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Filing date: **11/20/2007**

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

Proceeding	91170704
Party	Defendant AJ Acquisition I LLC
Correspondence Address	MICHAEL F. SNYDER VOLPE AND KOENIG, P.C. 30 SOUTH 17TH STREET, SUITE 1600 PHILADELPHIA, PA 19103-4009 UNITED STATES msnyder@volpe-koenig.com
Submission	Motion to Amend Application
Filer's Name	Michael F. Snyder
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Signature	/Michael F. Snyder/
Date	11/20/2007
Attachments	AMENDMENT AFTER PUBLICATION - Class 18.PDF (3 pages)(206381 bytes)

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

In the Trademark Opposition of Marks: CRUSH; KRUSH Appln. Nos.: 78/470,702; 78/470,703 Dr. Pepper / Seven Up, Inc., as real party in interest and as Assignee of Cadbury Beverages B.V., Opposer, v. KEE Action Sports I LLC, formally known as AJ Acquisition I LLC, Applicant.	Opposition No. 91170704 Date: November 20, 2007

AMENDMENT AFTER PUBLICATION

Pursuant to Trademark Rule 2.133 (37 C.F.R. § 2.133), AJ Acquisition I LLC, now KEE Action Sports I LLC[1], Applicant herein by assignment, through its authorized attorneys, requests that Application Serial No. 78/470,702 for the mark CRUSH and Application Serial No. 78/470,703 for the mark KRUSH be amended as follows:

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1 On May 24, 2007, the Board granted Applicant's Motion To Substitute AJ Acquisition I LLC for the originally named Applicant. AJ Acquisition I LLC changed its name to KEE Action Sports I LLC, and such name change was recorded in the United States Patent and Trademark Office (USPTO) at Reel/Frame 3565/0547 on June 21, 2007.

* * *

Certificate of Service and Mailing

I hereby certify that this correspondence is being filed online via ESTTA to: Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451, on November 20, 2007.

11/20/07
Date of Signature

Michael F. Snyder

Amendments to Application Serial No. 78/470,702 for the Mark CRUSH

Please amend the identification of goods in International Class 18 to read as follows:

> Articles of leather and imitations of leather, namely, paintball equipment bags, paintball equipment backpacks, paintball barrel bags and paintball equipment duffle bags, all of the foregoing sold through paintball equipment distributors.

Amendments to Application Serial No. 78/470,703 for the Mark KRUSH

Please amend the identification of goods in International Class 18 to read as follows:

> Articles of leather and imitations of leather, namely, paintball equipment bags, paintball equipment backpacks, paintball barrel bags and paintball equipment duffle bags, all of the foregoing sold through paintball equipment distributors.

Remarks

Applicant has requested and has received the consent to this request for amendment of the cited applications from Opposer's[2] counsel, who has signed in the space provided below. This amendment is being submitted pursuant to an agreement between the parties in order to resolve the above-captioned opposition proceeding.

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[2] Cadbury Beverages B.V. assigned all right, title and interest in the plead "CRUSH" trademarks to Dr Pepper/Seven Up, Inc., including U.S. Reg. No. 1,424,931. Such assignment was recorded in the United States Patent and Trademark Office (USPTO) at Reel/Frame: 3307/0771 on May 12, 2006, as shown by Exhibit A hereto. A Motion to Substitute Dr Pepper/Seven Up, Inc. as the real party in interest has been filed with the Board with consent of Applicant.

Respectfully submitted,

KEE ACTION SPORTS I LLC,
formerly known as
AJ ACQUISITION I LLC

By: _____
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Facsimile: (215) 568-6499

Attorneys for Applicant

Consented to,

DR PEPPER/SEVEN UP, INC., as real party in interest and as Assignee of Cadbury Beverages B.V.,

By: _____
Barbara A. Solomon, Esquire
Fross Zelnick Lehrman & Zissu, P.C.
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Attorneys for Opposer

MFS/kk