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Filing date: **01/23/2009**

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

Proceeding	91187568
Party	Defendant Alvareztax, Inc.
Correspondence Address	Frank J. Martinez The Martinez Group, PLLC 55 Washington Street, Suite 316 Brooklin, NY 11201-1070 UNITED STATES FM@martinegroup.com
Submission	Motion to Amend Application
Filer's Name	Frank J. Martinez
Filer's e-mail	FM@martinegroup.com
Signature	/Frank J. Martinez, Esq./
Date	01/23/2009
Attachments	00011601.PDF (3 pages)(79950 bytes)

Frank J. Martinez, Esq. (FJM-2149)
THE MARTINEZ GROUP PLLC
55 Washington Street, Suite 316
Brooklyn, New York 11201-1070
718.797.2341 Telephone
718.222.0481 Facsimile
FM@martinezgroup.com
Attorney Docket 1172-2

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

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ALVAREZ & MARSAL HOLDINGS LLC,)	
)	Opposition Number: 91187568
Opposer,)	Application Serial No.: 77/092,859
v)	Filing Date: January 27, 2007
)	Mark: ALVAREZTAX
ALVAREZTAX, INC.,)	
)	
Applicant/Respondent.)	
-----	X	

STIPULATED MOTION TO AMEND RECITATION OF SERVICES

Applicant/Respondent, Alvareztax, Inc. by and through its attorneys hereby respectfully requests amendment to Recitation of Services in U.S. Trademark Application Serial No.: 77/092,859, the same being the subject of the above-captioned Opposition proceeding.

Applicant respectfully requests amendment of the application to read as follows.

Income tax consultation; income tax preparation; tax advisory services; tax and taxation planning, advice, information and consultancy services, tax consultation; tax filing services; tax preparation, in International Class 035; and

Consumer credit and consumer financial consultation in International Class 036.

The parties, by their respective counsel, are negotiating a consensual resolution to the present Opposition and the amendments are requested as to facilitate the timely resolution of the present proceeding.

It is respectfully asserted that above- referenced amendments do not amend the substance of the mark ALVAREZTAX, nor they do impermissibly enlarge or otherwise seek to create an otherwise improper expansive or indistinct recitation of services. See, 37 CFR §2.33, 37 CFR §§ 2.71-- 2.75; see also, TBMP § 514.01. Counsel to the respective parties in this matter have each stipulated to the amendments set forth above.

Dated: December 23, 2008

Respectfully submitted,
THE MARTINEZ GROUP PLLC

By: _____

Frank J. Martinez (FJM-2149)
Attorney for Applicant/Respondent
Alvareztax, Inc.

THE MARTINEZ GROUP PLLC
55 Washington Street, Suite 316
Brooklyn, New York 11201
(718) 797-2341 Telephone
(718) 222-0481 Facsimile
FM@martinegroup.com

CERTIFICATE OF SERVICE

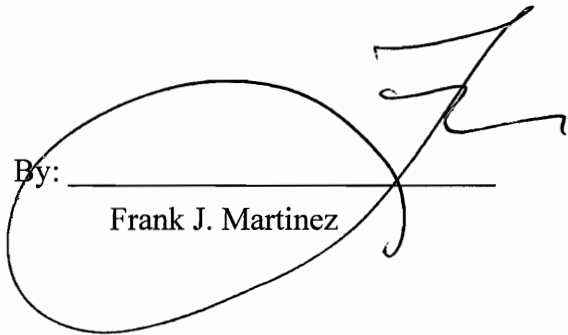
I hereby certify that a true copy of the foregoing document SIPULATED MOTION TO AMEND RECITATION OF SERVICES, was served on January 23, 2009, by electronic mail and by enclosing the same in a properly addressed, postage paid envelope, a true and correct copy of the same and by depositing the same in an official depository under the exclusive care and custody of the United States Postal Service for delivery to:

Karl M. Zielanznicki, Esq.
TROUTMAN SANDERS LLP
The Chrysler Building
405 Lexington Avenue
New York, NY 10174
Attorneys for Opposer

Karl.Zielanznicki@troutmansanders.com

Date: January 23, 2009

By: _____
Frank J. Martinez

A handwritten signature in black ink, appearing to read 'FJ Martinez', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval.