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March 5, 2008

BY U.S. Express Mail

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

Re: BELLA CABOSSE
Ser. No.: 77/023,281
File Date: October 17, 2006
Owner: Epicurean Fusion

Dear Sirs/Madams:

Enclosed for filing are:

1. Applicant's Request for Amendment Under 37 C.F.R. § 2.133;
2. Certificate of Mailing, and;
3. A self-addressed, stamped postcard to serve as notification of receipt.

Should you require anything further please call Todd E. Bolinger at 415 433-1900.
Thank you for your assistance.

Very truly yours,

COOPER, WHITE & COOPER, LLP


Todd E. Bolinger
Trademark Specialist

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Encls

cc: Richard P. Sybert, Esq.
Maha Sarah, Esq.



03-06-2008

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

In The Matter of Application Serial No. 77/023,281
Filed on: October 17, 2006
For the Mark: BELLA CABOSSE
Published in the *Official Gazette (Trademarks)* on June 19, 2007

COLOR IMAGE APPAREL, INC.

Opposer,

v.

EPICUREAN FUSION,

Applicant.

Opposition No. 91180142

Commissioner for Trademarks
P.O. Box 1453
Alexandria, Virginia 22313-1451

**APPLICANT'S MOTION TO REQUEST
AMENDMENT OF APPLICATION**

Pursuant to Trademark Rule 2.133 (37 C.F.R. § 2.133), Epicurean Fusion, Applicant herein, through its authorized attorney requests that Application Ser. No. 77/023,281 for the mark BELLA CABOSSE be amended. Applicant requests that the original identification of goods in Class 35 in Application Ser. No. 77/023,281 be amended to delete the reference to "apparel" as follows:

"Online retail store services featuring chocolates and chocolate themed products in the nature of books and compact discs; wholesale distributorship of chocolates; shop at home parties featuring chocolates; providing online information about chocolatiers and the chocolate products of others."


Applicant requests this amendment of application pursuant to a settlement agreement entered into by Applicant and Opposer. Accordingly, Applicant requests this amendment of application in accordance with the parties' agreement to resolve this matter amicably and without unnecessary expenditure of the

Board's resources. Opposer has agreed to withdraw its Notice of Opposition upon the Trademark Trial and Appeal Board's approval of this amendment.

A copy of this motion is being sent to Opposer's counsel

Respectfully submitted,

Dated: March 5, 2008



Cyrus Wadia, Esq.
Cooper, White & Cooper LLP
201 California Street, 17th Floor
San Francisco, CA 94111
Attorneys for Applicant,
Epicurean Fusion

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Trademarks, P.O. Box 1453, Alexandria, Virginia 22313-1451, on March 5, 2008.

Dated: March 5, 2008

By: 

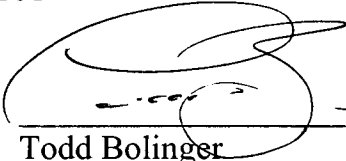
Todd Bolinger

CERTIFICATE OF SERVICE ON COUNSEL FOR OPPOSER

The undersigned hereby certifies that a copy of the foregoing APPLICANT'S MOTION TO REQUEST AMENDMENT OF APPLICATION has been served upon the attorneys for Opposer on March 5, 2008 by depositing same in the United States Mail, first class postage prepaid, in envelopes addressed as follows:

Richard P. Sybert
Maha Sarah
Gordon & Rees LLP
101 West Broadway, Suite 1600
San Diego, CA 92101

Dated: March 5, 2008



Todd Bolinger

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