

ESTTA Tracking number: **ESTTA489858**

Filing date: **08/20/2012**

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

Proceeding	91200355
Party	Plaintiff Motorola Mobility, Inc., Motorola Trademark Holdings, LLC
Correspondence Address	THOMAS M WILLIAMS WINSTON & STRAWN LLP 35 WEST WACKER DRIVE CHICAGO, IL 60601-9703 UNITED STATES tmwilliams@winston.com, docketCH@winston.com, ahodgson@winston.com, iagarcia@winston.com, tmdavis@winston.com, schubb@winston.com
Submission	Other Motions/Papers
Filer's Name	Thomas M. Williams
Filer's e-mail	tmwilliams@winston.com
Signature	/s/Thomas M. Williams
Date	08/20/2012
Attachments	Motion to Correct Caption2.pdf (8 pages)(76416 bytes)

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

Application Serial No. 78/575,442)
Filed: February 25, 2005)
Published: 2/22/2011, in the *Official Gazette*)
For: SOUND MARK) Opposition No. 91/200,355
)
Motorola Mobility, Inc. and Motorola)
Trademark Holdings, LLC,)
)
Opposers,)
vs.)
)
Nextel Communications, Inc.)
)
Applicant.)

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

**MOTION TO CORRECT CAPTION BASED ON OPPOSER’S CHANGE OF
NAME AND ENTITY TYPE**

PLEASE TAKE NOTICE that the Opposer formerly known as “Motorola Mobility, Inc.” has changed its name and entity type and is now known as “Motorola Mobility LLC.” Official documents filed with the Delaware Secretary of State reflecting this change of name and entity type are attached hereto as Exhibit 1. Pursuant to T.B.M.P. § 512.02, Opposers Motorola Mobility LLC and Motorola Trademark Holdings, LLC respectfully request the Board to change the official case caption as depicted below. (Opposer Motorola Trademark Holdings, LLC’s name and entity type remain unchanged.)

The corrected case caption should appear as follows:

**Motorola Mobility LLC and
Motorola Trademark Holdings, LLC,
Opposers,
vs.
Nextel Communications, Inc.
Applicant.**

Dated: August 20, 2012

Respectfully submitted,
WINSTON & STRAWN LLP

By: /s/Thomas M. Williams
Thomas M. Williams
Sara Skinner Chubb
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Chicago, IL 60601
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schubb@winston.com
*Attorneys for Opposers
Motorola Mobility LLC and Motorola
Trademark Holdings, LLC*

CERTIFICATE OF SERVICE

On August 20, 2012, I served the foregoing **MOTION TO CORRECT CAPTION BASED ON OPPOSER'S CHANGE OF NAME AND ENTITY TYPE** on the parties in said action by electronic mail, per agreement of the parties, to counsel of record for Applicant as follows:

John I. Stewart, Jr.
Crowell Moring
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2595
Email: jstewart@crowell.com

By: /s/Thomas M. Williams
Thomas M. Williams

CHI:2675340.2

EXHIBIT 1

Delaware

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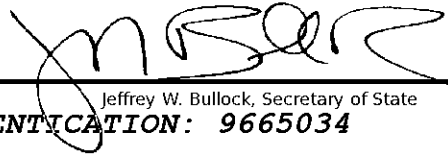
The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF CERTIFICATE OF FORMATION OF "MOTOROLA MOBILITY LLC" FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF JUNE, A.D. 2012, AT 7:01 O'CLOCK P.M.

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120770409




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 9665034

DATE: 06-22-12

CERTIFICATE OF FORMATION
OF
MOTOROLA MOBILITY LLC

The undersigned, desiring to form a limited liability company pursuant to the Delaware Limited Liability Company Act, 6 Delaware Code, Chapter 18 (the "Delaware LLC Act"), does hereby certify as follows:

- I. The name of the limited liability company is Motorola Mobility LLC (the "Company").
- II. The address of its registered office in the State of Delaware is 1209 Orange Street, Wilmington, County of New Castle, Delaware 19801. The name of its registered agent at such address for service of process in the State of Delaware at such address is The Corporation Trust Company.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Motorola Mobility LLC as of June 22, 2012.

By: _____

Name: Katherine Stephens

Title: Assistant Secretary

Delaware

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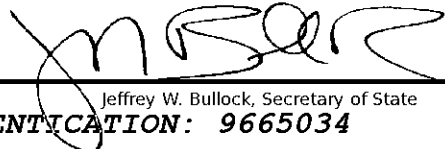
The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE CORPORATION UNDER THE NAME OF "MOTOROLA MOBILITY, INC." TO A DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "MOTOROLA MOBILITY, INC." TO "MOTOROLA MOBILITY LLC", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF JUNE, A.D. 2012, AT 7:01 O'CLOCK P.M.

4315483 8100V

120770409




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 9665034

DATE: 06-22-12

CERTIFICATE OF CONVERSION


Pursuant to Section 18-214 of the Delaware Limited Liability Company Act, the undersigned hereby certifies the following:

1. The jurisdiction where Motorola Mobility, Inc. (the "Company") was first incorporated is the State of Delaware.
2. The Company was first incorporated on March 12, 2007.
3. The name of the Company immediately prior to the filing of this Certificate of Conversion was Motorola Mobility, Inc.
4. The name of the Company as set forth in the attached Certificate of Formation is Motorola Mobility LLC.

IN WITNESS WHEREOF, the undersigned being duly authorized to sign on behalf of Motorola Mobility, Inc. has executed this Certificate on the 22nd day of June, 2012.

Motorola Mobility, Inc.

By:


Katherine Stephens
Assistant Secretary