

ESTTA Tracking number: **ESTTA59159**

Filing date: **12/23/2005**

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

Proceeding	91164907
Party	Plaintiff Shurfine Foods, Inc. Shurfine Foods, Inc. 6700 S.W. Sandburg Street Tigard, OR 97223 UNITED STATES
Correspondence Address	Hillary A. Brooks Marger Johnson & McCollom, PC 210 SW Morrison, Suite 400 Portland, OR 97204 UNITED STATES docketing@techlaw.com, laura@techlaw.com, hillary@techlaw.com
Submission	Other Motions/Papers
Filer's Name	Hillary A. Brooks
Filer's e-mail	docketing@techlaw.com, hillary@techlaw.com, laura@techlaw.com
Signature	/Hillary A. Brooks/
Date	12/23/2005
Attachments	Stipulation Motion to Amend.pdf (2 pages)

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

SHURFINE FOODS, INC.,)
)
Opposer,) Opposition No. 91164907
)
v.)
)
C.M. PRODUCTS, INC.,)
)
Applicant.)

STIPULATED MOTION TO AMEND APPLICATION AND
CONDITIONAL MOTION TO DISMISS OPPOSITION

In accordance with a settlement agreement entered into between the parties, Applicant and Opposer hereby request that the application which is the subject of the above-captioned Opposition proceeding be amended as follows:

Please amend the identification of goods in pending U.S. Trademark Application No. 78/349,624 (the subject of Opposition No. 91164907) to recite: "metal bakeware not sold in grocery, drug or convenience stores."

Upon amendment of U.S. Trademark Application No. 78/349,624 described above, Opposer and Applicant request that the above-captioned opposition proceeding be dismissed without prejudice.

SHURFINE FOODS, INC.

By Hillary A. Brooks
Hillary A. Brooks
Registration No. 45,815

Date 12/23/05

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Ste. 400
Portland, OR 97204
(503) 222-3613

Attorney for Opposer

C.M. PRODUCTS, INC.

By Mark Seigel
Mark Seigel

Date 12/15/2005

SEYFARTH SHAW, L.L.P.
55 E. Monroe Street, Suite 4200
Chicago, IL 60603

Attorney for Applicant

Shurfine Foods, Inc. v. C.M. Products, Inc.
Opposition No. 91164907

CERTIFICATE OF SERVICE

I hereby certify that the foregoing STIPULATED MOTION TO AMEND APPLICATION AND CONDITIONAL MOTION TO DISMISS OPPOSITION has been served to the attorney for Applicant via first-class mail, postage prepaid, on December 23, 2005 addressed to:

Mark Seigel
SEYFARTH SHAW, L.L.P.
55 E. Monroe Street, Suite 4200
Chicago, IL 60603



Hillary A. Brooks