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Filing date: **10/02/2009**

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

Proceeding	91191023
Party	Defendant DENTSPLY International Inc.
Correspondence Address	JUSTIN H. MCCARTHY II DENTSPLY LEGAL DEPARTMENT 221 WEST PHILADELPHIA STREET YORK, PA 17405-0872 UNITED STATES hfreeden@mwn.com,trademarks@mwn.com
Submission	Motion to Amend Application
Filer's Name	Justin H. McCarthy II
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Date	10/02/2009
Attachments	matrixsol motion to amend.pdf (3 pages)(64145 bytes)

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

Unimin Corporation)	
)	
Opposer,)	
)	
v.)	Opposition No. 91191023
)	Serial No. 77530529
)	Trademark MATRIXSOL
DENTSPLY International Inc.)	
)	
Applicant)	

MOTION TO AMEND APPLICATION

Commissioner for Trademarks
2900 Crystal Drive
Alexandria, VA 22202-3514
Attn: Trademark Trial and Appeal Board

Applicant, DENTSPLY International Inc., through its attorney, hereby amends the recitation of goods in Class 1 in U.S. Trademark Application Serial No. 77530529 as follows:

International Class 001:

Chemicals, namely, amorphous silica and aqueous colloidal solution for use as a refractory material in the precision investment casting industry and not for use in the glass manufacturing industry.

This amendment is made with the consent of the Opposer, Unimin Corporation.

This amendment to the recitation of goods is permissible as the Applicant is limiting its goods rather than expanding them.

Additionally, Applicant respectfully requests that the Board suspend further action in this proceeding, pending the Board's decision on Applicant's Motion to Amend.

Respectfully submitted,

DENTSPLY International Inc.

Date: 10/2/09

By: 
Justin H. McCarthy II
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Attorney for the Applicant

Opposition No. 91191023
In Re Serial No. 77530529

CERTIFICATE OF ELECTRONIC MAILING

Date of Electronic Filing: October 2, 2009

I hereby certify that this correspondence is being filed on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Alexandria, VA 22202-3514 at <http://www.uspto.gov/>.



Date: October 2, 2009

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION TO AMEND was served on the Opposer by First Class Mail on 10/2/09, addressed to:

Gregory S. Vickers
Fay, Sharpe LLP
The Halle Building, 5th Floor
1228 Euclid Avenue
Cleveland, OH 44115
Attorney for the Opposer

By: _____

