

ESTTA Tracking number: **ESTTA598131**

Filing date: **04/11/2014**

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

|                        |   |
|------------------------|---|
| Proceeding             | 91211651  |
| Party                  | Defendant<br>Universal International Music B.V.   |
| Correspondence Address | DAVID DONAHUE<br>FROSS ZELNICK LEHRMAN & ZISSU PC<br>866 UNITED NATIONS PLAZA<br>NEW YORK, NY 10017<br>UNITED STATES<br>ddonahue@fzlz.com |
| Submission             | Other Motions/Papers  |
| Filer's Name           | Jason D. Jones  |
| Filer's e-mail         | jjones@fzlz.com, ddonahue@fzlz.com, ykarzoan@fzlz.com   |
| Signature              | /Jason D. Jones/  |
| Date                   | 04/11/2014  |
| Attachments            | Motion to Amend-Withdraw (CIC) (F1431148x96B9E).pdf(116288 bytes )  |

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

In the Matter of Application Serial Nos. 85/754,013 and 85/754,030

|                                    |   |                         |
|------------------------------------|---|-------------------------|
| -----X                             | : |                         |
| COLUMBIA INSURANCE COMPANY         | : |                         |
|                                    | : |                         |
| Opposer,                           | : | Opposition No. 91211651 |
|                                    | : |                         |
| - against -                        | : |                         |
|                                    | : |                         |
| UNIVERSAL INTERNATIONAL MUSIC B.V. | : |                         |
|                                    | : |                         |
| Applicant.                         | : |                         |
| -----X                             | : |                         |

**MOTION ON CONSENT TO PERMIT POST-PUBLICATION AMENDMENTS  
OF APPLICATION; TO SUSPEND OPPOSITION; and CONDITIONALLY  
WITHDRAW OPPOSITION**

Opposer Columbia Insurance Company, LLC (“Opposer”) and Applicant Universal International Music, B.V. (“Applicant”) hereby move to (a) allow Applicant to amend the description of goods for the mark ISLAND in Application Ser. No. 85/754,013 and the mark ISLAND & Design in Application Ser. No. 85/754,030 which applications are the subject of the above-captioned opposition proceedings; (b) to suspend the opposition pending the Board’s review of the amendment; and (c) to withdraw the opposition conditioned upon acceptance of the amendment.

For its amendment, Applicant proposes, with Opposer’s consent, to delete from the identified goods in Application Ser. Nos. 85/754,013 and 85/754,030 “hosiery,” “leggings,” “socks” and “footwear.” Accordingly, Applicant requests that the description of claimed goods in the Application Serial Nos. 85/754,013 and 85/754,030 be amended to read as follows:  
“Clothing, namely, bathrobes, blouses, body suits, coats, coveralls, dresses, gowns, Halloween

costumes, ~~hosiery~~, jackets, jumpers, ~~leggings~~, mittens, gloves, night gowns, overalls, pajamas, pants, robes, scarves, shawls, shirts, shorts, skirts, ~~socks~~, suspenders, sweat jackets, sweat pants, sweat shirts, sweaters, swimwear, tank tops, ties, tights, tops, t-shirts, undergarments, underwear, vests, and wrist bands; ~~footwear~~; headwear, namely, bandannas, caps, ear muffs, hats, and visors; belts; bustiers; lingerie; booties; cloth bibs; creepers; infantwear; and rompers.”

The parties believe the amendments to be appropriate in that they limit the identification of goods without broadening it pursuant to TMEP 1402.06 and 37 C.F.R. § 2.71(a), and, thus, no re-publication would be required.

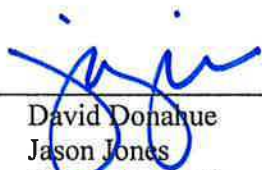
The parties also jointly move to suspend the above-referenced opposition pending review of the proposed amendments. The parties further consent to the withdrawal of the opposition without prejudice upon the approval and entry of the proposed amendments.

Dated: New York, New York  
April 11, 2014


FROSS ZELNICK LEHRMAN & ZISSU, P.C.

IP ATTORNEYS GROUP, LLC

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

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

  
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*Counsel for Opposer*

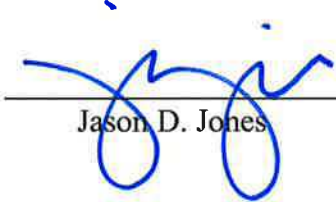
**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of **MOTION ON CONSENT TO PERMIT POST-PUBLICATION AMENDMENTS OF APPLICATION; TO SUSPEND OPPOSITION; and CONDITIONALLY WITHDRAW OPPOSITION** to be served upon Columbia Insurance Company's counsel of record by U.S. mail at the following address:

David Chen  
Peter Bucci  
IP ATTORNEYS GROUP, LLC  
16 Oxford Rd., Second Floor  
Milford, CT 06460

I hereby certify that I have caused a true and correct copy of **MOTION ON CONSENT TO PERMIT POST-PUBLICATION AMENDMENTS OF APPLICATION; TO SUSPEND OPPOSITION; and CONDITIONALLY WITHDRAW OPPOSITION** to be served upon Island Company LLC's counsel of record by U.S. mail at the following address:

Leslie A. Burgk  
LESLIE A. BURGK, P.A.  
580 Village Blvd., Suite 150  
West Palm Beach, FL 33409

  
\_\_\_\_\_  
Jason D. Jones