

ESTTA Tracking number: **ESTTA688267**

Filing date: **08/07/2015**

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

Proceeding	91222361
Party	Plaintiff Zendesk, Inc.
Correspondence Address	Gregory S. William Danielson Legal LLC 1 Mifflin Pl. Ste. 400 Cambridge, MA 02138 UNITED STATES greg@danielsonlegal.com, tmadmin@danielsonlegal.com, miguel@danielsonlegal.com
Submission	Other Motions/Papers
Filer's Name	Gregory S. William
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Signature	/Gregory S. William/
Date	08/07/2015
Attachments	Joint Motion to Amend ZENSHEET ID (F 8.7.15).pdf(1698832 bytes)

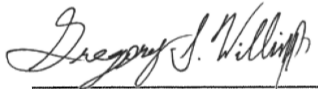
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ZENDESK, INC.	:	
	:	
Opposer	:	Opposition No. 91222361
	:	
	:	Mark: ZENSHEET
	:	
v.	:	Application Serial No. 86159783
	:	
ALDA, ENZO	:	
	:	
Applicant	:	

JOINT MOTION TO AMEND APPLICATION

In the above-captioned matter, pursuant to TBMP §514.02, Applicant Enzo Alda and Opposer Zendesk, Inc. jointly move to amend the listing of goods and services in trademark application Serial No. 86/159783 as set forth in the attached document at Exhibit A, which was inadvertently filed via TEAS, rather than with the Board. The Parties believe that the requested amendments are within the scope of the originally submitted list of goods and services.

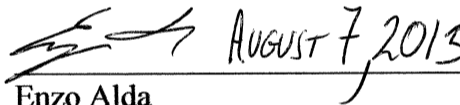
Respectfully submitted,



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Zendesk, Inc.*

Respectfully submitted,



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Applicant

EXHIBIT A

Copy of amendments to trademark application Serial No. 86/159783, filed on July 17, 2015 via TEAS.

Voluntary Amendment

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	86159783
LAW OFFICE ASSIGNED	LAW OFFICE 107
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/86159783/large
LITERAL ELEMENT	ZENSHEET
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
<p>Compiler software; Computer software development tools; Computer software for computer system and application development, deployment and management; Computer software for creating searchable databases of information and data; Computer software for providing an on-line database in the field of transaction processing to upload transactional data, provide statistical analysis, and produce notifications and reports; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information that may be downloaded from a global computer network; Computer software platforms for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Computer software that assists computers in deploying parallel applications and performing parallel computations; Computer software that provides real-time, integrated business management intelligence by combining information from various databases and presenting it in an easy-to-understand user interface; Computer software that provides web-based access to applications and services through a web operating system or portal interface; Computer software to automate data warehousing; Downloadable cloud computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable software for use as a data/computation modeling tool, real-time spreadsheet, database,</p>	

and other means to organize and analyze information; Spreadsheet software for general use	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/09/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/09/2013
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	009
TRACKED TEXT DESCRIPTION	
<p>Compiler software; Computer software development tools; <u>Computer software development tools in the fields of reactive computing, mathematical modeling and simulation, and parallel computing</u>; Computer software for computer system and application development, deployment and management; <u>Computer software for computer system and application development, deployment and management in the fields of reactive computing, mathematical modeling and simulation, and parallel computing</u>; Computer software for creating searchable databases of information and data; <u>Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information, all the foregoing in the fields of reactive computing, mathematical modeling and simulation, and parallel computing</u>; Computer software for providing an on-line database in the field of transaction processing to upload transactional data, provide statistical analysis, and produce notifications and reports; <u>Computer software platforms for use as a data/computation modeling tool and real-time spreadsheet</u>; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software that assists computers in deploying parallel applications and performing parallel computations; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Computer software to automate data warehousing; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information that may be downloaded from a global computer network; <u>Downloadable cloud computer software for use as a data/computation modeling tool and real-time spreadsheet</u>; Computer software platforms for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; <u>Downloadable computer software for use as a data/computation modeling tool and real-time spreadsheet</u>; <u>Downloadable software for use as a data/computation modeling tool and real-time spreadsheet</u>; Computer software that provides real-time, integrated business management intelligence by combining information from various databases and presenting it in an easy-to-understand user interface; <u>Spreadsheet software for use in the fields of reactive computing, mathematical modeling and simulation, and parallel computing.</u>; Computer software that provides web-based access to applications and services through a web operating system or portal interface; Downloadable cloud computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Spreadsheet software for general use</p>	
FINAL DESCRIPTION	
<p>Compiler software; Computer software development tools in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software for computer</p>	

system and application development, deployment and management in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information, all the foregoing in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software platforms for use as a data/computation modeling tool and real-time spreadsheet; Computer software that assists computers in deploying parallel applications and performing parallel computations; Computer software to automate data warehousing; Downloadable cloud computer software for use as a data/computation modeling tool and real-time spreadsheet; Downloadable computer software for use as a data/computation modeling tool and real-time spreadsheet; Downloadable software for use as a data/computation modeling tool and real-time spreadsheet; Spreadsheet software for use in the fields of reactive computing, mathematical modeling and simulation, and parallel computing.

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 08/09/2013
FIRST USE IN COMMERCE DATE	At least as early as 08/09/2013
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Enzo Alda Lakebolt/
SIGNATORY'S NAME	Enzo Alda
SIGNATORY'S POSITION	Principal and Founder
SIGNATORY'S PHONE NUMBER	732-887-9255
DATE SIGNED	07/17/2015
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Jul 17 15:20:12 EDT 2015
TEAS STAMP	USPTO/PRA-76.23.234.133-2 0150717152012641907-86159 783-5409941db713f6e123d56 4deb5b16b6cd0f8b24f455cb5 266568ad66871b863-N/A-N/A -20150717144052455428

Voluntary Amendment
To the Commissioner for Trademarks:

Application serial no. **86159783** ZENSHEET(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/86159783/large>) has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Compiler software; Computer software development tools; Computer software for computer system and application development, deployment and management; Computer software for creating searchable databases of information and data; Computer software for providing an on-line database in the field of transaction processing to upload transactional data, provide statistical analysis, and produce notifications and reports; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information that may be downloaded from a global computer network; Computer software platforms for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Computer software that assists computers in deploying parallel applications and performing parallel computations; Computer software that provides real-time, integrated business management intelligence by combining information from various databases and presenting it in an easy-to-understand user interface; Computer software that provides web-based access to applications and services through a web operating system or portal interface; Computer software to automate data warehousing; Downloadable cloud computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Spreadsheet software for general use

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 08/09/2013 and first used in commerce at least as early as 08/09/2013 , and is now in use in such commerce.

Proposed:

Tracked Text Description: Compiler software; ~~Computer software development tools;~~ Computer software development tools in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; ~~Computer software for computer system and application development, deployment and management;~~ Computer software for computer system and application development, deployment and management in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; ~~Computer software for creating searchable databases of information and data;~~ Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information, all the foregoing in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; ~~Computer software for providing an on-line database in the field of transaction processing to upload transactional data, provide statistical analysis, and produce notifications and reports;~~ Computer software platforms for use as a data/computation modeling tool and real-time spreadsheet; ~~Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information;~~ Computer software that assists computers in deploying parallel applications and performing parallel computations; ~~Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to~~

~~organize and analyze information; Computer software to automate data warehousing; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information that may be downloaded from a global computer network; Downloadable cloud computer software for use as a data/computation modeling tool and real-time spreadsheet; Computer software platforms for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable computer software for use as a data/computation modeling tool and real-time spreadsheet; Downloadable software for use as a data/computation modeling tool and real-time spreadsheet; Computer software that provides real-time, integrated business management intelligence by combining information from various databases and presenting it in an easy-to-understand user interface; Spreadsheet software for use in the fields of reactive computing, mathematical modeling and simulation, and parallel computing.; Computer software that provides web-based access to applications and services through a web operating system or portal interface; Downloadable cloud computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Downloadable software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information; Spreadsheet software for general use~~

Class 009 for Compiler software; Computer software development tools in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software for computer system and application development, deployment and management in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software for use as a data/computation modeling tool, real-time spreadsheet, database, and other means to organize and analyze information, all the foregoing in the fields of reactive computing, mathematical modeling and simulation, and parallel computing; Computer software platforms for use as a data/computation modeling tool and real-time spreadsheet; Computer software that assists computers in deploying parallel applications and performing parallel computations; Computer software to automate data warehousing; Downloadable cloud computer software for use as a data/computation modeling tool and real-time spreadsheet; Downloadable computer software for use as a data/computation modeling tool and real-time spreadsheet; Downloadable software for use as a data/computation modeling tool and real-time spreadsheet; Spreadsheet software for use in the fields of reactive computing, mathematical modeling and simulation, and parallel computing.

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 08/09/2013 and first used in commerce at least as early as 08/09/2013 , and is now in use in such commerce.

SIGNATURE(S)

Voluntary Amendment Signature

Signature: /Enzo Alda Lakebolt/ Date: 07/17/2015

Signatory's Name: Enzo Alda

Signatory's Position: Principal and Founder

Signatory's Phone Number: 732-887-9255

The signatory has confirmed that he/she is not represented by either an authorized attorney or Canadian attorney/agent, and that he/she is either: (1) the applicant ; or (2) a person(s) with legal authority to bind the applicant; and if an authorized U.S. attorney or Canadian attorney/agent previously represented

him/her in this matter, either he/she has filed a signed revocation of power of attorney with the USPTO or the USPTO has granted the request of his/her prior representative to withdraw.

Serial Number: 86159783

Internet Transmission Date: Fri Jul 17 15:20:12 EDT 2015

TEAS Stamp: USPTO/PRA-76.23.234.133-2015071715201264

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b16b6cd0f8b24f455cb5266568ad66871b863-N/

A-N/A-20150717144052455428

CERTIFICATE OF SERVICE

I, Gregory S. William, hereby certify that on August 7, 2015, a true and correct copy of the foregoing JOINT MOTION TO AMEND APPLICATION was served via Email (as agreed to by the Parties), upon the following:

Enzo Alda
enzo@ieee.org, enzo@lakebolt.com



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