

ESTTA Tracking number: **ESTTA710687**

Filing date: **11/24/2015**

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

Proceeding	91220464
Party	Defendant American Silver, LLC
Correspondence Address	PERRY S CLEGG CLEGG PC PO BOX 1198 SALT LAKE CITY, UT 84110-1198 UNITED STATES mail@cleggiplaw.com, pclegg@cleggiplaw.com, mdurkin@cleggiplaw.com
Submission	Motion to Amend Application
Filer's Name	Perry S. Clegg
Filer's e-mail	pclegg@cleggiplaw.com, mdurkin@cleggiplaw.com, mail@cleggiplaw.com
Signature	/Perry S. Clegg/
Date	11/24/2015
Attachments	0282op-2015-11-24-MTN-Amendment-Withdrawal.pdf(2995268 bytes)

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

WHOLE FOODS MARKET IP, L.P., Opposer, v. AMERICAN SILVER, LLC, Applicant,	Opposition No. 91220464 Mark: ASAP365 Int'l Class: 005 Serial No.: 86/278,433 Filed: May 12, 2014 Published: August 5, 2014
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STIPULATION FOR AMENDMENT AND WITHDRAWAL

Applicant, American Silver, LLC ("Applicant") and Opposer, Whole Foods Market IP, L.P. hereby stipulate that Application Serial No. 86/278,433 be amended as set forth below and, pursuant to 37 CFR § 2.133, request approval of the same. Contingent upon approval of such amendment, the parties stipulate that the Opposition be withdrawn with prejudice.



Specifically, Applicant requests, and Opposer consents to, the amendment of the current identification of goods in International Class 003 so as to substitute the current identification with the following in International Class 003:

"Cosmetic preparations for skin renewal containing silver."

Applicant submits the amended identification narrows the scope of the goods and should therefore be permitted pursuant 37 CFR § 2.71(a).

Contingent upon approval of the aforesaid amendment, and in light thereof, Opposer requests, and Applicant stipulates to, the withdrawal of the opposition with prejudice.

Respectfully submitted this 24th day of November, 2015.


Perry S. Clegg
Wendy C. Larson

CLEGG, P.C.
P.O. Box 1198
Salt Lake City, Utah 84110
Telephone: (801) 532-3040
Fax: (801) 532-3042

PIRKEY BARBER PLLC
600 Congress Ave, Suite 2120
Austin, TX 78701
(512) 322-5200

*Attorney for Applicant,
American Silver, LLC*

*Attorney for Opposer,
Whole Foods Market IP, L.P.*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
STIPULATION FOR AMENDMENT AND WITHDRAWAL and this CERTIFICATE OF
SERVICE were served on Opposer by mailing a true copy thereof to its attorney of record, by
First Class Mail, postage prepaid this 24th day of November, 2015, in an envelope addressed as
follows:

Wendy C. Larson
Pirkey Barber PLLC
600 Congress Avenue, Suite 2120
Austin, TX 78701


/s/ Perry S. Clegg
Perry S. Clegg