

ESTTA Tracking number: **ESTTA487448**

Filing date: **08/06/2012**

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

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|---------------------------|--|
| Proceeding | 91194067 |
| Party | Defendant SUBHUB Ltd. |
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| Submission | Other Motions/Papers |
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| Signature | /Kurt D. Olender/ |
| Date | 08/06/2012 |
| Attachments | Sub Hub - Motion with Consent to Amend Identification of Services.pdf (3 pages) (911581 bytes) |

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

In re Application of: SubHub Ltd.

Serial No.: 78/517252

Filed: November 15, 2004

Mark: SUBHUB

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Opposition No.: 91194067

Published for Opposition:
September 8, 2009

MOTION WITH CONSENT
TO AMEND IDENTIFICATION OF SERVICES

Applicant, SubHub Ltd, with an address of Riverside Meads Lane, Wheathampstead AL4 8BZ, United Kingdom, notes that the instant mark has been opposed by StubHub, Inc. Pursuant to an agreement of the Parties, Applicant hereby moves with the consent of the Opposer, as evidenced by Opposer's counsel's signature below, to amend the identification of services in U.S. Trademark Application Serial No. 78/517252 as described below.

Applicant requests that the identification of services be amended as shown below to include new additional limiting language (shown in underlining):

International Class 35: Facilitating the exchange of needed information for financial compensation via the Internet for the purpose of allowing the website owner to charge for access to website content by giving the owner the ability to use the subscription payment method, the aforementioned services excluding setting up an on-line marketplace for sellers and buyers of tickets for sporting events, musical concerts and other entertainment events.

Settlement Agreement
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International Class 42: Design, creation, hosting and maintenance of Internet sites to assist third parties in the creation of revenue generating Internet sites by allowing the subscription method of payment, excluding the creation of an internet site for selling tickets for sporting events, musical concerts and other entertainment events.

Applicant points out that the proposed amendment to the services merely limits and narrows the scope of the services. As a result, Applicant and Opposer submit that this amendment is proper, and respectfully request that the Board and/or Examining Attorney approve the amended identification of services and have this amendment made of record.

Respectfully submitted,

SUBHUB LTD



Date: July 20, 2012

By:


KURT D. OLANDER
Attorney of Record

Consent provided by

STUBHUB, INC.

Date: July 20, 2012

By:



James R. Gady
Attorney of Record

CERTIFICATE OF ELECTRONIC TRANSMISSION

Date: AUGUST 6, 2012

I hereby certify that this correspondence is being transmitted to the Trademark Trial and Appeal Board of the United States Patent and Trademark Office using the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated above.


KURT D. OLENDER

CERTIFICATE OF SERVICE

Date: July 20, 2012

I hereby certify that a true and complete copy of the foregoing MOTION WITH CONSENT TO AMEND THE IDENTIFICATION OF SERVICES has been served on Opposer's counsel, James R. Cady, by mailing said copy on the date indicated above via electronic mail, to James.Cady@pillsburylaw.com.


KURT D. OLENDER