

ESTTA Tracking number: **ESTTA70347**

Filing date: **03/10/2006**

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

Proceeding	91167855
Party	Plaintiff Ecolab Inc. Ecolab Inc. 370 Wabasha Street North St. Paul, MN 55102 UNITED STATES
Correspondence Address	Edward R. Courtney Ecolab Inc. Law Department, ESC-F7655 Lone Oak Drive Eagan, MN 55121-1560 UNITED STATES edward.courtney@ecolab.com
Submission	Other Motions/Papers
Filer's Name	Edward R. Courtney
Filer's e-mail	edward.courtney@ecolab.com
Signature	/erc/
Date	03/10/2006
Attachments	Amendment of Application 031006.pdf (5 pages)

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

In the matter of Application Serial No. 78/189,668
Filed November 27, 2002
For the mark **ECOGUARD**
Published in the *Official Gazette* (Trademarks) on May 11, 2005
Attorney Docket No. OPP-78/189,668

ECOLAB INC.,

Opposer,

v.

NOVOZYMES A/S

Applicant.

Opposition No. 91167855

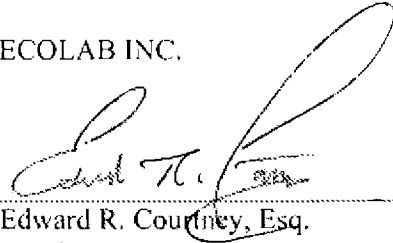
Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

**COMMUNICATION TRANSMITTING A REQUEST FOR
AMENDMENT OF APPLICATION PURSUANT TO 37 C.F.R. § 2.72**

In accordance with an executed Settlement Agreement, the parties to Opposition No. 91167855 are enclosing an Amendment in connection with Application Serial No. 78/1189,668 for the mark ECOGUARD. The Opposer consents to the modification and respectfully requests that the Board approve the amendment.

Respectfully Submitted,

ECOLAB INC.



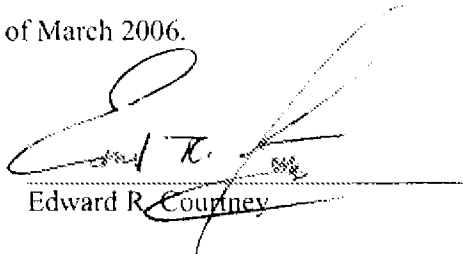
Edward R. Courtney, Esq.

Law Department
370 Wabasha Street North
St. Paul, Minnesota 55102
Tel: (651) 795-5978
Fax: (651) 204-7522
edward.courtney@ecolab.com

Date: March 10, 2006

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being sent to the Trademark Trial and Appeal Board by filing an electronic copy with the through the Electronic System for Trademark Trial and Appeals (ESTTA) on this 10th day of March 2006.



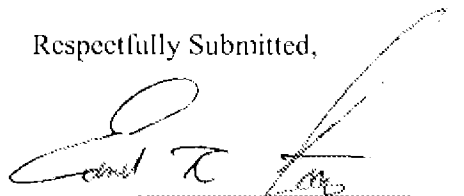
Edward R. Courtney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing
COMMUNICATION TRANSMITTING A REQUEST FOR AMENDMENT OF APPLICATION
PURSUANT TO 37 C.F.R. § 2.35 was served upon the Applicant via First Class mail, postage paid, this
10th day of March 2006 at the following address:

Edward M. Prince, Esq.
Alston & Bird LLP
601 Pennsylvania Avenue N.W.
North Building, 10th Floor
Washington, D.C. 20004-2601

Respectfully Submitted,



Edward R. Confiny

Date: March 10, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Novozymes A/S)	
)	
Serial No.	78/189,668)	Examining Attorney:
)	Patty Evanko
Filed:	November 27, 2002)	
)	Law Office 112
Mark:	ECOGUARD)	
)	Subject of Opp. No. 91167855
Our Ref.	051076/305061)	

AMENDMENT

Commissioner for Trademarks
Box RESPONSES
P.O. Box 1451
Alexandria, VA 22313-1451

Madam:

Please amend the application as follows:

IN THE APPLICANT:

Change the spelling of the applicant's street address from "Krogshoejvev"
to -- Krogshoejvej -- .

IN THE STATEMENT:

Delete the identification of the goods and insert therefor:

-- BIOLOGICAL FUNGICIDES FOR USE IN THE FIELDS
OF LAWN TREATMENT, GOLF COURSE
MAINTENANCE, AND PRE-HARVEST AGRICULTURAL
USE --

REMARKS

The amendment to the identification of goods is being made with the
consent of the opposer so as to avoid the necessity of proceeding with the

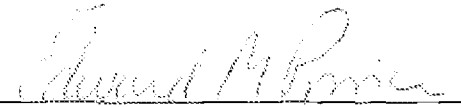
opposition. Since this amendment restricts the broad field of agricultural use, it is in the nature of a deletion and should be acceptable.

It is noted that the street address of applicant contained a typographical error in that the letter should have been a "j" rather than a "v." The correction is being made at this time.

Early acceptance of this amendment is requested.

Respectfully submitted,

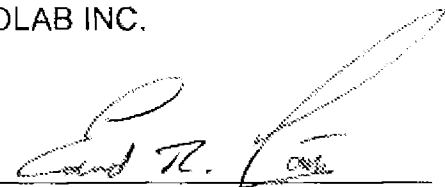
ALSTON & BIRD LLP

By: 
Edward M. Prince

North Building, 10th Floor
601 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 756-3358

Consented to:

ECOLAB INC.

By: 
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