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

Proceeding	91212889
Party	Defendant Honeywell International Inc.
Correspondence Address	PETER S SLOANE LEASON ELLIS LLP 1 BARKER AVE FL 5 WHITE PLAINS, NY 10601-1523 UNITED STATES sloane@leasonellis.com, tmdocket@leasonellis.com
Submission	Motion to Amend Application
Filer's Name	Peter S. Sloane
Filer's e-mail	sloane@leasonellis.com, tmdocket@leasonellis.com
Signature	/peter sloane/
Date	04/10/2014
Attachments	01152086.PDF(77709 bytes)

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

MAXIM INTEGRATED PRODUCTS, INC.,

Opposer,

v.

HONEYWELL INTERNATIONAL INC.,

Applicant.

Opposition No. 91212889

Application No. 85/820,802

**SECOND STIPULATION TO AMEND APPLICATION, SUSPEND OPPOSITION, AND
DISMISS OPPOSITION UPON ENTRY OF AMENDED DESIGNATION OF GOODS**

The parties, by their undersigned attorneys, hereby stipulate that the above application be amended so that the complete identification of goods in Class 9 will read as follows:

Class 9: “Gateway routers in the nature of computer control hardware; computer hardware, namely, wireless access point (WAP) devices; wireless controller to monitor and control the functioning of other electronic devices; industrial wireless point-to-multipoint radio; wireless transmitters and receivers; hardened units composed of sensors, microprocessors and integrated transmitters and receivers installed in residential, commercial, and industrial facilities to receive data transmissions directed to the installations, applications and equipment, and transmit data on equipment and personnel and to receive automated proximity alerts of other equipment or personnel for operations and safety management systems, not including sensors, microprocessors and integrated transmitters and receivers sold separately; mobile computing and operating platforms consisting of data transceivers, wireless networks and gateways for collection and management of data”

Applicant is amending the wording “hardened units composed of sensors, microprocessors and integrated transmitters and receivers installed in residential, commercial, and industrial facilities to receive data transmissions directed to the installations, applications and equipment, and transmit data on equipment and personnel and to receive automated proximity alerts of other equipment or

personnel for operations and safety management systems” to add in the limiting language “not including sensors, microprocessors and integrated transmitters and receivers sold separately.”

The Board denied an earlier motion to amend filed by Applicant in a decision mailed on February 13, 2014. The parties respectfully point out that the new proposed amendment more clearly limits the identification of certain goods in Class 9. The identification of services in Classes 37 and 42 shall remain the same.

The parties respectfully request that the present opposition proceeding be further suspended, pending the Board’s decision upon entry of the amended designation of goods. The parties further respectfully request that if the amended designation of goods is entered by the Board, that the present opposition proceeding be dismissed, and that the mark be passed to registration. In the event that amended designation of goods is not entered, the parties request that the suspension be vacated, and that the opposition proceeding resume with a resetting of the deadline to answer as well as discovery and trial scheduling.

Respectfully submitted,

COBALT LLP

Dated: April 10, 2014

By: 
Sophie Cohen

918 Parker Street, Bldg. A21
Berkeley, California 94710
Tel. (510) 841-9800

Attorneys for Opposer

LEASON ELLIS LLP

By: 

Peter S. Sloane

Dated: April 10, 2014

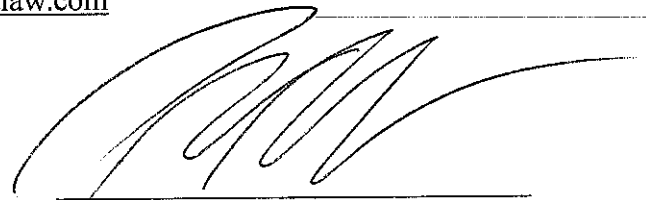
One Barker Avenue, Fifth Floor
White Plains, New York 10601
Tel.: (914) 821-9073

Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below a true and correct copy of the foregoing **SECOND STIPULATION TO AMEND APPLICATION, SUSPEND OPPOSITION, AND DISMISS OPPOSITION UPON ENTRY OF AMENDED DESIGNATION OF GOODS** was served by e-mail upon the attorney for Opposer, this 10th day of April, 2014, addressed as follows:

Sophie Cohen, Esq.
COBALT LLP
918 Parker Street, Bldg. A21
Berkeley, California 94710
sophie@cobaltlaw.com

A handwritten signature in black ink, appearing to read 'Peter S. Sloane', written over a horizontal line.

Peter S. Sloane