

ESTTA Tracking number: **ESTTA330042**

Filing date: **02/02/2010**

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

Proceeding	91192436
Party	Defendant Freeverse Corporation
Correspondence Address	FREEVERSE CORPORATION Morgan E. Downer Micahel B. Kramer & Associates, 150 East 58th Street New York, NY 10155 UNITED STATES
Submission	Other Motions/Papers
Filer's Name	Morgan E. Downer
Filer's e-mail	mdowner@mkramerlaw.com
Signature	/Morgan E. Downer/
Date	02/02/2010
Attachments	freeverse.req.amend.PDF (5 pages)(91587 bytes)

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

In Re Application Of:
Freeverse Corporation
Mark: MOTO CHASER
Serial No. 77/553,392
Filing Date: August 22, 2008

MOTOROLA, INC.) Opposition No.: 91192436
)
Opposer,)
)
v.)
)
FREEVERSE CORPORATION,)
)
Applicant.)

**REQUEST FOR AMENDMENT TO THE APPLICATION, POST-PUBLICATION,
WITH DECLARATION AND OPPOSER'S CONSENT**

Applicant, Freeverse Corporation, hereby amends its registration application, Serial No. 77/553,392, pursuant to TMEP §1505.01(a) and TBMP §514.01, and requests the following amendment to the description of goods in its registration application:

Computer application software for mobile phones featuring motorcycles or racing; Computer game programs featuring motorcycles or racing; Downloadable electronic game via the internet and wireless devices featuring motorcycles or racing.

The amendment is permissible under TMEP §1505.01(a), as there is no material change to the information contained in the registration application which would require republication of the mark. In fact, the amendment to the description of services narrows the scope of the stated goods with which the mark will be used.

All other information set forth in the application is accurate.

This request is made pursuant to a settlement agreement executed on January 22, 2010 between Applicant and Opposer, Motorola, Inc., and Applicant has obtained written consent of Opposer's counsel to this amendment to its MOTO CHASER registration application.

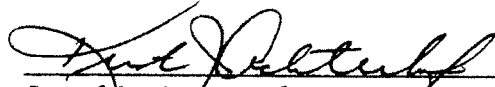
Dated: January 27, 2010

FREEVERSE CORPORATION



One of the Attorneys for Applicant
Morgan E. Downer
MICHAEL B. KRAMER & ASSOCIATES
150 East 58th Street, 12th Floor
New York, New York 10155
Phone: 212-319-0304

MOTOROLA, INC.

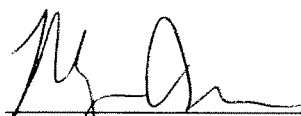


One of the Attorneys for Opposer
Kristin J. Achterhof
Breighanne A. Eggert
KATTEN MUCHIN ROSENMAN LLP
525 West Monroe Street
Chicago, IL 60661
Phone: 312-902-5200
Fax: 312-902-5201

DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the registration, declares that she is properly authorized to execute this Request for Amendment to the Application; she believes the Applicant to be the owner of the trademark; and all statements made of her own knowledge are true and all statements made on information and belief are believed to be true.

Respectfully submitted



Morgan E. Downer, Attorney for Applicant

Dated: February 2, 2010

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

In The Matter Of

MOTOROLA, INC.,

Opposer.

v.

FREEVERSE CORPORATION

Applicant.

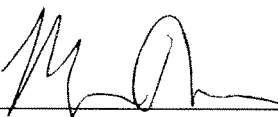
Opposition No.: 91192436
Serial No.: 77/553,392

CERTIFICATE OF SERVICE

I hereby certify that the following document(s) are being deposited with the United States Postal Service this 2nd day of February 2010:

REQUEST FOR AMENDMENT TO THE APPLICATION, POST-PUBLICATION, WITH DECLARATION AND OPPOSER'S CONSENT

The above-referenced document(s) were served via first-class mail, postage prepaid, upon counsel for Opposer, Kristin J. Achterhof, c/o Katten Muchin Rosenman LLP, 525 West Monroe Street, Chicago, Illinois 60661.



Counsel for Applicant

Opposition No.: 91192436

Year

UNITED STATES PATENT OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MOTOROLA, INC.

Opposer,
-against-

FREEVERSE CORPORATION,

Applicant.

**REQUEST FOR AMENDMENT TO THE APPLICATION, POST-PUBLICATION,
WITH DECLARATION AND OPPOSER'S CONSENT**

MICHAEL B. KRAMER & ASSOCIATES

Attorneys for Applicant
150 EAST 58TH STREET
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To:
Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated:

Attorney(s) for

PLEASE TAKE NOTICE

*that the within is a (certified) true copy of a
entered in the office of the clerk of the within named Court on*

NOTICE OF ENTRY

that an Order of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court,

NOTICE OF SETTLEMENT

*at
on*

20 , at M.

Dated:

MICHAEL B. KRAMER & ASSOCIATES

Attorneys for Applicant
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SUITE 1201
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