

ESTTA Tracking number: **ESTTA401363**

Filing date: **04/04/2011**

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

Proceeding	91193508
Party	Defendant Perfection Mighty Industrial Co., Ltd.
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Submission	Other Motions/Papers
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Date	04/04/2011
Attachments	Motion to Amend Application.pdf (4 pages)(153764 bytes)

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

Miller Waste Mills, Inc. d/b/a)	
RTP Company,)	
)	
Opposer,)	
)	Opposition No. 91193508
v.)	
)	Application No. 77645151
Perfection Mighty Industrial Co., Ltd.,)	
)	
Applicant.)	

REQUEST TO AMEND APPLICATION WITH CONSENT

Applicant-Defendant, by its attorney of record, hereby respectfully requests for the Trademark Trial and Appeal Board’s approval for the identification of goods in the application identified above to be amended as follows:

CLASS 017: Packing materials of rubber and plastics for forming seals; Insulating adhesive tapes for industrial or commercial packing use; Mica; Mica powder for use in the manufacture of electronic instruments; Rubber, namely, natural rubber; ~~Injecting plastic for use in manufacture; Processed plastic powder for use in manufacturing; Processed plastic granules for use in manufacturing;~~ Synthetic rubbers; Adhesive-coated ~~plastic sheets~~ polyurethane sheets, not for use in custom-engineered or specialty plastic sheet, rollstock, flexible film or film products for industrial or medical applications; Non-metal pipe connectors and pipe caps

The requested amendment is in compliance with 37 C.F.R. §§ 2.71-2.75. Specifically, for Class 017, the goods “Injecting plastic for use in manufacture; Processed plastic powder for use in manufacturing; Processed plastic granules for use in manufacturing” are deleted and “Adhesive-coated plastic sheets” is amended to “Adhesive-coated plastic sheets polyurethane sheets, not for use in custom-engineered or specialty plastic sheet, rollstock, flexible film or film products for industrial or medical applications”. Thus, if approved, the identification of goods for Class 017 would be

CLASS 017: Packing materials of rubber and plastics for forming seals; Insulating adhesive tapes for industrial or commercial packing use; Mica; Mica powder for use in the manufacture of electronic instruments; Rubber, namely, natural rubber; Synthetic rubbers; Adhesive-coated polyurethane sheets, not for use in custom-engineered or specialty plastic sheet, rollstock, flexible film or film products for industrial or medical applications; Non-metal pipe connectors and pipe caps

The identification for Classes 018 and 024 remain the same as published in the Trademark Official Gazette (OG) on Nov 24, 2009.

Applicant-Defendant has secured the express consent of the Opposer-Plaintiff for making the requested amendment as part of the settlement agreement between the parties.

Wherefore, Applicant-Defendant respectfully requests for the approval of the Board of the requested amendment to the application in facilitating the settlement.

Respectfully submitted,

Date: April 4, 2011

Pai Patent & Trademark Law Firm

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing REQUEST TO AMEND APPLICATION WITH CONSENT has been served on Ms. Margaret M. Duncan and Ms. Jennifer M. Mikulina, Attorneys for Opposer, by mailing said copy on April 4, 2011, via First Class Certified Mail, postage prepaid, to:

Ms. Margaret M. Duncan, Esq.
and/or Ms. Jennifer M. Mikulina
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/C. David Pai/
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Attorney for Applicant