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

Proceeding	94002550
Party	Applicant Community Tampa Bay, Inc.
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Attachments	Motion to Amend Application (NCCJ of the Piedmont Triad).pdf (6 pages) (143591 bytes)

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

COMMUNITY TAMPA BAY, INC.,)	
Plaintiff-Applicant)	
)	
v.)	
)	
THE NATIONAL CONFERENCE FOR)	Concurrent Use No. 94002550
COMMUNITY AND JUSTICE OF THE)	
PIEDMONT TRIAD, INC.,)	Mark: ANYTOWN
Defendant-User)	Serial No. 85/488,380
)	
v.)	
)	
THE NATIONAL CONFERENCE FOR)	
COMMUNITY AND JUSTICE)	
CONNECTICUT/WESTERN MASSACHUSETTS,)	
INC.,)	
Defendant-User)	
)	
v.)	
)	
THE INTERFAITH COUNCIL OF SOUTHERN)	
NEVADA,)	
Defendant-User)	
)	
v.)	
)	
VALLEY OF THE SUN YMCA,)	
Defendant-User)	
)	
v.)	
)	
OASIS CENTER,)	
Defendant-User)	
)	
v.)	
)	
YWCA CENTRAL ALABAMA,)	
Defendant-User)	
)	
v.)	
)	
NATIONAL CONFERENCE FOR COMMUNITY)	

AND JUSTICE OF GREATER DAYTON,)
Defendant-User)
)
v.)
)
OKLAHOMA CENTER FOR COMMUNITY AND)
JUSTICE,)
Defendant-User)
)
v.)
)
NEW ORLEANS COUNCIL FOR COMMUNITY)
AND JUSTICE,)
Defendant-User)
_____)

JOINT MOTION TO AMEND APPLICATION

Pursuant to TBMP § 1104, Plaintiff-Applicant, Community Tampa Bay, Inc. and Defendant-User The National Conference For Community and Justice of the Piedmont Triad, Inc., (“NCCJ of the Piedmont Triad”) (collectively, the “Parties”), hereby jointly submit this Motion to Amend Application.

The Parties wish to amend the Concurrent Use application to exclude the additional territories of Chester County, Chesterfield County, Lancaster County, and York County, all in South Carolina, in light of NCCJ of the Piedmont Triad’s concurrent use of the ANYTOWN Mark in these territories.

At the time of filing the ANYTOWN concurrent use application, Community Tampa Bay was aware of NCCJ of the Piedmont Triad’s use of the ANYTOWN Mark only in the state of North Carolina. Upon receiving service of the Concurrent Use proceeding, the Parties met to discuss their respective uses and the geographic scope of those uses. Based on these discussions, Community Tampa Bay learned, and NCCJ of the Piedmont Triad has confirmed, that NCCJ of the Piedmont Triad has been using the ANYTOWN Mark in the

Charlotte, North Carolina metropolitan region, which includes the following territories in South Carolina: Chester County, Chesterfield County, Lancaster County, and York County. As a result, the Parties now jointly move to amend the Concurrent Use application to reflect this additional information.

The Parties jointly request that the Board amend the application as follows, with changes shown in bold:

Concurrent use information. The applicant seeks registration of the mark without limitation to any particular mode of use for educational services, namely, conducting classes, seminars, dialogue groups and workshops and facilitating participation in service learning events all in the fields of inclusive leadership training, diversity and sensitivity education and training, conflict mediation, advocacy and communication skill building, and distribution of course materials in connection therewith, and claims exclusive right to the mark in the area comprising the entire United States, with the exception of the following **states and territories**: North Carolina; the following counties in South Carolina: **Chester County, Chesterfield County, Lancaster County, and York County**; Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, Vermont, Nevada, Arizona, Tennessee, Alabama, Ohio, Oklahoma, Illinois, Louisiana, Utah, and Missouri. Applicant is aware of the following unregistered users of the ANYTOWN mark, and information regarding these uses is set forth as follows, to the best to the Applicant's knowledge: (1) The National Conference for Community and Justice of the Piedmont Triad, Inc., 713 North Greene Street, Greensboro, NC 27401; Geographic Area: North Carolina, **and the following counties in South Carolina: Chester County, Chesterfield County, Lancaster County, and York County**; Duration of Use: 2005 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (2) The National Conference for Community and Justice Connecticut/Western Massachusetts, Inc., 1095 Day Hill Road, Windsor, CT 06095; Geographic Area: Connecticut, **and** Massachusetts, Rhode Island, Maine, New Hampshire, and Vermont; Duration of Use: 2005 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (3) The Interfaith Council of Southern Nevada, P.O. Box 73070, Las Vegas, NV 89170; Geographic Area: Nevada; Duration of Use: 2005 - present; Goods/Services: Youth

educational seminars and/or events; Modes of Use: unknown. (4) Valley of the Sun YMCA, 350 N. First Ave., Phoenix, AZ 85003; Geographic Area: Arizona; Duration of Use: 2010 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (5) Oasis Center, 1704 Charlotte Ave., Suite 200, Nashville, TN 37203; Geographic Area: Tennessee; Duration of Use: 2010 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (6) YWCA Central Alabama, 309 North 23rd Street, Birmingham, AL 35203; Geographic Area: Alabama; Duration of Use: 2011 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (7) National conference for Community and Justice of Greater Dayton, 14 West First Street, Suite 401, Dayton, OH 45402-1259; Geographic Area: Ohio Duration of Use: unknown; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (8) Oklahoma Center for Community and Justice, 100 West Fifth Street, LL 1030, Tulsa, OK 74103-4273; Geographic Area: Oklahoma; Duration of Use: 2007 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (9) New Orleans Council for Community and Justice, 650 Poydras Street, Suite 2303, new Orleans, Louisiana 70130; Geographic Area: Louisiana; Duration of Use: 2009 - present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (10) Inclusion Center, 14 Heritage Center, Salt Lake City, Utah 84112; Geographic Area: Utah; Duration of Use: 2005-present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. (11) National Conference for Community and Justice of Metropolitan St. Louis, 8420 Delmar Blvd Suite 500, Saint Louis, MO 63124; Geographic Area: Missouri; Duration of Use: 2005-present; Goods/Services: Youth educational seminars and/or events; Modes of Use: unknown. All verifications or declarations in this application indicating that no one else to the best of Applicant's knowledge and belief, has the right to use the mark in commerce, refers to "no one else" except as specified in the application.

The Parties request that Application No. 85/488,380 be amended as set forth above. This Joint Motion is being made early in the proceeding, before NCCJ of the Piedmont Triad's deadline for answering has expired, and will not cause undue delay or prejudice. If the Board has any questions, kindly contact the Attorneys for Applicant.

On behalf of Defendant-User,

**The National Conference For Community
and Justice of the Piedmont Triad, Inc.**

Signature: [Handwritten Signature]
Name: Susan Fite Stern
Title: Executive Director

713 North Greene Street
Greensboro, NC 27401

Date: December 13, 2012

On behalf of Plaintiff-Applicant,

Community Tampa Bay, Inc.

Signature: [Handwritten Signature]
Name: Stacie Blake
Title: Executive Director

1499 Beach Drive SE, Unit C
St. Petersburg, FL 33701

Date: December 14, 2012

Respectfully submitted,

FOLEY & LARDNER LLP

[Handwritten Signature]
Laura Ganoza

Katherine Califa
One Biscayne Tower, Suite 1900
2 South Biscayne Blvd
Miami, FL 33131-1806
Attorneys for Plaintiff-Applicant

Date: December 14, 2012

CERTIFICATE OF SERVICE

I, hereby certify that on December 14, 2012, a true and correct copy of the JOINT MOTION TO AMEND APPLICATION was served by first-class mail, postage prepaid, on each Defendant-User at the following addresses:

THE NATIONAL CONFERENCE FOR
COMMUNITY AND JUSTICE OF THE
PIEDMONT TRIAD INC
713 NORTH GREENE STREET
GREENSBORO, NC 27401

NATIONAL CONFERENCE FOR COMMUNITY
AND JUSTICE OF GREATER DAYTON
14 WEST FIRST STREET
SUITE 401
DAYTON, OH 45402-1259

THE NATIONAL CONFERENCE FOR
COMMUNITY AND JUSTICE CONNECTICUT
WESTERN MASSACHUSETTS INC
1095 DAY HILL ROAD
WINDSOR, CT 06095

OKLAHOMA CENTER FOR COMMUNITY AND
JUSTICE
100 WEST FIFTH STREET
LL 1030
TULSA, OK 74103-4273

THE INTERFAITH COUNCIL OF SOUTHERN
NEVADA
PO BOX 73070
LAS VEGAS, NV 89170

NEW ORLEANS COUNCIL FOR COMMUNITY
AND JUSTICE
650 POYDRAS STREET
SUITE 2303
NEW ORLEANS, LA 70130

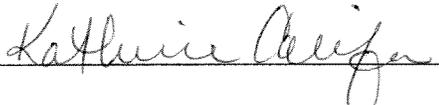
VALLEY OF THE SUN YMCA
350 N FIRST AVENUE
PHOENIX, AZ 85003

INCLUSION CENTER
14 HERITAGE CENTER
SALT LAKE CITY, UTAH 84112

OASIS CENTER
1704 CHARLOTTE AVENUE
SUITE 200
NASHVILLE, TN 37203

NATIONAL CONFERENCE FOR COMMUNITY
AND JUSTICE OF METROPOLITAN ST. LOUIS
8420 DELMAR BLVD SUITE 500
SAINT LOUIS, MO 63124

YWCA CENTRAL ALABAMA
309 NORTH 23RD STREET
BIRMINGHAM, AL 35203



Foley & Lardner LLP