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Filing date: **07/31/2012**

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

Proceeding	91204725
Party	Defendant My Chihuahua Bites, LLC
Correspondence Address	BRIAN SPROSS SPROSS & ASSOCIATES, PLLC 1605 LAKECLIFF HILLS LN STE 100 AUSTIN, TX 78732-2437  brianspross@sprosslaw.com
Submission	Motion to Amend Application
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Date	07/31/2012
Attachments	MCB Mot to Amend Application 20120731.pdf ( 3 pages )(86805 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Trademark Trial and Appeal Board**

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V& V SUPREMO FOODS, INC.	)	Opposition No. 91204725
	)	
Opposer,	)	Mark: MY CHIHUAHUA BITES
	)	
v.	)	Serial No. 85392770
	)	
MY CHIHUAHUA BITES, LLC	)	Filed: August 8, 2011
	)	
Applicant.	)	Published: December 27, 2011

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**MOTION TO AMEND APPLICATION (WITH CONSENT)**

Pursuant to 37 C.F.R. § 2.133 and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 514.03, Applicant My Chihuahua Bites, LLC (“Applicant”), hereby moves the Trademark Trial and Appeal Board (the “Board”) to permit Applicant to amend and more narrowly define the identification of goods in Application Serial No. 85392770 (the “Application”). In particular, Applicant requests that the Board permit Applicant to amend the existing International Class 029 identification of goods in the Application as follows:

From: “Dips”

To: “Dips, specifically excluding cheese-based dips”.

In support of its motion, Applicant states as follows:

1. On July 23, 2012, Applicant and V&V Supremo Foods, Inc. (“Opposer”) signed a Settlement Agreement in which Opposer and Applicant agreed that the International Class 029 identification of goods in the Application would be amended in the manner set forth above.
2. By virtue of Opposer’s agreement to, and execution of, the Settlement Agreement, Opposer has consented to this Motion.

3. The above-requested amendment is in conformity with the Trademark Rules, as it clarifies and limits, rather than broadens, the identification of goods.

4. The above-requested amendment is supported by and consistent with the Settlement Agreement mutually executed by Applicant and Opposer.

Based on the foregoing, Applicant respectfully requests that the Board grant Applicant's present motion under 37 C.F.R. 2.133 and amend the Application to include the substitute goods identification set forth above.

Respectfully submitted,

Dated: July 31, 2012

By: \_\_\_\_\_




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Attorney for Applicant

**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2012, a true and correct copy of the foregoing Motion to Amend Application (With Consent) was served on counsel for Opposer by U.S. Mail and e-mail addressed as follows:

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By:   
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Attorney for Applicant  
My Chihuahua Bites, LLC