errands and delivery of retail products, food and beverages, packages, letters and baked goods; excluding furniture crating, packaging, moving and storage.”

Registrant is deleting the wording “postal, freight and courier services; shipping and delivery services, pickup, transportation, and delivery of packages and letters by various modes of transportation; transportation and delivery services by air, road, rail and sea; transportation and delivery services, namely, same day shipment services” from the identification of services in Class 39.

The parties respectfully point out that, because the amendment merely limits, rather than alters or expands, the identification of services, this stipulation can be approved by the Board and need not be submitted to the Patent and Trademark Office Examining Attorney. The parties  
{04922/609163-000/01398712.1}

respectfully request that the present cancellation proceeding be suspended, pending the Board's decision upon entry of the amended designation of services.

The parties further respectfully request that if the amended designation of services is entered by the Board, that the present cancellation proceeding be dismissed, and that the mark be passed to registration.

In the event that amended designation of services is not entered, the parties request that the suspension be vacated, and that the cancellation proceeding resume with a resetting of the deadline to answer as well as discovery and trial scheduling.

The parties respectfully request that the Board forward the file to the Photocomposition Coordinator in the Publication and Issue Section of the Office to process the amendment.

Respectfully submitted,

LEASON ELLIS LLP.

Dated: April 13, 2016

By: /s/ Yuval Marcus (with permission)  
Yuval Marcus  
One Barker Avenue, Fifth Floor  
White Plains, New York 10601  
Tel. (914) 821-9075

Attorneys for Petitioner

Dated: April 13, 2016

By: /s/ Kimberly A. Warshawsky  
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Attorneys for Applicant

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

Shleppers Holdings LLC,

Plaintiff,

v.

Schlep & Fetch, Inc.,

Defendant.

Proceeding No. 92061510

Registration No. 4716395

Mark: WE SCHLEP WITH ALL YOUR  
FRIENDS

**DECLARATION OF BRYSON STRAUSS IN SUPPORT OF AND VERIFYING  
REGISTRANT'S PROPOSED AMENDMENT**

I, Bryson Strauss, hereby declare as follows:

1. I am the owner and Chief Executive Officer of Schlep and Fetch, Inc. ("Registrant"), which owns Registration No. 4716395 ("Registration").
2. I submit this declaration in support of Registrant's proposed amendment as stipulated to in the parties' Stipulation to Amend Registration, Suspend the Proceeding, and to Dismiss Proceeding Upon Entry of Amended Designation of Services ("Stipulation") filed concurrently with this Declaration.
3. As stated in the Stipulation, Registrant requests amendment of its Registration in Class 39 to read as follows:  
  

Class 39: "Laundry pick-up and delivery services. Providing room service delivery services to hotels and condominiums; Expedited messenger and courier delivery services, including personal errands and delivery of retail products, food and beverages, packages, letters and baked goods; excluding furniture crating, packaging, moving and storage."
4. As stated in the Stipulation, Registrant is deleting the wording "postal, freight and courier services; shipping and delivery services, pickup, transportation, and delivery of packages

and letters by various modes of transportation; transportation and delivery services by air, road, rail and sea; transportation and delivery services, namely, same day shipment services” from the identification of services in Class 39.

5. The foregoing amendment limits, rather than alters or expands, the identification of services.

6. Registrant is using the mark that is subject to the Registration, WE SCHLEP WITH ALL YOUR FRIENDS, in commerce on or in connection with the services reflected by the foregoing amendment, as evidenced in the original specimen submitted with the Registration showing the mark as used in commerce.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

**Schlep and Fetch, Inc. (Registrant)**

By:   
Bryson Strauss

Title: CEO

Date: July 11, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on today's date I caused a true and correct copy of the foregoing Stipulation to Amend Registration, Suspend the Proceeding, and to Dismiss Proceeding Upon Entry of Amended Designation of Services, and the Declaration of Bryson Strauss in Support of and Verifying Registrant's Proposed Amendment, to be served by United States First Class mail upon the attorney of record for Petitioner set forth below:

Yuval H. Marcus, Esq.  
LEASON ELLIS LLP  
One Barker Ave, Fifth Floor  
White Plains, New York 10601-1526  
Tel.: (914) 288-0022

Dated: July 12, 2016

/s/ Stephanie Rhinehart  
Stephanie Rhinehart