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

Proceeding	91197827
Party	Defendant Itility Solutions, LLC
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

MARYVILLE DATA SYSTEMS, INC.)
Opposers,) Opposition Nos. 91197827
v.)
ITILITY SOLUTIONS, LLC.,)
Applicant.)

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

RESPONSE TO BOARD'S ORDER DATED JULY 12, 2011

On July 12, 2011, the Board issued an Order allowing Applicant 30 days to provide the written consent of Itility, LLC to an amendment of the recitation of services. On August 2, 2011, however, Applicant and Itility, LLC filed a Stipulated Amendment of Application Serial No. 77/902616 for the mark ITILITY SOLUTIONS to amend the recitation of services to be consistent with the amended recitation in the instant case, which is business management and business consulting services provided exclusively in the public utilities and energy industries (international class 35). Since the Board has found that the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a) and both opposers have agreed to consistent limiting language, Itility LLC's consent to the requested amendment is now moot. Therefore, Applicant respectfully requests that the amended description be entered into the record so that the pending oppositions can both be withdrawn.

Respectfully submitted,

ITILITY SOLUTIONS, LLC

By: 

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Attorneys for Applicant
Dated: August 11, 2011

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **RESPONSE TO BOARD'S ORDER DATED JULY 12, 2011** was served, via first-class mail, postage prepaid to:

GLENN K ROBBINS II
SPENCER FANE BRITT & BROWNE LLP
ONE NORTH BRENTWOOD BLVD SUITE 1000
ST LOUIS, MO 63105-3925

this 11th day of August 2011.

A handwritten signature in cursive script, reading "D. Mattessich". The signature is written in black ink and is positioned above a horizontal line.

Danielle I. Mattessich