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

Proceeding	91195802
Party	Defendant Solera Networks, Inc.
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Date	09/18/2012
Attachments	Amendment of Appl with Consent and Conditional Agmt to Withdrawal of Opp 91195802.pdf ( 4 pages )(122934 bytes )

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

<p>Oracle America, Inc.,</p> <p style="text-align: center;">Opposer,</p> <p>v.</p> <p>Solera Networks, Inc.,</p> <p style="text-align: center;">Applicant.</p>	<p>Opposition No.: 91195802</p> <p>Mark: SOLERA NETWORKS &amp; Design</p> <p></p> <p>Serial No.: 77/571,700</p>
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**AMENDMENT OF APPLICATION WITH CONSENT AND  
CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION**

Pursuant to 37 C.F.R. § 2.133 and T.B.M.P. § 514.02, Applicant, Solera Networks, Inc. hereby amends the goods in International Class 9 of the application as follows, by adding the following text to the end of the current description: “all of the above in the field of network forensics and network security analytics.”

The entire description upon amendment should therefore read: “Computer hardware and software for network packet flow and network activity identification, analysis, indexing, correlation, searching, filtering and reconstruction, displaying in an interface and for viewing network communications; computer hardware and software for reporting, tracking, and monitoring network traffic including emails, instant messages, web page accesses, voice over internet protocol, file transfer protocol and other communication with or without an attachment; computer hardware and software for indexing the record of captured and stored packets; computer hardware and software allowing member of organization to locate and reconstruct specific communication flows or network activities from network traffic, all of the above in the field of network forensics and network security analytics.”

As reflected by the signature of Opposer's counsel below, Opposer consents to this amendment.

Applicant submits that the foregoing amendment does not add goods to or broaden the scope of the goods listed in the application, but instead narrows them. As such, neither republication of the mark nor further examination of the mark is required as a result of this amendment. Accordingly, Applicant respectfully requests that the Board approve the amendment without republication of the mark.

As reflected by the signature of Opposer's counsel below, Opposer hereby withdraws its opposition to the subject application, conditioned, however, on the acceptance and entry of the foregoing amendment or an amendment with substantially similar wording which is required by and acceptable to the Board. As reflected by the signature of Applicant's counsel below, this conditional withdrawal is submitted with the consent of Applicant pursuant to 37 C.F.R. § 2.106(c).

**WHEREFORE**, Applicant and Opposer move that the subject application be amended as stated herein and that the opposition be dismissed.

Respectfully submitted,

/s/Nadya C. Bosch

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Date: September 18, 2012

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Attorney for Applicant,  
SOLERA NETWORKS, INC.

Date: September 18, 2012

**Certificate of Service**

I certify that on September 18, 2012, I served a copy of the above AMENDMENT OF APPLICATION WITH CONSENT AND CONDITIONAL AGREEMENT TO WITHDRAWAL OF OPPOSITION to the following by U.S. Mail, Postage Prepaid and Email:

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