

ESTTA Tracking number: **ESTTA200742**

Filing date: **03/26/2008**

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

Proceeding	91170699
Party	Defendant Bell Automotive Products, Inc.
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Date	03/26/2008
Attachments	78444622 - second consent motion to amend and stipulations of dismissal.pdf ( 7 pages )(202773 bytes )

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

In the Matter of Application Serial No. 78444622  
For the mark: BELL AUTOMOTIVE

Qwest Communications International Inc., ) Opposition No. 91170699  
)  
Opposer, )  
)  
v. )  
)  
Bell Automotive Products, Inc. )  
)  
Applicant. )

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

BellSouth Intellectual Property Corp. ) Opposition No. 91170877  
)  
Opposer, )  
)  
v. )  
)  
Bell Automotive Products, Inc. )  
)  
Applicant. )

Bell Helicopter Textron, Inc. ) Opposition No. 91170631  
)  
Opposer, ) (combined Opposition against Serial Nos.  
) 78444622 and 78444642)  
)  
v. )  
)  
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 Quest 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. 78444622, and filed Opposers' withdrawal of their opposition contingent upon entry of the amendment.

In Orders mailed on February 27 and 28, 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.

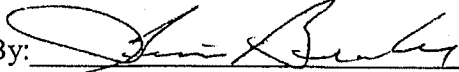
Following entry of the amendment and pursuant to 37 C.F.R. § 2.106(c) and Federal Rule of Civil Procedure 41(a), BellSouth dismisses Opposition No. 91170877 without prejudice. Applicant consents to this dismissal.

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

Dated: \_\_\_\_\_, 2008

Qwest Communications International Inc.

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

Dated: \_\_\_\_\_, 2008

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

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

Dated: \_\_\_\_\_, 2008

BellSouth Intellectual Property Corp.

By: \_\_\_\_\_  
Michael Bishop  
Vice President and General Counsel

Dated: \_\_\_\_\_, 2008

Bell Helicopter Textron, Inc.

By: \_\_\_\_\_  
Assistant Secretary

Respectfully submitted,

Bell Automotive Products, Inc.

Dated: \_\_\_\_\_, 2008

By: \_\_\_\_\_  
Tim Brasher  
President  
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8388 East Hartford Drive, Suite 102  
Scottsdale, Arizona 85235

Qwest Communications International Inc.

Dated: 3/11, 2008

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Gretchen Testerman  
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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

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Gretchen Testerman  
Senior Attorney  
1801 California Street Suite 900  
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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

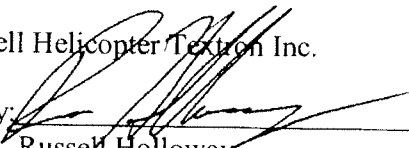
BellSouth Intellectual Property Corp.

Dated: \_\_\_\_\_, 2008

By: \_\_\_\_\_  
Michael Bishop  
Vice President and General Counsel

Bell Helicopter Textron Inc.

Dated: March 13, 2008

By: \_\_\_\_\_  
  
Russell Holloway  
Assistant Secretary