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

Proceeding	91220971
Party	Plaintiff Nutrishop, Inc.
Correspondence Address	CATHERIN J HOLLAND KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET, 14TH FLOOR IRVINE, CA 92614 UNITED STATES efiling@knobbe.com
Submission	Other Motions/Papers
Filer's Name	Catherine J. Holland
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Signature	/Catherine Holland/
Date	02/19/2016
Attachments	Motion on Consent to Amend App and if Accepted, Withdraw Opp With Consent - NSHOP.039M.pdf(95581 bytes )

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

NUTRISHOP, INC.  
Opposer,

v.

NUTRISHAPE, LLC  
Applicant.

Mark:



Opp. No.: 91220971

Serial No.: 86/076644

**MOTION ON CONSENT TO AMEND APPLICATION AND,  
IF ACCEPTED, WITHDRAWAL OF OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that Application Serial No. 86/076644 (the "Application") be amended by adding the following language to the end of the existing description of goods and services in classes 5 and 44: "All of the foregoing offered through a subscription weight management system utilizing weight management and medical professionals."

The amended description of goods and services will read as follows:

INTERNATIONAL CLASS 5: Dietary and nutritional supplements used for weight loss; dietary supplements; **all of the foregoing offered through a subscription weight management system utilizing weight management and medical professionals**

INTERNATIONAL CLASS 44: Dietary and nutritional guidance; weight reduction diet planning and supervision; medical bariatric procedures; **all of the**

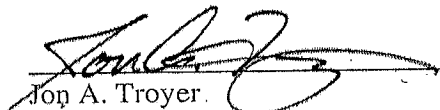
**foregoing offered through a subscription weight management system  
utilizing weight management and medical professionals**

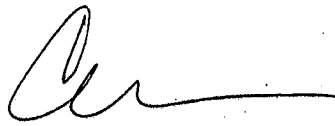
It is respectfully submitted that this amendment does not require republication as it limits the scope of the Application.

This amendment is made pursuant to an Agreement between Applicant and Opposer. The Parties consent to this amendment to the Application. Applicant respectfully requests that this motion to amend the Application be granted in its entirety:

If the above requested amendment to the Application's goods and services is approved by the Board, Opposer, with Applicant's consent, requests that Opposition No. 91220971 be withdrawn without prejudice.

Respectfully submitted,

  
Jon A. Troyer  
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Akron, OH 44313  
*Attorneys for Applicant*

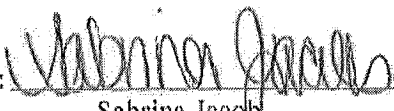
 2/19/2016  
Catherine J. Holland  
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Irvine, CA 92614  
*Attorneys for Opposer*

Dated: February 18, 2016

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing MOTION ON CONSENT TO AMEND APPLICATION AND, IF ACCEPTED, WITHDRAWAL OF OPPOSITION ON CONSENT upon Applicant's counsel via first-class mail on February 19, 2016, addressed as follows:

JON A TROYER  
EMERSON THOMSON BENNETT  
1914 AKRON PENINSULA RD  
AKRON, OH 44313-4810

By:   
Sabrina Jacob

22685310