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

Proceeding	91183710
Party	Defendant Wal-Mart Stores, Inc.
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Submission	Motion to Amend Application
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Date	07/14/2010
Attachments	Motion on consent to amend.pdf (3 pages)(14015 bytes)

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

WNYC Radio,

Opposer,

v.

Wal-Mart Stores, Inc.,

Applicant.

Opposition No. 91183710

re Application Serial No. 78781484

for the mark SOUNDCHECK

MOTION ON CONSENT TO AMEND APPLICATION

Pursuant to 37 CFR § 2.133(a), Applicant, Wal-Mart Stores, Inc., through its attorneys, and with the consent of Opposer, WNYC Radio, hereby moves to amend the description of services in the opposed application, Serial No. 78781484, as follows:

International Class 41: Providing a website where users may download music and other media files and create their own custom compilations.

International Class 38: Subscription broadcasting of streaming music and music video via cable, satellite or the Internet; audio and video-on-demand transmission services.

The description of services in International Class 35 shall remain as currently listed, i.e., “Online retail store services featuring music and custom compilations of musical recordings; online music subscription services providing downloadable prerecorded music and video for a fee or pre-paid subscription via the Internet.”

Opposer, WNYC Radio, has consented to the foregoing amendment, and, after entry of the amendment, will dismiss this Opposition. This application is not the subject of any other *inter partes* proceeding.

Respectfully submitted,

Dated: July 14, 2010

s/ Susan A. Smith
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Attorneys for Applicant Wal-Mart Stores, Inc.

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing MOTION ON CONSENT TO AMEND APPLICATION was served on the following attorney of record for Opposer by email on July 14, 2010:

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s/ Susan A. Smith _____