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

In the matter of  
Trademark Application Serial No. 74/410,846  
Mark: INTUITY

-----X  
INTUIT, INC,  
:  
Opposer,  
:  
AVAYA INC.  
:(by assignment from Lucent Technologies Inc.)  
Applicant.  
:  
-----X

Opposition No. 94,134

Box TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

MOTION TO AMEND IDENTIFICATION OF GOODS

Applicant, by and through its attorneys, hereby moves the Trial and Appeal Board to amend the identification of goods for the subject application Serial No. 74/410,846 by deleting the present goods and substituting the following in its entirety:

“Telecommunications products, namely, telecommunications computer programs and hardware for use with a telecommunications switch or telecommunications

client server, to provide voice mail, voice messaging and response, facsimile messaging and response, image messaging and response, and an electronic mail interface.”

The parties have executed a Settlement Agreement dated January 22, 2002, that addresses the scope of goods and services in connection with which the parties can use their respective marks. Applicant submits this Motion to Amend the Identification of Goods in order to comply with the Settlement Agreement.

This motion is being submitted in triplicate.

Dated: Basking Ridge, New Jersey  
March 11, 2002

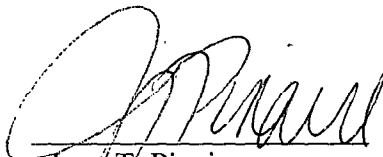
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joan T. Pinaire', written over a horizontal line.

Joan T. Pinaire  
Attorney for Applicant  
Avaya Inc.  
211 Mount Airy Road, Rm 3C533  
Basking Ridge, NJ 07920  
(908) 953-3915

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing MOTION TO AMEND IDENTIFICATION OF GOODS was served on the attorneys for Opposer Intuit, Inc., Linda G. Henry, Esq., Fenwick & West, LLP, Two Palo Alto Square, Palo Alto, CA 94306 by first class mail, postage prepaid on the 11<sup>th</sup> of March, 2002.



Joan T. Pinaire