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Filing date: **11/29/2012**

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

Proceeding	91208055
Party	Defendant BARILLA G.E R. FRATELLI - SOCIETÀ# PER AZIONIIONI
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Submission	Other Motions/Papers
Filer's Name	Adam K Sacharoff
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Signature	/aks/
Date	11/29/2012
Attachments	ConsentAmendment.pdf ( 2 pages )(61891 bytes )

<p><b>Kellogg North America Company,</b></p> <p style="padding-left: 40px;"><b>Opposer,</b></p> <p style="padding-left: 80px;"><b>vs.</b></p> <p><b>Barilla G.e.R. Fratelli SPA</b></p> <p style="padding-left: 40px;"><b>Applicant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Opposition No. 91208055</b></p> <p><b>Serial No. 85/528,263</b></p> <p><b>Trademark NUTRIPLUS</b></p>
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**AMENDMENT OF TRADEMARK APPLICATION WITH CONSENT**

Applicant, through its attorneys and pursuant to 37 C.F.R. 2.133(a), hereby requests an amendment to its recitation of goods. Class 029 remains as currently pending, and Class 030 is amended as shown below.

Class 029: Processed olives, olive oil, cheese, dips, snack dips, prepared and/or packaged foods, dishes, meals, meal kits, and microwaveable foods consisting primarily of meats, poultry, vegetables and/or fruits;

Class 030: Sauce, salad dressings, food seasonings, seasoning mixes, seasonings, prepared and/or packaged foods, dishes, meals, meal kits, and microwaveable foods consisting primarily of rice, bread, cereals, noodles (excluding cereal bars and waffles), ready-made sauces and/or pastries; snacks made from cereals (excluding cereal bars and waffles), biscuits, crackers, rusks, breadsticks, dry breads; pizza; calzones; panini sandwiches; stromboli; ravioli; tortellini; manicotti; pasta shells; lasagna

This amendment is filed with the written consent of the opposing party as evidenced by the attached signatures. A copy is being filed with the Trademark Examining Operation.

Dated: 11.29.2012


Barilla G.e.R. Fratelli - Societa per Azioni

  
 By \_\_\_\_\_  
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Opposer, **Kellogg North America Company**, consents to Applicant's amendment of the trademark NUTRIPLUS, Serial No.: 85/528,263 without prejudice.

**Kellogg North America Company**

Date Nov. 29, 2012

BY 

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Assistant Secretary / Corporate Counsel  
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