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

Proceeding	91170692
Party	Defendant Bell Automotive Products, Inc.
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Date	03/26/2008
Attachments	78444642 - second consent motion to amend and stipulations of dismissal.pdf (7 pages)(201840 bytes)

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

In the Matter of Application Serial No. 78444642
For the mark: BELL AUTOMOTIVE PRODUCTS

Qwest Communications International Inc.,	)	Opposition No.	91170692
Opposer,)		
v.)		
Bell Automotive Products, Inc.)		
Applicant.)		

SBC Knowledge Ventures, L.P. n/k/a AT&T Knowledge Ventures, L.P.	)	Opposition No.	91170694
Opposer,)		
v.	)		(combined Opposition against Serial Nos. 78444622 and 78444642)
Bell Automotive Products, Inc.)		
Applicant.)		

BellSouth Intellectual Property Corp.	)	Opposition No.	91170887
Opposer,)		
v.)		
Bell Automotive Products, Inc.)		
Applicant.)		

Bell Helicopter Textron, Inc.	)	Opposition No.	91170631
Opposer,)		
v.	)		(combined Opposition against Serial Nos. 78444622 and 78444642)
Bell Automotive Products, Inc.)		
Applicant.)		

**SECOND CONSENT MOTION TO AMEND APPLICATION
AND STIPULATIONS OF DISMISSAL OF OPPOSITIONS WITH AND WITHOUT
PREJUDICE**

On January 29, 2008, Applicant Bell Automotive Products, Inc. ("Applicant"), with the consent of Opposers Qwest Communications International, Inc. ("Qwest"), SBC Knowledge Ventures, L.P. n/k/a AT&T Knowledge Ventures, L.P. ("AT&T"), BellSouth Intellectual Property Corp. ("BellSouth"), and Bell Helicopter Textron, Inc. ("BHTI") (collectively, "Opposers"), filed a motion to amend its application Serial No. 78444642, and filed Opposers' withdrawal of their opposition contingent upon entry of the amendment.

In Orders mailed on February 27, 2008, the Board approved Applicant's proposed amendments to Classes 5, 6, 7, 14, and 20. The Board also approved Applicant's proposed amendments to Classes 9 and 11, with two exceptions: "automobile air pumps" in Class 9, and "safety flashing lights" in Class 11. The Board observed that "automobile air pumps" are classified in Class 12, and stated that "Applicant may amend the relevant identifications by removing 'automobile air pumps' from Class 9 and putting the wording in Class 12." The Board also observed that "safety flashing lights" are classified in Class 9, and provided that "applicant may remove the wording 'automobile accessory lighting, namely, safety flashing lights' from Class 11 and put[] it in Class 9." The Board provided Applicant thirty days from February 28 to amend the identifications of goods as discussed immediately above.

Accordingly, pursuant to 37 C.F.R. § 2.133, Applicant, with the consent of the Opposers, hereby moves to amend the identification of goods in the above-identified application as follows (deletions are shown in strikethrough; additions are shown in underline.):

Class 1: Tire sealing compounds

Class 3: Automobile cleaning preparations and automobile polishes

Class 5: First aid kits for use with automobiles; air fresheners

Class 6: Metal ramps for use with automobiles; metal key chains for use with automobiles

Class 7: Automotive exhaust pipes, namely, tailpipe tips, and mufflers; automobile hydraulic jacks and stands; automobile tire compressors; automobile compressed air pumps

Class 9: Appliances which are powered by the 12-volt electrical system of an automobile, namely, satellite navigational devices for use with automobiles, namely, a global positioning system, televisions, DVD players, video cassette players, compact disc players, cassette players; electrical cords and wiring for use with the 12-volt electrical system of an automobile and satellite navigational devices of an automobile, coolers, ~~automobile air pumps~~, televisions, DVD players, video cassette players, compact disc players, cassette players, computers, compasses for use with automobiles; automobile performance gauges, namely, speedometers, tachometers, odometers, oil pressure gauges, turbo boost gauges, temperature gauges, compasses, and voltmeters; automobile tire pressure gauges; thermometers not for medical use; animal warning devices; light emitting diode displays; antennas other than satellite antennas; automobile emergency kits consisting of flares, warning lights, and first aid equipment; eyewear accessories, namely, eyewear clips/holders for automobiles; automobile lighting, namely, safety flashing lights

Class 11: Lights for automobiles; lenses for automotive taillights; automobile accessory lighting, namely, map lights, tap lights, rechargeable auto lights, night racer lights, ~~safety flashing lights~~

Class 12: Automobile accessories and equipment, other than automobile racing accessories and equipment, namely, ashtrays fitted for use in automobiles, car and garage storage accessories, namely, fitted vehicle cargo area liners, cargo carriers, fitted automobile covers, spoilers, wings, hoods, hood scoops, drink holders, license plate covers, license plate fasteners, license plate frames, rear view and side view mirrors, pedal covers, vehicle seats, steering wheels, steering wheel covers, seat belts, seat belt pads, vehicle seat covers, shift knobs, side window deflectors, splash guards, caps for valve stems, seat organizers, sun shades for vehicle, sun visor shields for vehicle incorporating organizers and/or other accessories as part of the visor, trailer hitches, towing and hitch accessories, wheel covers, wiper blade inserts, wiper blades, automobile air pumps

Class 14: Clocks for use with automobiles

Class 16: Vehicle maintenance diaries, mileage log books, decals, clipboards, notepad and paper holders, document holders for use in an automobile, coin holders

Class 20: Personal compact mirrors, clothes bars to carry clothing in an automobile, non-metal and non-leather key chains for use with automobiles; ornaments of plaster, plastic, wax, wood not including Christmas tree ornaments

Class 21: Portable coolers; buckets and sponges

Class 22: Mesh, cloth and canvas storage bags, tarpaulins, straps for handling loads, straps for securing hurdles, tie down straps, unfitted vehicle cargo area liners, unfitted automobile covers

Class 27: Floor mat clips, floor mats

Following entry of the amendment and pursuant to 37 C.F.R. § 2.106(c) and Federal Rule of Civil Procedure 41(a), Qwest dismisses Opposition No. 91170699 without prejudice. Applicant consents to this dismissal.

Following entry of the amendment and pursuant to 37 C.F.R. § 2.106(c) and Federal Rule of Civil Procedure 41(a), AT&T dismisses Opposition No. 91170694 without prejudice. Applicant consents to this dismissal.

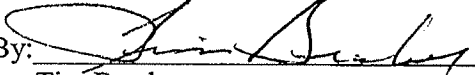
Following entry of the amendment and pursuant to 37 C.F.R. § 2.106(c) and Federal Rule of Civil Procedure 41(a), BellSouth dismisses Opposition No. 91170887 without prejudice. Applicant consents to this dismissal.

Following entry of the amendment and pursuant to Federal Rule of Civil Procedure 41(a), BHTI dismisses Opposition No. 91170631 **with prejudice**. Applicant consents to this dismissal.

Respectfully submitted,

Dated: 3-10, 2008

Bell Automotive Products, Inc.

By: 

Tim Brasher

President

Bell Automotive Products, Inc.

8388 East Hartford Drive, Suite 102

Scottsdale, Arizona 852355

Qwest Communications International Inc.

Dated: _____, 2008

By: _____

Gretchen Testerman

Senior Attorney

1801 California Street Suite 900

Denver, Colorado 80202

Telephone: 303-383-6485

SBC Knowledge Ventures, L.P. n/k/a AT&T
Intellectual Property I, L.P. (by name change)

Dated: _____, 2008

By: _____

David J. Cho

Assistant Secretary – AT&T Intellectual

Property, Inc., its general partner

BellSouth Intellectual Property Corp.

Dated: _____, 2008

By: _____

Michael Bishop

Vice President and General Counsel

Bell Helicopter Textron, Inc.

Dated: _____, 2008

By: _____

Assistant Secretary

Respectfully submitted,

Bell Automotive Products, Inc.

Dated: _____, 2008

By: _____
Tim Brasher
President
Bell Automotive Products, Inc.
8388 East Hartford Drive, Suite 102
Scottsdale, Arizona 852355

Qwest Communications International Inc.

Dated: 3-11, 2008

By: Gretchen Testerman
Gretchen Testerman
Senior Attorney
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Denver, Colorado 80202
Telephone: 303-383-6485

SBC Knowledge Ventures, L.P. n/k/a AT&T
Intellectual Property I, L.P. (by name change)

Dated: 3/19, 2008

By: David J. Cho
David J. Cho
Assistant Secretary – AT&T Intellectual
Property, Inc., its general partner

BellSouth Intellectual Property Corp.

Dated: _____, 2008

By: Michael Bishop
Michael Bishop
Vice President and General Counsel

Bell Helicopter Textron, Inc.

Dated: _____, 2008

By: _____
Assistant Secretary

Respectfully submitted,

Bell Automotive Products, Inc.

Dated: _____, 2008

By: _____
Tim Brasher
President
Bell Automotive Products, Inc.
8388 East Hartford Drive, Suite 102
Scottsdale, Arizona 852355

Qwest Communications International Inc.

Dated: _____, 2008

By: _____
Gretchen Testerman
Senior Attorney
1801 California Street Suite 900
Denver, Colorado 80202
Telephone: 303-383-6485

SBC Knowledge Ventures, L.P. n/k/a AT&T
Intellectual Property I, L.P. (by name change)

Dated: _____, 2008

By: _____
David J. Cho
Assistant Secretary – AT&T Intellectual
Property, Inc., its general partner

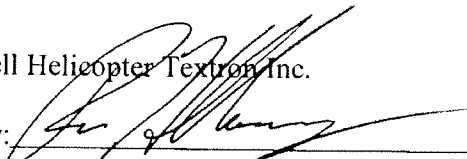
BellSouth Intellectual Property Corp.

Dated: _____, 2008

By: _____
Michael Bishop
Vice President and General Counsel

Bell Helicopter Textron Inc.

Dated: March 13, 2008

By: 
Russell Holloway
Assistant Secretary