

ESTTA Tracking number: **ESTTA244056**

Filing date: **10/21/2008**

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

Proceeding	91177825
Party	Defendant IntApp, Inc
Correspondence Address	Karen Marie Kitterman Fenwick & West LLP Silicon Valley Center, 801 California Street Mountain View, CA 94041 UNITED STATES trademarks@fenwick.com, kkitterman@fenwick.com
Submission	Motion to Amend Application
Filer's Name	Connie L. Ellerbach, Esq.
Filer's e-mail	trademark@fenwick.com
Signature	/cle 1087/
Date	10/21/2008
Attachments	INTAPP Amendment to Application -TTAB filing.pdf (5 pages)(87523 bytes)

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

In the matter of
Trademark Application No. 78/670,061
Mark: INTAPP
Publication Date: February 13, 2007

Network Appliance, Inc.)	
)	
Opposer,)	
)	
vs.)	Opposition No. 91177825
)	
IntApp, Inc.)	
)	
Applicant.)	
)	

Box TTAB NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

**AMENDMENT TO APPLICATION
DURING EXTENSION OF TIME TO ANSWER**

As a result of negotiations between Network Appliance, Inc. (“Opposer”) and IntApp, Inc. (“Applicant”), Applicant by and through its attorneys, and with consent of the Opposer, hereby requests amendment of application Serial No. 78/670,061, pursuant to Trademark Rule 2.133, as described below.

Amendment to Mark Under 37 C.F.R. §2.72

Applicant requests the Trademark Trial and Appeal Board amend application Serial No. 78/670,061, so that the mark sought to be registered appears as **INT APP**, and not **INTAPP**. The enclosed new drawing should be substituted for the drawing originally filed.

The foregoing Amendment proposes to change the appearance of Applicant’s mark to the form in which is now used. The only change to this mark is the addition of a space between the

letters “T” and “A”. It is not a material alteration of the mark as originally filed. The overall commercial impression is the same, i.e., a mark consisting of the letters “INTAPP”. Accordingly, Applicant respectfully requests that the Examiner approve this amendment.

Amendment to Identification of Goods

Applicant requests the Trademark Trial and Appeal Board delete "*Computer software for enabling computer software applications to work together*" from the identification of goods in the above-referenced application. The specification of goods will then read as follows:

Computer software applications for enabling mobile communications devices, computers and computer peripherals to work together; Computer software for enabling computer software applications to share computer, mobile communications device and computer peripherals data; Computer software for enabling mobile communications devices, computers and computer peripherals to share computer, mobile communications devices and computer peripherals data; Computer software for limiting access to specific computer, mobile communications devices and computer peripherals data; and downloadable computer software for use in troubleshooting computer software problems" in International Class 09.

As shown above, Applicant has not added any new goods or expanded the scope of the original identification of goods in any way; rather, Applicant has deleted certain goods. Consequently, it is believed that the proposed amendment to the identification is within the scope of the original identification and complies with all other applicable rules and statutory provisions.

Applicant is filing this amendment as a result of its agreement with Opposer. In an email to Connie Ellerbach, Attorney for Applicant, dated October 21, 2008, Opposer, by and through its attorney, Rochelle D. Alpert, approved the proposed amendments and agreed to withdraw the opposition once the requested amendments are effected.

In view of the foregoing Remarks, Applicant believes that this Amendment to Application During Extension of Time to Answer is in order for approval without republication, and such action is solicited. Should the Examining Attorney have any questions, he is invited to call the Attorney for Applicant, below.

Respectfully submitted,

Dated: October 21, 2008

A handwritten signature in cursive script that reads "Connie L. Ellerbach". The signature is written in black ink and is positioned above a horizontal line.

Connie L. Ellerbach, Esq.
Attorney for Applicant
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
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EXHIBIT A

INT APP

PROOF OF SERVICE BY MAIL

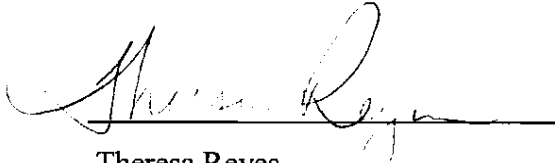
I declare that:

I am employed in the County of Santa Clara, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA 94041. On October 16, 2008, I served the within STIPULATED MOTION TO EXTEND TIME TO ANSWER, CLOSE OF DISCOVERY PERIOD, AND RESET TESTIMONY PERIODS on the interested parties in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California, addressed as follows:

Leslie McKnew, Esq.
Rochelle D. Alpert, Esq.
Morgan Lewis
One Market
Spear Street Tower
San Francisco, CA 94105

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Mountain View, California, this 21ST day of October, 2008.


Theresa Reyes

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