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

Proceeding	91206410
Party	Defendant Creative Realities, Inc.
Correspondence Address	JOHN F MCKENNA CESARI AND MCKENNA LLP 88 BLACK FALCON AVE , STE 271 BOSTON, MA 02210 2438 UNITED STATES jfm@c-m.com
Submission	Motion to Amend/Amended Answer or Counterclaim
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Date	04/09/2013
Attachments	Consented to Mtn to Amend.pdf (3 pages)(154347 bytes)

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

CREATIVE REALITIES, LLC, Opposer,)	
)	Opposition No.: 91206410
v.)	Serial Number: 85/347,701
CREATIVE REALITIES, INC., Applicant.)	Mark: CREATIVE REALITIES
)	
)	

CONSENTED TO MOTION TO AMEND

Pursuant to 37 C.F.R. §2.133(a), Applicant Creative Realities, Inc. hereby moves to amend Application Serial No. 85/347,701 for the mark CREATIVE REALITIES.

In support of its motion, Applicant states as follows:

1. This amendment is being submitted as part of a settlement of the instant Opposition.
2. Opposer Creative Realities, LLC consents to this motion to amend.
3. Applicant and Opposer have entered into a Settlement Agreement resolving the instant Opposition.
4. Pursuant to the terms of the Settlement Agreement, Applicant hereby moves to amend the description of goods of its Application, Serial No. 85/347,701, as follows:
“Business innovation consulting, namely advising others in the area of product and project development”.
5. As set forth in the Settlement Agreement, the parties agree that their respective services are sufficiently different that the use will not cause confusion, mistake or

deception among prospective customers in the relevant marketplace. Among the reasons that confusion is unlikely are: the differences between the respective services, the cost of the services, and the differences in the channels of trade.

6. In addition, should instances of confusion occur, the parties have expressly agreed to take the necessary steps to resolve any such confusion and avoid its future occurrence.

CONCLUSION

For the reasons set forth herein, Applicant respectfully requests that the Trademark Trial and Appeal Board approve the instant motion to amend Application Serial No. 85/347,701.

CREATIVE REALTIES, INC.

By its attorneys,

/Michael R. Reinemann/

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