ESTTA Tracking number: **ESTTA712178**

Filing date: **12/02/2015**

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

| | |
|---|---|
| Proceeding | 91218632 |
| Party | Defendant<br>MERCK KGAA |
| Correspondence Address | WILLIAM C WRIGHT<br>EPSTEIN DRANGEL LLP<br>ONE GRAND CENTRAL PLACE , 60 E 42ND ST STE 2410<br>NEW YORK, NY 10165-0011<br>UNITED STATES<br>mail@ipcounselors.com |
| Submission | Other Motions/Papers |
| Filer's Name | William C. Wright |
| Filer's e-mail | mail@ipcounselors.com |
| Signature | /William C. Wright/ |
| Date | 12/02/2015 |
| Attachments | DOC120215mta.pdf(65661 bytes ) |

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

In the Matter of the Trademark Application for
SMARTFLARE, Ser. No. 85/868160, in the name of Merck KGaA

| | |
|---|---|
| CLONTECH LABORATORIES, INC.,<br><br>Opposer,<br><br>v.<br><br>MERCK KGAA,<br><br>Applicant. | OPP. NO.: 91218632 |

**MOTION TO AMEND CLASS 1**

Applicant, with Opposer's consent, hereby amends Class 1 to read as follows:

> Chemicals used in industry and science; chemical-based assays and reagents for genetic research; chemical test kits for genetic research for laboratory or research use; biochemical reagents commonly known as probes and detection probes for detecting RNA**; all of the aforementioned goods excluding, and not for use with, reagents for use in initial strand synthesis from an RNA or a DNA template using a reverse transcriptase**" in International Class 1

Dated: November 25, 2015

By: _____

William C. Wright
Jason M. Drangel
Robert L. Epstein
Epstein Drangel
One Grand Central Plaza
60 East 42nd Street, Suite 2410
New York, New York 10165
Phone: (212) 292-5390
Fax: (212) 292-5391
Attorneys for Applicant

**Consented To:**

Dated: November 25, 2015

By: _____

Ian K. Boyd
Harvey Siskind LLP
4 Embarcadero Center, 39th Floor
San Francisco, Ca 94111
Attorneys for Opposer

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## CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Motion to Amend Class was served by email on this 2ND day of ~~November~~ December, 2015, upon Opposer's counsel:

IAN K. BOYD
HARVEY SISKIND LLP
4 EMBARCADERO CENTER, 39TH FLOOR
SAN FRANCISCO, CA 94111
UNITED STATES

BY: _____
William C. Wright

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