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

Proceeding	91196411
Party	Defendant SINDIVIDRO - Sindicato da Indústria de Vidros e Cristais Planos e Ocos no Estado de São Paulo
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Submission	Motion to Amend Application
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Date	08/04/2011
Attachments	amendment ECCO.pdf ( 2 pages )(27113 bytes )

In the United States Patent and Trademark Office  
Before the Trademark Trial and Appeal Board

EKCO Houswares, Inc.  
Plaintiff

Opposition No. 91196411

v.

Serial No. 77823411

SINVIDRO - Sindicato da Indústria de Vidros  
e Cristais Planos e Ocos no Estado de São Paulo

MOTION TO AMEND THE IDENTIFICATION OF THE GOODS  
SOUGHT TO BE COVERED AS PART OF SETTLEMENT AGREEMENT

Comes now, SINVIDRO Sindicato da Indústria de Vidros e Cristais Planos e Ocos no Estado de São Paulo (SINVIDRO), and through its legal representation respectfully pleads and avers as follows:

The parties in this proceeding have reached a settlement agreement according to which EKCO Houswares, Inc. (EKCO) will withdraw its opposition against the registration of the mark ECCO! GLASSWARE and design in exchange for, among other things, SINVIDRO's deletion the wording "household or kitchen utensils and containers made of semi-worked glass, namely, beverage glassware, bowls, and vases" as well as "glass beverageware" and "serving ware, namely, spoons, tongs, snack trays, namely, serving trays", from the identification of the goods included in the application for registration of the mark ECCO! GLASSWARE and design.

Accordingly, Applicant respectfully request that the identification of the goods of application serial no. 77823411, for the mark ECCO! GLASSWARE and design. and design be amended so that it reads as follows:

**PRODUCTS MADE OF GLASS FOR DECORATION PURPOSES, NAMELY, VASES, CANDLE RINGS AND HOLDERS, DECORATIVE GLASS CENTERPICES, GLASS SCULPTURES,**

The amended identification of goods is encompassed by the original identification and is clearly limiting in nature because it merely deletes some goods from that identification. Accordingly, pursuant to T.M.E.P. section 15.5(a), the amendment does not require either an additional search or republication of the mark.

Wherefore, Applicant respectfully requests the present amendment to be made of record and that the notice of allowance of allowance of the applied for mark, UNITITE IMPLANT and design, be issued thereafter.

• Certificate of Service

The undersigned hereby certifies that it is serving a copy of the present motion by email and first class mail to Allexis E. Payne, Pattishall, McAuliffe, Newbury, Hillard & Geraldson LLP, 311 S. Wacker Drive, Suite 5000, Chicago, IL 60606.

Respectfully submitted.

Date: August 4, 2011



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