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

Proceeding	91213841
Party	Defendant 509, Inc.
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Submission	Motion to Amend Application
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Date	10/29/2014
Attachments	Stipulated Motion to Amend.pdf(12969 bytes)

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

In the matter of U.S. Trademark Application Serial No.: 85/890,960
Published in the *Official Gazette* on November 5, 2013
Mark: 509

LEVI STRAUSS & CO.)		
	Opposer,)	
)	OPPOSITION NO. 91213841
v.)	
509, INC.)	
)	
	Applicant.)	

STIPULATED MOTION TO AMEND U.S. APPLICATION 85/890,960

Applicant, 509, Inc. (hereinafter "Applicant"), by and through its counsel, K&L Gates LLP, expressly amends the Class 025 portion only of U.S. Application Serial No. 85/890,960 and pursuant to 37 C.F.R. § 2.133(a) and TBMP § 514 et. seq., moves the Trademark Trial and Appeal Board for an order amending the goods covered in Class 025 from Application Serial No. 85/890,960 as set forth below:

Current: International Class 009: Eyewear; Eyewear, namely, sunglasses, eyeglasses and ophthalmic frames and cases therefor; Eyewear, namely, sunglasses; Goggles for sports; Helmets for motorcyclists; Motorcycle goggles; Motorcycle helmets; Protective eyewear; Protective eyewear and component parts thereof; Protective helmets; Protective helmets for sports; Protective sports helmet accessories that attach to the helmets, namely, mouth guards, ear pads, throat protectors, chin straps, face masks, jaw pads and eye shields; Riding helmets; Safety helmets; Ski goggles; Snow goggles; Sport goggles for use in snow sports; Sports eyewear; Sports helmets

International Class 025: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shirts; Hooded sweat shirts; Long-sleeved shirts; Shirts; Short-sleeved or long-sleeved t-shirts; Sports shirts; Sweat shirts; T-shirts; Tank tops; Tank-tops; Tee shirts

Proposed: International Class 009: Eyewear; Eyewear, namely, sunglasses, eyeglasses and ophthalmic frames and cases therefor; Eyewear, namely, sunglasses; Goggles for sports; Helmets for motorcyclists; Motorcycle goggles; Motorcycle helmets; Protective eyewear; Protective eyewear and component parts thereof; Protective helmets; Protective helmets for sports; Protective sports helmet accessories that attach to the helmets, namely, mouth guards, ear pads, throat protectors, chin straps, face masks, jaw pads and eye shields; Riding helmets; Safety helmets; Ski goggles; Snow goggles; Sport goggles for use in snow sports; Sports eyewear; Sports helmets

International Class 025: Athletic apparel, namely, footwear, hats and caps

Applicant's proposed amendment to U.S. Application No. 86/890,960 to restrict the identification of goods by amending the goods covered in Class 025 only, is proper according to 37 C.F.R. § 2.71 as it merely limits those goods found in the original identification. In view of the foregoing, approval of the amendment by the Board pursuant to 37 C.F.R. § 2.133(a) is appropriate.

The above amendment is with the consent of Opposer as evidenced by Opposer's Counsel's signature below.

Dated: October 29, 2014

Respectfully submitted,

K&L Gates LLP

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CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing Stipulated Motion to Amend U.S. Application 85/890,960 is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Ryan Bricker
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Attorneys for Opposer

On October 29, 2014.

Signature: /Cari Hollabaugh/
Cari M. Hollabaugh, Paralegal